

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

Docket No: **L-4713-14 (AS)**

Civil Action

CASE MANAGEMENT ORDER I

RICHARD COLEMAN, <i>Plaintiff(s),</i> vs. BRADCO SUPPLY CORP., 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 November 13, 2014:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Gregory Shaffer	Plaintiff(s)
Breuninger Fellman	Raymond Chow	NAPA; Genuine Parts Co.
Connell Foley	Scott Press	Superior Welding Supply
Gibbons	Robert Brown	Honeywell International
Hoagland Longo	Jason Gosnell	Superior Welding & Boiler
Margolis Edelstein	Lawrence Bunis	Woolsulate; United Engineers
Marks O'Neill	Paul Smyth	Midland Ross; Van Houten Avenel Plumbing
McCarter & English	Jean Patterson	Owens Illinois
McGivney Kluger	Michael Gilberti	Raritan; Bradco
Pascarella DiVita	Michael A. Posavetz	Trane US, Inc.
Ricci Tyrrell	Nancy Green	Chicago Bridge & Iron
Sedgwick c/o Speziali	Joanne Hawkins	Foster Wheeler

IT IS on this 17th day of November, 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.

Defense counsel shall notify plaintiffs' counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

DISCOVERY

November 28, 2014 Defendants shall serve answers to standard interrogatories by this date.

December 5, 2014 Plaintiff shall propound supplemental interrogatories and document requests by this date.

January 5, 2015 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

December 5, 2014 Defendants shall propound supplemental interrogatories and document requests by this date.

January 5, 2015 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

January 30, 2015 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.

January 30, 2015 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

December 5, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

January 15, 2015 @ 10:00am Early 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.

SUMMARY JUDGMENT MOTION PRACTICE

February 6, 2015 Summary judgment motions shall be filed no later than this date.

March 6, 2015 Last return date for summary judgment motions.

MEDICAL DEFENSE

December 5, 2014 Plaintiff shall serve executed medical authorizations by this date.

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

December 31, 2014 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

March 27, 2015 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

February 27, 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.

March 27, 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.

EXPERT DEPOSITIONS

April 17, 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

April 1, 2015 @ 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.

April 27, 2015 Trial 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: counsel:
Mattson Madden *for Okonite*
cc: Clerk, Mass Tort
Brody Deposition Services
Priority One