

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

Docket No: **L-1125-14 (AS)**

Civil Action

CASE MANAGEMENT ORDER XII

ESTATE of JOACHIM SCHWIEDOP, <i>Plaintiff(s),</i>
vs.
3M COMPANY, 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 May 4, 2017:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Amber Long	Plaintiff(s)
Eckert Seamans	Stephanie Coleman	AO Smith
Gibbons PC	Mark R. Galdieri	Hoffman-LaRoche; Roche Laboratories
Landman Corsi	Jorkeell Echeverria	The Lincoln Electric Co.
Margolis Edelstein	Jeanine D. Clark	John Crane; Verona; Woolsulate Corp.
McElroy Deutsch	Joseph D. Rasnek	Exxon; Burnham
Pascarella DiVita	Bradley E. Bishop	Rheem Mfg.
Porzio Bromberg	Ahmed J. Kassim	Alcatel-Lucent; AT&T

IT IS on this 17<sup>th</sup> day of May, 2017 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 31, 2017 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, 2017 Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

October 6, 2017 Settlement demands shall be served on all counsel and the Special Master by this date.

## SUMMARY JUDGMENT MOTION PRACTICE

- August 18, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- September 1, 2017 Summary judgment motions shall be filed no later than this date.
- September 29, 2017 Last return date for summary judgment motions.

## MEDICAL DEFENSE

- October 6, 2017 Plaintiff shall serve medical expert reports by this date.
- December 8, 2017 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

- October 6, 2017 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.
- December 8, 2017 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

- October 6, 2017 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.
- December 8, 2017 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

- January 19, 2018 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

- September 12, 2017 The settlement conference previously scheduled on this date is **cancelled**.
- January 12, 2018 @ 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.

February 20, 2018

Trial Date. (*The October 16, 2017 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