

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

**Docket No:** L-5516-16 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER IV**

STEPHEN KOPP III and CAROL KOPP, <i>Plaintiff(s),</i>
vs.
BRIDGESTONE FIRESTONE NORTH AMERICA TIRE, LLC, 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 January 12, 2018:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Daniel LaTerra	Plaintiff(s)
Breuninger & Fellman	Raymond Chow	Genuine Parts Co.; National Automotive Parts Assoc.; TMD Friction Inc.
Budd Lerner	Terence W. Camp	Goodyear Tire & Rubber Co.
Caruso Smith	Marcia DePolo	Union Carbide
Delany McBride	Ariana Seidel	Hitachi Automotive Systems America; Hitachi Chemical Co.
Gibbons PC		Honeywell International Inc.
Goldberg Segalla	Elizabeth Weill	Navistar
Greenbaum Rowe	Brian Kornbrek	American Honda Motor Co., Inc.
Hawkins Parnell	Roy Viola	Pneumo Abex
Kaufmann Borgeest	Brian Deeney	Morton International
Landman Corsi	Joseph Tomaino	Fel-Pro
Lavin O'Neil	Sarina Kaplan	Nissan North America, Inc.; Toyota Motor Sales, USA; Sumitomo Electric USA; Mazda North American Operations, Inc.
LeClair Ryan	Gary M. Sapir	Ford
Lynch Daskal	Daniel Gagliardi	Luk Clutch; NNA
Margolis Edelstein	Dawn Dezii	Goodrich Corp.
McElroy Deutsch	Joseph D. Rasnek	ExxonMobil Corp.
McGivney Kluger	Trish Wilson	ZF North American, Inc.
O'Toole Scrivo	Leslie Lombardy	Akebono Brake
Rawle & Henderson	Paul Smyth	Hennessy
Reilly Janiczek	Adrianna Exler	Maremont
Tanenbaum Keale LLP	Arshia Hourizadeh	Borg Warner
Troutman Sanders	Joanne Rogers	Standard Motor Products
Wilbraham Lawler	Benjamin Salvina	Kelsey Hayes, Western Auto
Wilson Elser	Joseph Hanlon	Texaco

IT IS on this 16<sup>th</sup> day of **January, 2018**, 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 16, 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.
- March 16, 2018 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

- May 11, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

- May 11, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- May 25, 2018 Summary judgment motions shall be filed no later than this date.
- June 22, 2018 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

- April 30, 2018 Plaintiff shall serve medical expert reports by this date.
- April 30, 2018 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- September 28, 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**

- July 31, 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.
- September 28, 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 DEPOSITIONS**

- October 31, 2018 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**

June 28, 2018                      The settlement conference previously scheduled on this date is **cancelled**.

October 30, 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.

December 3, 2018                      Trial Date. (*The July 30, 2018 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