

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

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

Civil Action

CASE MANAGEMENT ORDER VI

<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 October 15, 2015:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Jon G. Kupilik	Plaintiff(s)
Baginski Mezzanotte	Patricia Lyons	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	Stacey L. Trien	Union Carbide
Hack Piro	Robert Alencewicz	Johansen; HB Smith
Hardin Kundla	Nicea D'Annunzio	Calon
Kelley Jasons	Angela Caliendo	Ric-Wil
Kent McBride	David Rutkowski	Binsky; TJ McGlone
Landman Corsi	Christine Lozier	Robert W. Johnson Medical Center
Lynch Daskal	Dan Gagliardi	Gerard Packing & Belt Corp.
Margolis Edelstein	Justin M. Bettis	Ideal Supply; Woolsulate; Central Jersey
McElroy Deutsch	Joseph D. Rasnek	Foxboro
McGivney Kluger	Pooja Patel	Raritan Supply; Weil McLain; Gorman Rupp
Methfessel & Werbel	Amanda Sawyer	St. Peters Hospital
Pepper Hamilton	Nicholas Kowletsis	Bristol Myers Squibb
Rawle & Henderson	Linda Dobbins	Hajoca
Segal McCambridge	Nisha S. Lakhani	BW/IP
Swain & Westreich	Kenneth Westreich	Dolan & Traynor
Tierney Law Office	Mark Turner	AJ Friedman; Elizabeth Industrial Supply; Major Inc.

IT IS on this 16th day of **October, 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

Defendant Binsky & Snyder shall serve:

- October 16, 2015 Answers to Standard Middlesex County Interrogatories by this date.
- October 29, 2015 Answers to Supplemental Interrogatories by this date.
- October 29, 2015 Response to 6/11/15 letter re: production of perpetual job site list by this date.

Defendant Girard Packing shall:

- October 29, 2015 Propound supplemental discovery by this date.
- November 13, 2015 Serve answers to Standard Middlesex County Interrogatories by this date.
- November 25, 2015 Produce corporate witnesses for deposition by this date.
- October 29, 2015 Advise plaintiff's counsel of prior depositions of its corporate representatives, if any, by this date.
- November 25, 2015 Serve answers to supplemental discovery by this date.

Defendant Johansen shall serve:

- October 29, 2015 Answers to Supplemental Interrogatories by this date.
- October 29, 2015 Response to 4/17/15 letter re: designation of corporate witnesses and providing transcripts by this date.

Defendant Union Carbide shall:

- October 29, 2015 Serve answers to premises interrogatories by this date.
- October 29, 2015 Serve Response to document production by this date.
- October 29, 2015 Provide a designation of corporate witness and advise whether they have personal knowledge of work performed on their premises prior to 1969 by this date.

Defendant Robert Wood Johnson:

- November 13, 2015 Shall serve answers to premises interrogatories and notice to produce propounded by Raritan Supply by this date.

Defendant Rutgers:

- November 25, 2015 Shall produce a corporate representative for a deposition by this date.

November 25, 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.

November 25, 2015 Depositions of corporate representatives shall be completed by this date.

SUMMARY JUDGMENT MOTION PRACTICE

November 6, 2015 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

November 20, 2015 Summary judgment motions shall be filed no later than this date.

December 18, 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.

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