

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

JAMES & GEORGIA CROWLEY, <i>Plaintiff(s),</i> vs. AW CHESTERTON, et al <i>Defendant(s).</i>

Docket No: **L-4014-13 (AS)**

Civil Action

CASE MANAGEMENT ORDER III

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on December 16, 2015:

FIRM	ATTORNEY	CLIENT
Keefe Bartels	Jennifer Ruhl	Plaintiff(s)
Garrity Graham	Anthony Marino	United Cnveyor
Hardin Kundla	Nicea D'Annunzio	Calon Insulation
Kent McBride	Charles P. Savoth, III	Ingersoll Rand
Marshall Dennehey	Paul Johnson	Riley Power
McElroy Deutsch	Joseph D. Rasnek	Chevron USA; ExxonMobil
McGivney Kluger	Jeffrey Kluger	Madsen & Howell
Reilly Janiczek	Karen Stanziona Conte	Cleaver Brooks
Sedgwick	Bridget Polloway	Foster Wheeler

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

- February 29, 2016 Plaintiff depositions shall be concluded by this date. Plaintiff's counsel shall contact the Special Master within one week of this deadline if plaintiff depositions are not completed by this date.
- March 31, 2016 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.
- March 31, 2016 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

April 8, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

April 15, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

April 29, 2016 Summary judgment motions shall be filed no later than this date.

May 27, 2016 Last return date for summary judgment motions.

MEDICAL DEFENSE

January 29, 2016 Defendants shall forward medical authorizations to plaintiff's counsel by this date.

February 29, 2016 Plaintiff shall serve executed medical authorizations by this date.

February 29, 2016 Plaintiff shall serve medical expert reports by this date.

February 29, 2016 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

August 1, 2016 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

June 30, 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.

August 1, 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.

EXPERT DEPOSITIONS

August 19, 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

April 21, 2016 The settlement conference previously scheduled on this date is **cancelled**.

August 17, 2016 @ 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.

September 12, 2016 Trial Date. (*The May 31, 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.

cc: counsel:

Marks O'Neill for JCP&L

cc: Clerk, Mass Tort