

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

Docket No: **L-10370-08 (AS)**

Civil Action

**CASE MANAGEMENT ORDER VIII**

HENRY W. LATTEr, SR. and HENRY LATTEr, JR.,  <i>Plaintiff(s),</i>  vs.  3M COMPANY, et al  <i>Defendant(s).</i>
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This matter coming in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on July 22, 2013 and the following firms appearing:

FIRM	ATTORNEY	CLIENT
Levy Phillips & Konigsberg	David Henderson	Plaintiff(s)
Breuninger & Fellman	Susan Fellman	National Automotive Parts Assoc.
Coughlin Duffy	George Kelman	Advance Stores
Drinker Biddle	Jack N. Frost, Jr.	The Glidden Co. d/b/a ICI Paints
Eckert Seamans	Michelle Grady	Superior Lidgewood Mundy Corp.
Goldberg Segalla	Mary Massey	Robert Bosch, LLC
Hoagland Longo	Mark Wasef	Borg Warner
Lynch Daskal	Cynthia Cho	Georgia Pacific
Margolis Edelstein	Ryan M. Kooi	Goodrich
Marshall Dennehey	Paul Johnson	Pep Boys; Kaiser Gypsum
McElroy Deutsch	Gabriel Ferstendig	Eaton
McGivney Kluger	Thomas McNulty	Dravo; AM Clyde
O'Toole Fernandez	Leslie Lombardy	Dana; RT Vanderbilt
Porzio Bromberg	Michelle Burke	DuPont
Rivkin Radler	Wendy Crowther	Setco
Segal McCambridge	David Kostus	Clark Equipment
Wilbraham Lawler	Michelle Kirsch	Cummins Inc.

IT IS on this 23<sup>rd</sup> day of July, 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**

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

## **EARLY SETTLEMENT**

August 9, 2013             Settlement demands shall be served on all counsel and the Special Master by this date.

August 29, 2013            The settlement conference previously scheduled on this date is **CANCELLED**.

## **SUMMARY JUDGMENT MOTION PRACTICE**

August 23, 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**

August 30, 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.

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

## **EXPERT DEPOSITIONS**

October 18, 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**

October 1, 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.

October 28, 2013

Trial Date. (*The September 30, 2013 trial is adjourned to this 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