

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

Docket No: **L-6318-15 (AS)**

Civil Action

CASE MANAGEMENT ORDER I

DAVID HARVEY,  vs.  HONEYWELL INTERNATIONAL INC.	<i>Plaintiff(s),</i>   <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 December 10, 2015:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Joseph Mandia	Plaintiff(s)
Gibbons PC	Ethan Stein	Honeywell International Inc.

IT IS on this 10<sup>th</sup> day of December, 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.

Defense counsel shall notify plaintiff's counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

**DISCOVERY**

- December 31, 2015 Defendant shall file a motion to dismiss based on forum non conveniens, if any, by this date.
- December 31, 2015 Defendant shall serve answers to standard interrogatories by this date.
- January 29, 2016 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- February 29, 2016 Defendant shall serve answers to supplemental interrogatories and document requests by this date.
- January 29, 2016 Defendant shall propound supplemental interrogatories and document requests by this date.
- February 29, 2016 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- April 29, 2016 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.

April 29, 2016            Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

March 4, 2016            Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

April 29, 2016            Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

May 13, 2016            Summary judgment motions shall be filed no later than this date.

June 10, 2016            Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

April 29, 2016            Plaintiff shall serve medical expert reports by this date.

June 30, 2016            Defendant shall identify its medical experts and serve medical reports, if any, by this date.

### **LIABILITY EXPERT REPORTS**

April 29, 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.

June 30, 2016            Defendant 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**

May 31, 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.

June 30, 2016            Defendant 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**

July 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**

May 3, 2016 @ 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.

10 business days prior to trial    Pretrial Information Exchange Form due.

August 8, 2016

**Trial-Ready** 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