

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

RALPH SABATINI,  vs. BRAND INSULATION, et al	<i>Plaintiff(s),</i>  <i>Defendant(s).</i>
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Docket No: **L-3220-13 (AS)**

Civil Action

CASE MANAGEMENT ORDER II

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on February 2, 2016:

FIRM	ATTORNEY	CLIENT
Shivers Gosnay & Greatrex	Donald Gosnay	Plaintiff(s)
Gibbons PC	Robert T. Brown	Honeywell International Inc.
Hoagland Longo	Steven F. Satz	Goulds Pumps
McGivney Kluger	Marc J. Wisel	Brand Insulation
Pascarella DiVita	Joshua Greeley	Ingersoll Rand
Speziali Greenwald	Joanne Hawkins	Foster Wheeler; General Electric

IT IS on this 3<sup>rd</sup> day of **February, 2016**, 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**

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|----------------|--|
| April 1, 2016  | Plaintiff shall serve answers to standard interrogatories, provide the information required by paragraph VII.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. |
| April 15, 2016 | Defendants shall serve answers to standard interrogatories by this date.   |
| May 2, 2016    | Plaintiff shall propound supplemental interrogatories and document requests by this date.  |
| June 3, 2016   | Defendants shall serve answers to supplemental interrogatories and document requests by this date.   |
| May 2, 2016    | Defendants shall propound supplemental interrogatories and document requests by this date.   |

June 3, 2016 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

August 5, 2016 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.

August 5, 2016 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.

### **EARLY SETTLEMENT**

August 12, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

August 19, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

September 2, 2016 Summary judgment motions shall be filed no later than this date.

September 30, 2016 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

May 2, 2016 Defendants shall forward medical authorizations to plaintiff's counsel by this date.

June 3, 2016 Plaintiff shall serve executed medical authorizations by this date.

May 2, 2016 Plaintiff shall serve medical expert reports by this date.

August 31, 2016 The defense medical examination of plaintiff(s) shall be completed by this date.

November 30, 2016 Defendants shall identify its medical experts and serve medical 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**

October 31, 2016 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.

November 30, 2016 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 9, 2016 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**

- May 11, 2016                      The settlement conference previously scheduled on this date is **cancelled**.
- November 16, 2016 @ 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.
- December 19, 2016                Trial Date. (*The May 31, 2016 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