

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

Docket No: **L-2665-13 (AS)**

Civil Action

CASE MANAGEMENT ORDER II

JOHN SAVOTTI, <i>Plaintiff(s),</i> vs. 84 LUMBER COMPANY, et al <i>Defendant(s).</i>
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on March 19, 2014:

FIRM	ATTORNEY	CLIENT
Napoli Bern	Monica Habib Andrawis	Plaintiff(s)
Caruso Smith	Lisa Massimi	Union Carbide; CertainTeed
Gibbons PC	Robert D. Brown, Jr.	The Sherwin Williams Co.
Lynch Daskal	Ian Millican	Georgia Pacific
Marshall Dennehey	Paul Johnson	Kaiser Gypsum

IT IS on this 20th day of March, 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

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|----------------|---|
| April 17, 2014 | As to Sherwin Williams, plaintiff shall propound supplemental interrogatories and document requests by this date. |
| May 16, 2014 | Sherwin Williams shall serve answers to supplemental interrogatories and document requests by this date. |
| April 17, 2014 | Sherwin Williams shall propound supplemental interrogatories and document requests by this date. |
| May 16, 2014 | Plaintiff shall serve answers to Sherwin Williams' supplemental interrogatories and document requests by this date. |

June 30, 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 31, 2014 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

August 8, 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

May 1, 2014 Plaintiff shall provide any outstanding medical authorizations by this date.

April 30, 2014 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.

April 30, 2014 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

September 30, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

August 29, 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 30, 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.

EXPERT DEPOSITIONS

October 31, 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

October 16, 2014 @ 2:00pm

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.

November 17, 2014

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: Clerk, Mass Tort
Brody Deposition Services
Priority One