

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

Docket No: L-5516-16 (AS)

Civil Action

CASE MANAGEMENT ORDER VII

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 October 16, 2018:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Robert Ellis	Plaintiff(s)
Budd Lerner	Terence W. Camp	Goodyear Tire & Rubber Co.
Caruso Smith	Alexandra Caruso	Union Carbide
Goldberg Segalla	H. Lockwood Miller	Navistar
Greenbaum Rowe	Brian Kornbrek	American Honda Motor Co., Inc.
Hawkins Parnell	Roy Viola	Pneumo Abex
Kaufmann Borgeest	Neepa Patel	Morton International
Landman Corsi	Gregory Damico	Fel-Pro
Lavin O'Neil	Leland Kellner	Toyota Motor Sales, USA; Sumitomo Electric USA; Mazda North American Operations, Inc.
LeClair Ryan	Gary M. Sapir	Ford
Lynch Daskal	Andrew J. Mundo	Luk Clutch Systems; Nissan North America, Inc.
Margolis Edelstein	Nicholas Sulpizio	Goodrich Corp.
McElroy Deutsch	Denise Harris	ExxonMobil Corp.
McGivney Kluger	Trish Wilson	ZF North American, Inc.; Western Auto
O'Toole Scrivo	Franklin Paez	Akebono Brake
Rawle & Henderson	Samuel Garson	Hennessy
Reilly McDevitt	Ryan Notarangelo	Maremont
Tanenbaum Keale LLP	Afigo Fadahunsi	Borg Warner Morse Tec
Wilbraham Lawler	Lynn E. Roberts, III	Kelsey Hayes
Wilson Elser	Joseph Hanlon	Texaco

IT IS on this 17th day of October, 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

December 14, 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.

December 14, 2018 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

February 15, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

February 15, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

March 1, 2019 Summary judgment motions shall be filed no later than this date.

March 29, 2019 Last return date for summary judgment motions.

MEDICAL DEFENSE

February 15, 2019 Plaintiff shall serve medical expert reports by this date.

February 15, 2019 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

May 13, 2019 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

February 15, 2019 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.

May 13, 2019 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 14, 2019 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 9, 2019

The settlement conference previously scheduled on this date is **cancelled**.

June 19, 2019 @ 1:30pm

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 15, 2019

Trial Date. (*The May 20, 2019 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