

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

Docket No: L-279-17 (AS)

Civil Action

CASE MANAGEMENT ORDER I

RICHARD & PATRICIA LIPOWSKI, <i>Plaintiff(s),</i> vs. AARON & CO., 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 September 14, 2017:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Abby Resnick-Parigian	Plaintiff(s)
Barry McTiernan Wedinger	Jennifer Cheong	RW Beckett
Buglione Hutton	Heather Goldstein	Kessler Industries
Dickie McCamey	Thomas E. O'Donnell	All State Plumbing Supply
Gibbons PC	Daniel Dorfman	Honeywell International
Goldberg Segalla	David Rutkowski	Baker Hughes
Hack Piro	Robert Alencewicz	Johansen
Hardin Kundla	Nicea D'Annunzio	Aaron & Co.
Hoagland Longo	Jillian Madison	Modern Plumbing Supply
Landman Corsi	Joseph Tomano	ECR
Lebowitz Oleske	Matthew Connahan	Allied Building Products
LeClair Ryan	Christopher Warren	Ford
Margolis Edelestein	Jeanine Clark	CFC Distributing Co.; Watson MDaniel Co.
Marks O'Neill	Michael Slivjak	Columbia Boiler
Marshall Conway Bradley	Adam Golub	Slant/Fin
Marshall Dennehey	Christopher B. Block	Cash Co.
Mayfield Turner	Sara Saltzman	Carrier Corp.
McGivney Kluger	Caitlin Bodtmann	Sid Harvey; Bergen Industrial; Sloan Valve; DAP; Wales-Darby; Fairbanks; Weil-McLain; Manhattan Welding; Rain Bird; Midas International; Marsam Valves & Fittings
Nowell Amoroso	Linda Dunne	United Supply; Wallace Eannace
O'Toole Scrivo	Gary Van Lieu	Dana; Max Lumber
Pascarella DiVita	Joshua Greeley	Trane US, Inc.; Crane Co.
Reilly Janiczek	Brandy Harris	Hudson Heating; SOS; York
Segal McCambridge	David Kostus	BW/IP
Tanenbaum Keale	Maryam Meseha	Borg Warner
Tierney Law Office	Brian Garbacz	Major, Inc.
Weber Gallegher	Robert Ball	Red White Valve

IT IS on this 15th day of September, 2017, 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.

Defense counsel shall notify plaintiff's counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

DISCOVERY

- | | |
|-------------------|---|
| October 16, 2017 | Plaintiff shall serve answers to standard interrogatories. |
| October 31, 2017 | Defendants shall serve answers to standard interrogatories by this date. |
| November 13, 2017 | Plaintiff shall propound supplemental interrogatories and document requests by this date. |
| December 15, 2017 | Defendants shall serve answers to supplemental interrogatories and document requests by this date. |
| November 13, 2017 | Defendants shall propound supplemental interrogatories and document requests by this date. |
| December 15, 2017 | Plaintiff shall serve answers to supplemental interrogatories and document requests by this date. |
| January 31, 2018 | Plaintiff depositions shall be concluded by this date. Plaintiff's counsel shall contact the Special Master within one week of this deadline if plaintiff depositions are not completed by this date. |
| 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

- | | |
|----------------------------|---|
| October 16, 2017 | Settlement demands shall be served on all counsel and the Special Master by this date. |
| December 5, 2017 @ 10:00am | Early 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. |

SUMMARY JUDGMENT MOTION PRACTICE

- | | |
|----------------|---|
| March 30, 2018 | Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date. |
| April 13, 2018 | Summary judgment motions shall be filed no later than this date. |
| May 11, 2018 | Last return date for summary judgment motions. |

MEDICAL DEFENSE

- October 16, 2017 Plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.
- October 16, 2017 Plaintiff shall serve medical expert reports by this date.
- July 6, 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

- June 1, 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.
- July 6, 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

- July 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

- July 17, 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.
- August 17, 2018 Pretrial Information Exchange submissions due.
- August 27, 2018 Trial-Ready 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: counsel:

DeCotiis Fitzpatrick for Spirax Sarco

cc: Clerk, Mass Tort