

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

**Docket No:** L-5314-17 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER I**

JOHN & RACHEL SERRANO, <i>Plaintiff(s),</i>  vs.  WHITTAKER CLARK & DANIELS, INC. <i>Defendant(s).</i>
--

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on *January 31, 2018*:

FIRM	ATTORNEY	CLIENT
Maune Raichle	Patrick Timmins	Plaintiff(s)
Hoagland Longo	Daniel Kuszmanski	Whittaker Clark & Daniels

IT IS on this 2<sup>nd</sup> day of **February, 2018**, *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 plaintiff's 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**

- |                   |   |
|-------------------|---|
| February 9, 2018  | Defendants shall serve answers to standard interrogatories by this date.  |
| February 23, 2018 | Plaintiff shall propound supplemental interrogatories and document requests by this date.   |
| March 30, 2018    | Defendants shall serve answers to supplemental interrogatories and document requests by this date.  |
| February 23, 2018 | Defendants shall propound supplemental interrogatories and document requests by this date.  |
| March 30, 2018    | Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.   |
| April 30, 2018    | 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. |

April 30, 2018            Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

June 15, 2018            Settlement demands shall be served on all counsel and the Special Master by this date.

**SUMMARY JUDGMENT MOTION PRACTICE**

May 11, 2018            Summary judgment motions shall be filed no later than this date.

June 8, 2018            Last return date for summary judgment motions.

**MEDICAL DEFENSE**

April 30, 2018            Plaintiff shall serve medical expert reports by this date.

July 6, 2018            The defense medical examination of plaintiff(s) shall be completed by this date.

**LIABILITY EXPERT REPORTS**

April 30, 2018            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.

July 6, 2018            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**

April 30, 2018            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.

July 6, 2018            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**

July 31, 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**

August 1, 2018 @ 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.

August 20, 2018

Pretrial Information Exchange submissions due.

August 27, 2018

Trial-Ready 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