

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

MATTHEW NOTARANGELO,

Plaintiff(s),

vs.

AO SMITH WATER PRODUCTS CO., et al

Defendant(s).

Docket No: **L-3867-13 (AS)**

Civil Action

CASE MANAGEMENT ORDER III

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on July 1, 2014:

FIRM	ATTORNEY	CLIENT
Weitz & Luxenberg	Alex Eiden	Plaintiff(s)
Bucca & Campisano	Benjamin Bucca Jr.	IMO Industries
Connell Foley	Richard Jagen	Palermo
Hoagland Longo	Kristi Luzzetti	Burnham; Goulds Pumps
Kent McBride	Ravi Shah	SOS Products Co.; Utica Boilers Inc.
K&L Gates	Tara Pehush	Crane Co.
Marshall Dennehey	Lisa Only	Warren Pumps
Mayfield Turner	Andrew Keith	Carrier Corp.
McElroy Deutsch	Denise D. Harris	AO Smith Water Products Co.
McGivney Kluger	Caitlin Christie	John M Hartel; Weil McLain; Pecora; DAP; Gardner Denver; Atwood & Morrill
O'Toole Fernandez	Arthur Lash	Peerless Industries, Inc.
Reilly Janiczek	Michell Cappuccio	ITT Corp.
Wilbraham Lawler	Mary Chicorelli	Air & Liquid Systems

IT IS on this 2nd day of July, 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.

EARLY SETTLEMENT

October 9, 2014 The settlement conference previously scheduled on this date is **cancelled**.

SUMMARY JUDGMENT MOTION PRACTICE

October 10, 2014 Summary judgment motions shall be filed no later than this date.

November 7, 2014 Last return date for summary judgment motions.

MEDICAL DEFENSE

- September 5, 2014 Plaintiff shall serve additional medical expert reports, if any, by this date.
- December 5, 2014 Defendants shall identify its medical experts and serve medical expert 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

- September 19, 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.
- December 5, 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.

EXPERT DEPOSITIONS

- December 31, 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

- December 12, 2014 @ 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.
- January 26, 2015 Trial Date. *(The November 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/ Ana C. Viscomi
ANA C. VISCOMI, J.S.C.

cc: Clerk, Mass Tort
Brody Deposition Services
Priority One