

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

<u>PLUMBERS/PIPEFITTERS XX (20)</u>	
DeVITO	L-7964-12
MANNING	L-1551-12

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 April 15, 2015:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Jon Kupilik	Plaintiff(s)
Baginski Mezzanotte	Patricia Lyons	Speakman
Barrett Lazer	Dale Hibband	A&M Wholesale Hardware
Bucca & Campisano	Benjamin Bucca Jr.	IMO Industries
Caruso Smith	Ronald S. Suss	Brent Material Co.
Connell Foley	Richard Jagen	Plibrico; Superior Welding Supply
Gibbons	Alan Gries	Canuso
Golden Rothschild	Marco Shawki	WA Birdsall
Hack Piro	Robert Alencewicz	Luce Schwab & Kase; Johansen; HB Smith
Hoagland Longo	Jason R. Gosnell	Wallwork; Westfield Plumbing; Kohler; AGL Welding; Airgas/Jersey Welding Supply; Essex Plumbing; Jonston Boiler; McJunkin; Industrial Welding Supply; Burnham; Line A; York Int'l.; Superior Welding & Boiler
Kelly Jasons	Joseph Vassalotti	Ric Wil Inc.
Kent McBride	Ravi Shah	Altherm; SOS; Utica
Margolis Edelstein	Ryan Buchanan	Woolsulate; United Engineers; Central Jersey Supply
Marshall Conway	Adam Golub	Slant/Fin
McElroy Deutsch	Michelle Hydrusko	AO Smith; State Industries
McGivney Kluger	Caitlin Christie	Herman Sommer; Flemington Supply; Manhattan Welding; Bonney Forge Corp.; Bergen Industrial; Raritan Supply; Fairbanks; Permatex; Weil McLain;
Methfessel & Werbel	Amanda Sawyer	Ironbound Supply Co.
Reilly Janiczek	Edward Henry	Miller & Chitty; Cleaver Brooks; ITT Corp.
Ricci Tyreell Johnson	Brian Scanlon	Chicago Bridge & Iron
Sedgwick LLP	Bridget Polloway	CBS/Westinghouse
Terkowitz & Hermesman	Patrick Heller	
Tierney Law Office	Michael O'Neill	Major Inc.; AJ Friedman; Elizabeth Industrial; Sander Mechanical; Bradley Sciocchetti

IT IS on this 16<sup>th</sup> day of April, 2015, *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*.

These matters are hereby consolidated for discovery, case management and trial.

### **EARLY SETTLEMENT**

May 15, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

### **LIABILITY EXPERT REPORTS**

July 31, 2015 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 31, 2015 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**

July 31, 2015 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 31, 2015 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 21, 2015 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 19, 2015 @ 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.

September 30, 2015 @ 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 19, 2015 Trial Date. (*The May 11, 2015 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