

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

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| <p>MICHELE HOLLAND<br/>(Estate of Edward Prezwodek),<br/><br/>vs.<br/>ABB INC., et al</p> <p style="text-align: right;"><i>Plaintiff(s),</i></p> <p style="text-align: right;"><i>Defendant(s).</i></p> |
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Docket No: **L-3600-16 (AS)**

Civil Action

CASE MANAGEMENT ORDER I

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on May 3, 2017:

| FIRM                | ATTORNEY             | CLIENT  |
|---------------------|----------------------|---|
| Levy Konigsberg     | Amber Long           | Plaintiff(s)  |
| Forman Watkins      | Matthew G. Broderson | Cooper Industries   |
| Littleton Joyce     | Katherine Galdieri   | McMaster-Carr   |
| Mandelbaum Salsburg | Mara Codey           | Turtle & Hughes   |
| Margolis Edelstein  | Dawn Dezii           | Woolsulate; Central Jersey Supply   |
| Maron Marvel        | Carolyn Williams     | Keeler Dorr Oliver  |
| Marshall Dennehey   | Paul Johnson         | Riley Power   |
| McCullough Ginsberg | Jason Schmolze       | Okonite   |
| McGivney Kluger     | Pooja Patel          | Bergan Industrial; Madsen & Howell; Graybar Electric; Jewel Electric Supply; Griffith Electric Supply |
| O'Brien Firm        | Tracy Cabbage        | ABB Inc.  |
| Pascarella DiVita   | Inge B. Cully        | Ingersoll Rand  |
| Porzio Bromberg     | Diane Averell        | Wyeth Holdings, LLC   |
| Reilly Janiczek     | Matthew Franson      | Gould Electronics Inc., Samson Electrical Supply  |
| Speziali Greenwald  | Joanne Hawkins       | General Electric  |
| Tanenbaum Keale     |                      | CBS/ Westinghouse, Wesco, Foster Wheeler  |
| Tierney Law Firm    | Brian Garbaez        | Elizabeth Industrial  |

IT IS on this 15<sup>th</sup> day of May, 2017, *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**

- June 16, 2017 Plaintiff shall serve answers to wrongful death interrogatories by this date.
- May 31, 2017 Defendants shall serve answers to standard interrogatories by this date.
- June 30, 2017 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- August 11, 2017 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- June 30, 2017 Defendants shall propound supplemental interrogatories and document requests by this date.
- August 11, 2017 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- November 30, 2017 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.
- December 29, 2017 Depositions of corporate representatives shall be completed by this date.

## **EARLY SETTLEMENT**

- January 19, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

## **SUMMARY JUDGMENT MOTION PRACTICE**

- January 19, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- February 2, 2018 Summary judgment motions shall be filed no later than this date.
- March 2, 2018 Last return date for summary judgment motions.

## **MEDICAL DEFENSE**

- November 30, 2017 Plaintiff shall serve medical expert reports by this date.
- November 30, 2017 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- June 29, 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**

- April 30, 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.
- June 29, 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**

- April 30, 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.
- June 29, 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**

- July 27, 2018            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 @ 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.
- August 20, 2018            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