

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

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

Civil Action

CASE MANAGEMENT ORDER I

MATTHEW NOTARANGELO,  <i>Plaintiff(s),</i>  vs.  AO SMITH WATER PRODUCTS 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 October 22, 2013:

FIRM	ATTORNEY	CLIENT
Weitz & Luxenberg	Leonard Feldman	Plaintiff(s)
Bucca & Campisano	Benjamin Bucca Jr.	IMO Industries
Caruso Smith	Marcia DePolo	CertainTeed Corp.; Union Carbide Corp.
Hoagland Longo	Steven Satz	Burnham; Goulds Pumps
Jones Law Firm	Richard Jones	Metropolitan Life
Kent McBride	David Rutkowski	SOS Products Co.; Utica Boilers Inc.
Mayfield Turner	Andrew Keith	Carrier Corp.
McElroy Deutsch	Joseph D. Rasnek	AO Smith Water Products Co.
McGivney Kluger	Joel Clark Caitlin Christie	John M Hartel; Weil McLain; Pecora; DAP; Gardner Denver; Atwood & Morrill
Reilly Janiczek	Steven A. Jenks	ITT Corp.
Wilbraham Lawler	Andrea Greco	Buffalo Pumps
Wilson Elser	Joseph A. Gallo	Warren Pumps LLC

IT IS on this 28<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 22, 2013 Plaintiff shall serve answers to standard interrogatories, provide the information required by paragraph VI.B.1.a. of the General Order, and shall advise defendants whether the plaintiff is available for deposition and, if not, the reasons therefore by this date.

December 6, 2013 Defendants shall serve answers to standard interrogatories by this date.

December 20, 2013 Plaintiff shall propound supplemental interrogatories and document requests by this date.

January 20, 2014 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

December 20, 2013 Defendants shall propound supplemental interrogatories and document requests by this date.

January 20, 2014 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

February 17, 2014 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.

February 28, 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.

March 14, 2014 Depositions of corporate representatives shall be completed by this date.

#### **EARLY SETTLEMENT**

March 21, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

#### **SUMMARY JUDGMENT MOTION PRACTICE**

April 11, 2014 Summary judgment motions limited to product identification issues shall be filed no later than this date.

May 9, 2014 Last return date for product identification summary judgment motions.

#### **MEDICAL DEFENSE**

November 22, 2013 Plaintiff shall serve executed medical authorizations (along with answers to interrogatories) by this date.

November 22, 2013 Plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.

December 20, 2013 Any defendant wishing to present a medical defense shall advise all counsel of its intention by entering a Notice of Appearance of Defense Medical Counsel by this date. Any defendant who does not file such an appearance by this date may be foreclosed from asserting a medical defense.

March 31, 2014 Plaintiff shall serve additional medical expert reports by this date.

June 6, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

**LIABILITY EXPERT REPORTS**

May 2, 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.

June 6, 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**

May 2, 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.

June 6, 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**

June 30, 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**

June 18, 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.

July 14, 2014 Trial 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