

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

Docket No: **L-2629-13 (AS)**

Civil Action

CASE MANAGEMENT ORDER III

DAWN KLOOCK, (Estate of ARNOLD KLOOCK,  <i>Plaintiff(s),</i>  vs. CALON INSULATION, et al  <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 February 4, 2016:

FIRM	ATTORNEY	CLIENT
Keefe Bartels	Jennifer Ruhl	Plaintiff(s)
Baginski Mezzanotte	Patricia A. Lyons	HM Royal
Gibbons PC	Mark R. Galdieri	Honeywell International / Hoffman LaRoche Inc.
Hardin Kundla	Eileen Walsh	Calon Insulation
Margolis Edelstein	Dawn Dezii	Woolsulate
Marks O'Neill	Sebastian Golstein	Schwalje
Marshall Dennehey	Paul Johnson	Riley Power
McElroy Deutsch	Joseph Rasnek	ExxonMobil Corp.; Chevron USA, Inc.
McGivney Kluger	Jeffrey Kluger	Madsen & Howell
Porzio Bromberg	Michelle Burke	DuPont
Rawle Henderson	Linda Dobbins	Mack Trucks Inc.
Reilly Janiczek	Michelle Cappuccio	Cleaver Brooks; Miller & Chitty

IT IS on this 11<sup>th</sup> day of **February, 2016**, *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**

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.

**SUMMARY JUDGMENT MOTION PRACTICE**

April 1, 2016      Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

April 15, 2016 Summary judgment motions shall be filed no later than this date.

May 13, 2016 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

June 15, 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**

April 8, 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.

June 15, 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**

June 30, 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 @ 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.

June 2, 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.

July 18, 2016 Trial Date. (*The May 16, 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: Clerk, Mass Tort