

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

**Docket No:** L-2720-16 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER IV**

DANIEL & MARGARET HUGHES, <i>Plaintiff(s),</i>
vs.
3M COMPANY, et al <i>Defendant(s).</i>

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on August 1, 2017:

FIRM	ATTORNEY	CLIENT
Locks Law Firm	Alfred Anthony	Plaintiff(s)
Caruso Smith	Lisa Massimi	CertainTeed; Union Carbide
Dilworth Paxon	Eric Greco	Marshall & Sons, Inc. t/a The Fireplace People
Gibbons PC	Daniel Dorfman	Honeywell International
Lewis Brisbois	Patrick Lycott	Henkel Corp.
Littleton Joyce	Christine Emery	BASF
Lynch Daskal	David Freed	Georgia Pacific
Marshall Dennehey	Jeremy Zacharias	Pep Boys
McGivney Kluger	Joel Clark	Bell Supply, DAP, Triangle, Weil McLain
Methfessel & Werbel	Allison Koenke	Toots Lee Automotive Supplies, Inc.
Rawle Henderson	Paul Smyth	Hajoca; Billows Electrical Supply
Speziali Greenwald	Joanne Hawkins	UHR Electrical Supply
Wilbraham Lawler	Tristin Fabro	R.H. Peterson; Siemens Industry, Inc.

IT IS on this 3<sup>rd</sup> day of August, 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.

**DISCOVERY**

September 1, 2017 Defendants shall serve answers to standard interrogatories by this date.

September 29, 2017 Plaintiff shall serve answers to wrongful death interrogatories by this date.

- September 1, 2017 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- September 1, 2017 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- January 31, 2018 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.
- January 31, 2018 Depositions of corporate representatives shall be completed by this date. Counsel shall comply with Order of June 18, 2014 regarding scheduling of corporate representative depositions.

### **SUMMARY JUDGMENT MOTION PRACTICE**

- February 15, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- March 1, 2018 (*Thurs.*) Summary judgment motions shall be filed no later than this date.
- March 29, 2018 (*Thurs.*) Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

- February 28, 2018 Plaintiff shall serve a wrongful death expert report by this date.
- April 30, 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 15, 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.

### **EXPERT DEPOSITION**

- July 13, 2018 Expert depositions shall be completed as agreed upon by counsel. Counsel shall cooperate in scheduling depositions and shall contact court, if necessary. 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 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.

July 12, 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 13, 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