

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

Docket No: **L-5111-13(AS)**

Civil Action

CASE MANAGEMENT ORDER III

<p>DELIMIRO & LUZ PEREZ,</p> <p style="text-align: right;"><i>Plaintiff(s),</i></p> <p style="text-align: center;">vs.</p> <p>AMPACET CORP., et al</p> <p style="text-align: right;"><i>Defendant(s).</i></p>

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>
Baginski Mezzanotte	Jennifer Connelly	HM Royal
Bonner Kiernan	Minos H. Galanos	Occidental
Caruso Smith Picini	Ronald S. Suss	Union Carbide
Connell Foley	Timothy Corrison	Momentive Speciality Chemicals
Dickie McCamey	Thomas O'Donnell	Continental Tire The America; Valentine LLC
Edwards Wildman	Gerard Abate	Alcatel-Lucent USA Inc.
Hawkins Parnell	Edward P. Abbot	Celanese; Reichhold
Kelley Jasons	Angela Caliendo	FMC Corp.; Gencorp
LeClair Ryan	Michael Goldklang	Ford
Littleton Joyce	Christine M. Delaney	Ren / BASF Corp.
Margolis Edelstein	Dawn Dezii	CP Chemical
McElroy Deutsch	Joseph D. Rasnek	Wallace & Tiernan USA Inc.; Allen Bradley
McGivney Kluger	Jeffrey Kluger Thomas McNulty Caitlin Christie	Simplomatic Mfg.; Rogers Corp.; Package Machinery; Park Electrochemical
O'Toole Fernandez	Bruce Breander	GEI
Pepper Hamilton	Jeff Carr	Honeywell International
Porzio Bromberg	Michelle Burke	DuPont; Cytec Engineered Materials; Wyeth Holdings; Eastman Chemical
Sedgwick LLP	Bridget Polloway	General Electric; CBS; US Steel
White & Williams	Kathy O'Neill	Pharmacia
Wilbraham Lawler	Andrea Greco	Plastics Engineering Co.

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

July 3, 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 25, 2014 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

June 25, 2014 The settlement conference previously scheduled on this date is **CANCELLED**.

July 3, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

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 1, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

August 15, 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.

September 12, 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 26, 2014 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

ECONOMIST EXPERT REPORTS

August 15, 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.

September 12, 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

October 10, 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

August 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.

October 16, 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 27, 2014 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