

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

Docket No: L-5516-16 (AS)

Civil Action

CASE MANAGEMENT ORDER IX

ESTATE of STEPHEN KOPP III, <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 April 2, 2019:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Lara Weissman	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	Alexandra Caruso	Union Carbide
Delany McBride	Robert DiSandro	Hitachi Chemical Co. America
Gibbons	Daniel Dorfman	Honeywell International
Goldberg Segalla	H. Lockwood Miller	Navistar International
Greenbaum Rowe	Brian Kornbrek	American Honda Motor Co., Inc.
Hawkins Parnell	Roy Viola	Pneumo Abex
Kaufman Borgeest	Jon Hallett	Morton International
Landman Corsi	Oliver Encarnacion	Fel-Pro
Lavin Cedrone	Edward Finch	Toyota Motor Sales, USA; Sumitomo Electric USA; Mazda North American Operations, Inc.
LeClair Ryan	Gary M. Sapir	Ford
Lynch Daskal	Daniel Gagliardi	Luk Clutch Systems
Margolis Edelstein	Dawn Dezii	Goodrich Corp.
McElroy Deutsch	Joseph D. Rasnek	ExxonMobil Corp.
McGivney Kluger	Trish Wilson	ZF North American, Inc.; Western Auto Supply co.
O'Toole Scrivo	Gary Van Lieu	Akebono Brake
Rawle & Henderson	Samuel Garson	Hennessy
Tanenbaum Keale	Christopher Keale	Borg Warner Morse Tec
Wilbraham Lawler	Josette Spivak	Kelsey Hayes
Wilson Elser	Joseph Hanlon	Texaco

IT IS on this 5th day of April, 2019, 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.

Any jurisdictional motions must be filed in accordance with the Court Rules or be waived.

Any *forum non conveniens* motions must be filed as soon as practicable; once sufficient discovery is conducted so that the motion may be properly brought.

DISCOVERY

June 28, 2019 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.

June 28, 2019 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

November 8, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

MEDICAL EXPERT REPORT

August 30, 2019 Plaintiff shall serve medical expert reports by this date.

August 30, 2019 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

December 31, 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

August 30, 2019 Plaintiff shall identify its liability experts and serve liability expert reports by this date or waive any opportunity to rely on liability expert testimony.

December 31, 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.

SUMMARY JUDGMENT MOTION PRACTICE

September 13, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

September 27, 2019 Summary judgment motions shall be filed no later than this date.

October 25, 2019 Last return date for summary judgment motions.

EXPERT DEPOSITIONS

February 14, 2020 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

To be scheduled Settlement conference.

March 16, 2020 Trial Date. (*The November 12, 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