

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

Docket No: **L-7152-12 (AS)**

CATHERINE MOORE, (Estate of ROBERT MOORE),  <i>Plaintiff(s),</i>  vs.  3M COMPANY, et al  <i>Defendant(s).</i>
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Civil Action

CASE MANAGEMENT ORDER II

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and counsel of record on September 19, 2013:

FIRM	CLIENT
Levy Phillips & Konigsberg	Plaintiff(s)
Budd Lerner	Goodyear Tire & Rubber Co.
Caruso Smith	Union Carbide; CertainTeed
Christie Pabarue	HB Fuller Co.
Goldfein & Joseph	Domco Products Texas Inc.; Tarkett USA Inc.
Kent McBride	Keyport Lumber
Lavin O'Neil Ricci	3M
Lynch Daskal Emery	Georgia Pacific
Marshall Dennehey	Kaiser Gypsum
McGivney Kluger	DAP
O'Toole Fernandez	RT Vanderbilt Co.
Speziali Greenwald	General Electric
Vasios Kelly Strollo	Bird

IT IS on this 4<sup>th</sup> day of **October, 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**

November 29, 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.

November 29, 2013 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

December 6, 2013 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

January 3, 2014 Summary judgment motions limited to product identification issues shall be filed no later than this date.

January 31, 2014 Last return date for product identification summary judgment motions.

### **MEDICAL DEFENSE**

November 29, 2013 Plaintiff shall serve additional medical expert reports by this date.

February 28, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

### **LIABILITY EXPERT REPORTS**

February 28, 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.

March 28, 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.

### **ECONOMIST EXPERT REPORTS**

February 28, 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.

March 28, 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**

April 18, 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**

November 13, 2013 The settlement conference previously scheduled on this date is **CANCELLED**.

January 15, 2014            The settlement conference previously scheduled on this date is **CANCELLED**.

March 5, 2014 @ 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.

April 28, 2014                            Trial Date. *(The February 10, 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/ Vincent Le Blon*  
VINCENT Le BLON, J.S.C.

cc:        Clerk, Mass Tort  
            Brody Deposition Services  
            Priority One