

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

Docket No: **L-4648-13 (AS)**

Civil Action

CASE MANAGEMENT ORDER V

<p>JAMES & ELAINE HUDSON, <i>Plaintiff(s),</i></p> <p>vs.</p> <p>A&M WHOLESALE HARDWARE CO., et al <i>Defendant(s).</i></p>

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on July 29, 2015:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Jon G. Kupilik	Plaintiff(s)
Baginski Mezzanotte	Mark Macdonald	Sherman & Chaplin
Barrett Lazar	Dale Hibbard	A&M Wholesale Hardware
Barry McTiernan	Sean Connelly	RW Beckett; Fulton
Bucca Campisano	Benjamin Bucca, Jr.	IMO
Caruso Smith Picini	Marcia DePolo	Union Carbide
Hack Piro	Robert Alencewicz	Johansen; HB Smith
Hardin Kundla	Nicea D'Annunzio	Calon
K&L Gates	Stacey Hyman	Bayer Cropscience Inc.
Kent McBride	Kevin Hoffman	Binsky; TJ McGlone
Landman Corsi	Vincent Mennert	Robert W. Johnson Medical Center
Langsam Stevens	Jeannie Park Lee	Zy-Tech Global
Lynch Daskal	Alexander Broche	Gerard Packing & Belt Corp.
Margolis Edelstein	J. Edmund Bryak	Ideal Supply; Woolulate; Central Jersey
McCarter & English	David Cooner	Ametek
McElroy Deutsch	Donna duBeth Gardiner	Foxboro
Methfessel & Werbel	Amanda Sawyer	St. Peters Hospital
O'Brien Firm	Brian P. Lawlor	Grant Supply
Rawle & Henderson	Susan Riechelton	Hajoca
Segal McCambridge	Dinesh Dadlani	BW/IP
Swain & Westreich	Kenneth Westreich	Dolan & Traynor
Tierney Law Office	Kevin Buttery	AJ Friedman; Elizabeth Industrial Supply; Major Inc.

IT IS on this 4th day of **August, 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

- October 15, 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. (**see attached list of outstanding discovery*)
- October 15, 2015 Depositions of corporate representatives shall be completed by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- October 23, 2015 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- November 6, 2015 Summary judgment motions shall be filed no later than this date.
- December 4, 2015 Last return date for summary judgment motions.

MEDICAL DEFENSE

- January 8, 2016 Defendants shall identify its medical experts and serve medical expert 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

- February 5, 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 11, 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

- February 5, 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 11, 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

- March 25, 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

January 7, 2016 @ 9:30am 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 1, 2016 @ 9:30am 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 18, 2016 Trial Date. (*The February 1, 2016 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.

Enclosure

cc: Clerk, Mass Tort
Brody Deposition Services
Priority One

7/29/15 – Outstanding Discovery Hudson

Bergen Industrial

Response to 4/17/15 letter re: designation of corporate witnesses and providing transcripts.

Binsky & Snyder

Answers to Standard Middlesex County Interrogatories
Answers to Supplemental Interrogatories
Response to 6/11/15 letter re: production of perpetual job site list.

Calon

Response to Demand for Discovery of Insurance Coverage

Central Jersey

Dates for scheduling of Alan Horwitz's deposition.

Dolan & Traynor

Response to 6/30/15 letter re: requests made following 6/8/15 Dolan deposition.

Ideal Supply

Answers to Standard Middlesex County Interrogatories

Johansen

Answers to Supplemental Interrogatories
Response to 4/17/15 letter re: designation of corporate witnesses and providing transcripts.

Raritan Supply

Response to 6/2/15 letter re: requests made following 5/20/15 Richardson deposition.

Union Carbide

Answers To premises interrogatories
Response to document production
Designation of corporate witness and advise whether they have personal knowledge of work performed on their premises prior to 1969.

Girard Packing

Answers to Standard Middlesex County Interrogatories
Depositions of corporate witnesses