

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

**Docket No:** L-3600-16 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER VI**

MICHELE HOLLAND (Estate of Edward Prezwodek),  vs. ABB INC., et al	<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 March 15, 2019:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Lara Weissman	Plaintiff(s)
Forman Watkins	Nicole Diesa	Cooper Industries
Hoagland Longo	Ibrahim Kosoko	Westfield Plumbing
Kelley Jasons	Angela Caliendo	Square D, n/k/a Schneider Electric USA
Littleton Park	Christine Delaney	McMaster-Carr
Mandelbaum Salsburg	Elizabeth M. Rocha	Turtle & Hughes
Margolis Edelstein	Nicholas Sulpizio	Woolsulate; Central Jersey Supply
Maron Marvel	Lina C. Flanigan	Keeler/Dorr-Oliver Boiler co.
Marshall Dennehey	Paul Johnson	Riley Power
McCullough Ginsberg	Jason Schmolze	Okonite
McElroy Deutsch	Charles Benjamin	Eaton Corp.; Rockwell Automation
McGivney Kluger	Joel Clark	Bergan Industrial; Madsen & Howell; Graybar Electric; Jewel Electric Supply; Griffith Electric Supply
Nowell PA	Linda dunne	United Supply
O'Brien Firm	Jodie Farrow	ABB Inc.
O'Toole Scrivo	Franklin Paez	W.A. Birdsall & Co.
Pascarella DiVita	Madelyn Iulo	Ingersoll Rand
Porzio Bromberg	Michelle Burke	Wyeth Holdings, LLC
Reilly McDevitt	Inna s. Keith	Gould Electronics Inc., Samson Electrical Supply; E.W. Berger
Speziali Greenwald c/o Ounan & Quinn	Michael Quinn	General Electric
Tanenbaum Keale	Pamela R. Kaplan	CBS Corp.; Foster Wheeler; Wesco
Tierney Law Office	Michael Murphy	Elizabeth Ind.
Wilbraham Lawler	Lynn E. Roberts, III	South Amboy Supply

IT IS on this 18<sup>th</sup> day of March, 2019, 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.

Any jurisdictional motions must be filed in accordance with the Court Rules or be waived.

Any *forum non conveniens* motions must be filed as soon as practicable; once sufficient discovery is conducted so that the motion may be properly brought.

### **DISCOVERY**

May 31, 2019 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.

May 31, 2019 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

October 11, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

### **MEDICAL EXPERT REPORT**

July 31, 2019 Plaintiff shall serve medical expert reports by this date.

July 31, 2019 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

September 30, 2019 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**

July 31, 2019 Plaintiff shall identify its liability experts and serve liability expert reports by this date or waive any opportunity to rely on liability expert testimony.

September 30, 2019 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.

### **SUMMARY JUDGMENT MOTION PRACTICE**

October 11, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

October 25, 2019 Summary judgment motions shall be filed no later than this date.

November 22, 2019 Last return date for summary judgment motions.

## **ECONOMIST EXPERT REPORTS**

- July 31, 2019                      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.
- September 30, 2019              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 10, 2020                      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**

- To be scheduled                      Settlement conference.
- February 10, 2020                      Trial Date. *(The September 30, 2019 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