

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
ASBESTOS LITIGATION  
Docket No: **L-10370-08 (AS)**

HENRY W. LATTEr, SR. and HENRY LATTEr, JR.,  <p style="text-align: center;"><i>Plaintiff(s),</i></p> vs.  3M COMPANY, et al  <p style="text-align: center;"><i>Defendant(s).</i></p>
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Civil Action

**CASE MANAGEMENT ORDER VII**

This matter coming in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on December 20, 2012 and the following firms appearing:

FIRM	ATTORNEY	CLIENT
Levy Phillips & Konigsberg	Nathaniel Falda	Plaintiff(s)
Breuninger & Fellman	Susan Fellman	National Automotive Parts Assoc.
Coughlin Duffy	Jonathan Donath	Advance Stores
Drinker Biddle	Vincent Montalto	The Glidden Co. d/b/a ICI Paints
German Gallagher	Jacqueline Campbell	CNH America
Goldberg Segalla		Robert Bosch, LLC
Hoagland Longo	Katherine Blok	Borg Warner
K&L Gates	Mark Marino	American Atlantic; Weeks Marine
Lynch Daskal	Mark Tevis	Georgia Pacific
Margolis Edelstein	Ryan M.Kooi	Goodrich
Marshall Dennehey	Ashley Toth	Pep Boys; Kaiser Gypsum
McElroy Deutsch	Denise D. Harris	Eaton
McGivney Kluger	Thomas McNulty	Dravo; AM Clyde; Shepard Niles; SLM
Porzio Bromberg	Christopher DePhillips	DuPont
Rivkin Radler	Anita Cohen	Setco
Segal McCambridge	John Guerriero	Clark Equipment
Smith Abbot	Edward P. Abbot	Pneumo Abex
Wilbraham Lawler	Mary Chicorelli	Cummins Inc.

IT IS on this 10<sup>th</sup> day of January, 2013 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 8, 2013

Defendants shall serve answers to standard interrogatories by this date.

February 22, 2013 Plaintiff shall propound supplemental interrogatories and document requests by this date on new defendants.

March 2, 2013 New defendants shall serve answers to supplemental interrogatories and document requests by this date.

February 22, 2013 New defendants shall propound supplemental interrogatories and document requests by this date.

March 22, 2013 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

May 31, 2013 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 14, 2013 Depositions of corporate representatives shall be completed by this date.

#### **EARLY SETTLEMENT**

June 21, 2013 Settlement demands shall be served on all counsel and the Special Master by this date.

#### **SUMMARY JUDGMENT MOTION PRACTICE**

June 28, 2013 Summary judgment motions limited to product identification issues shall be filed no later than this date.

July 26, 2013 Last return date for product identification summary judgment motions.

#### **MEDICAL DEFENSE**

August 30, 2013 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

#### **LIABILITY EXPERT REPORTS**

July 26, 2013 Plaintiff 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.

August 30, 2013 Defendants shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

#### **ECONOMIST EXPERT REPORTS**

July 26, 2013 Plaintiff shall identify its expert economists and serve expert economist report(s), if any, by this date or waive any opportunity to rely on economic expert testimony.

August 30, 2013 Defendants shall identify its expert economists and serve expert economist report(s), if any, by this date or waive any opportunity to rely on economic expert testimony.

**EXPERT DEPOSITIONS**

September 13, 2013 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**

August 29, 2013 @ 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.

September 30, 2013 Trial Date.

**Plaintiff's counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.**

*/s/ Vincent Le Blon*  
VINCENT LE BLON, J.S.C.

cc: Clerk, Mass Tort  
Brody Deposition Services  
Priority One