

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
ASBESTOS LITIGATION

Docket No: **L-3150-12 (AS)**

Civil Action

CASE MANAGEMENT ORDER III

ESTATE of BRUCE HANSEN, (BRENDA BARKSDALE)  <i>Plaintiff(s),</i>  vs. 84 LUMBER COMPANY, et al  <i>Defendant(s).</i>
--

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on May 12, 2015:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Keven Friedman	Plaintiff(s)
Caruso Smith	Lisa Massimi	CertainTeed; Union Carbide; AmChem
Dickie McCamey	William Smith	84 Lumber
Lynch Daskal	Andrew Mundo	Georgia Pacific
McGivney Kluger	Joel Clark	DAP; Bell Supply
Vasios Kelly	Thomas J. Kelly, Jr.	Brid, Inc.
Wilbraham Lawler	Elizabeth deBerardinis	Karnak

IT IS on this 18<sup>th</sup> day of May, 2015 effective from the conference date;

ORDERED as follows:

Counsel receiving this Order through computerized electronic medium (E-Mail) shall be deemed by the court to have received a copy of the filed original court document. Any document served pursuant to this Order shall be deemed to be served by mail pursuant to R.1:5-2.

**DISCOVERY**

August 31, 2015      Fact discovery, including depositions, shall be completed by this date. Plaintiff's counsel shall contact the Special Master within one week of this deadline if all fact discovery is not completed.

September 30, 2015      Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

October 9, 2015      Settlement demands shall be served on all counsel and the Special Master by this date.

## **SUMMARY JUDGMENT MOTION PRACTICE**

- October 9, 2015 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- October 23, 2015 Summary judgment motions shall be filed no later than this date.
- November 20, 2015 Last return date for summary judgment motions.

## **MEDICAL DEFENSE**

- January 22, 2016 Plaintiff shall serve additional medical expert reports by this date.
- January 22, 2016 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- March 31, 2016 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

## **LIABILITY EXPERT REPORTS**

- January 22, 2016 Plaintiff shall identify its liability experts and serve liability expert reports or a certified expert statement by this date or waive any opportunity to rely on liability expert testimony.
- March 31, 2016 Defendants shall identify its liability experts and serve liability expert reports, if any, by this date or waive any opportunity to rely on liability expert testimony.

## **ECONOMIST EXPERT REPORTS**

- January 22, 2016 Plaintiff shall identify its expert economists and serve expert economist report(s), if any, by this date or waive any opportunity to rely on economic expert testimony.
- March 31, 2016 Defendants shall identify its expert economists and serve expert economist report(s), if any, by this date or waive any opportunity to rely on economic expert testimony.

## **EXPERT DEPOSITIONS**

- April 15, 2016 Expert depositions shall be completed by this date. To the extent that plaintiff and defendant generic experts have been deposed before, the parties seeking that deposition in this case must file an application before the Special Master and demonstrate the necessity for that deposition. To the extent possible, documents requested in a deposition notice directed to an expert shall be produced three days in advance of the expert deposition. The expert shall not be required to produce documents that are readily accessible in the public domain.

**PRE-TRIAL AND TRIAL**

March 31, 2016 @ 10:00am

Settlement conference. All defense counsel shall appear with authority to negotiate settlement and have a representative authorized to negotiate settlement available by phone. Any request to be excused from the settlement conference shall be made to the Special Master no later than 4:00pm of the day prior to the conference.

April 25, 2016

Trial Date.

**Plaintiff's counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.**

*/s/ Ana C. Viscomi*  
ANA C. VISCOMI, J.S.C.

cc: Clerk, Mass Tort  
Brody Deposition Services  
Priority One