

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

**Docket No:** L-3180-16 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER III**

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| ELIZABETH HARRIS<br>(Estate of George Harris),<br><br><i>Plaintiff(s),</i><br><br>vs.<br>BEACH ELECTRIC CO., INC., et al<br><br><i>Defendant(s).</i> |
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on March 8, 2018:

| <b>FIRM</b>        | <b>ATTORNEY</b>                 | <b>CLIENT</b>                      |
|--------------------|---------------------------------|------------------------------------|
| Levy Konigsberg    | Joseph J. Mandia                | Plaintiff(s)                       |
| Gibbons PC         | Alan L. Gries                   | JAM Ind.                           |
| Landman Corsi      | Colin Be                        | Bechtel                            |
| Margolis Edelstein | Jeanine D. Clark                | United Engineers & Construction    |
| Marshall Dennehey  | Paul Johnson<br>Arthur Bromberg | Riley Power;<br>Beach Electric     |
| McGivney Kluger    | Christopher M. Longo            | Dravo                              |
| Pascarella DiVita  | Bradley E. Bishop               | Ingersoll Rand Co.; Crane Co.      |
| Tanenbaum Keale    | Afigo Fadahunsi                 | CBS/Westinghouse; General Electric |

IT IS on this 12<sup>th</sup> day of March, 2018, *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**

July 13, 2018      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.

August 13, 2018      Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

September 28, 2018      Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

- September 28, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- October 12, 2018 Summary judgment motions shall be filed no later than this date.
- November 9, 2018 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

- September 10, 2018 Plaintiff shall serve medical expert reports by this date.
- September 10, 2018 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- December 21, 2018 Defendants shall identify its medical experts and serve medical reports, if any, by this date. In addition, defendants shall notify plaintiff's counsel (as well as all counsel of record) of a joinder in an expert medical defense by this date.

### **LIABILITY EXPERT REPORTS**

- September 10, 2018 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.
- December 21, 2018 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**

- September 10, 2018 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.
- December 21, 2018 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**

- January 31, 2019 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**

- August 1, 2018 The settlement conference previously scheduled on this date is **cancelled**.
- January 31, 2019 @ 1:30pm 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.

February 25, 2019

Trial Date. *(The August 27, 2018 trial is adjourned to this 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