

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

Docket No: **L-4647-13 (AS)**

Civil Action

CASE MANAGEMENT ORDER III

GEORGE MARRAPODI,
<i>Plaintiff(s),</i>
vs.
AJ FRIEDMAN SUPPLY CO., INC., 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 May 19, 2014:

FIRM	ATTORNEY	CLIENT
Lanier Law Firm	Darron Berquist	Plaintiff(s) Counsel <i>(co-counsel with Wilentz Goldman & Spitzer)</i>
Caruso Smith Picini	Ronald S. Suss	CertainTeed
Connell Foley	Richard Jagen	August Arace; Lawton Burns
Gibbons PC	Robert Brown Jr.	Hoffmann-LaRoche
Hardin Kundla	Nicea D'Annunzio	Continental Insurance
Hawkins Parnell	Edward P. Abbot	Oakfabco Inc.; Pneumo Abex
Hoagland Longo	Steven Satz	Burnham
Hoagland Longo	Jason Gosnell	Johnson Controls Inc.; York International; Kohler Co.
Kent McBride	Charles P. Savoth	SOS Products Co., Inc.; ECR International Inc.; Binsky & Snyder
K&L Gates	Mary T. Kenny	Nordyne
Leader Berkon LLP	Lynelle Maginley-Liddie	Maxxam Inc.; Federated
Littleton Joyce	Christine M. Delaney	BASF Corp.
Margolis Edelstein	Dawn Dezii	CP Chemical
Marks O'Neill	Sebastian Goldstein	Honeywell Inc.; Superior Boiler Works
McElroy Deutsch	Joseph D. Rasnek	AO Smith; Pabst Brewing Co.
McGivney Kluger	Joel Clark Caitlin Christie	Sloan Valve; Weil McLain; Taco; Rainbird; Educational Testing Service; Wales-Darby
Millet & Associates	Richard Millet	National Lead
O'Brien Firm	Ingrid Graff	Grant Supply
O'Toole Fernandez	Bruce Braender	Colgate Palmolive
Pascarella DiVita	Michael A. Posavetz	Trane US, Inc.; Rheem Mfg.
Pepper Hamilton	John Brenner	Bristol Myers Squibb
Porzio Bromberg	Michelle Burke	Wyeth Holdings Corp.
Reinartz Law Firm		McGraw Hill
Slowinski Atkins	Angela Cuonzo	Tenneco Inc.
Swain Westreich	Kenneth Westreich	Buist Inc.; Carlin & Steinitz Inc.

Tierney Law Offices	Mark Turner	AJ Friedman Supply Co., Inc.
Vasios Kelly	Thomas J. Kelly, Jr.	Armstrong International; Ethicon; Johnson & Johnson
Waters McPherson	Nicholas I. Filocco	Turner Construction Co.
Wilbraham Lawler	Andrea Greco	Unilever; Lennox Industries
Wilson Elser	Eric Evans	Prudential

IT IS on this 20th day of May, 2014 *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

June 27, 2014 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.

July 30, 2014 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

June 27, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

August 5, 2014 The settlement conference previously scheduled on this date is **cancelled**.

SUMMARY JUDGMENT MOTION PRACTICE

August 8, 2014 Summary judgment motions shall be filed no later than this date

September 5, 2014 Last return date for summary judgment motions.

MEDICAL DEFENSE

August 22, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

July 25, 2014 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.

August 22, 2014 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.

September 5, 2014 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

ECONOMIST EXPERT REPORTS

July 22, 2014 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 22, 2014 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 26, 2014 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

September 24, 2014 @ 9:30am 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 14, 2014 (Tuesday) Trial Date. (*The August 18, 2014 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
Brody Deposition Services
Priority One