

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

JAMES & GWENDOLYN SEYMOURE,

Plaintiff(s),

vs.

AO SMITH WATER PRODUCTS, et al

Defendant(s).

Docket No: **L-3357-12 (AS)**

Civil Action

CASE MANAGEMENT ORDER IV

This matter coming in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on August 6, 2013 and the following firms appearing:

FIRM	ATTORNEY	CLIENT
Levy Phillips	Leah Kagan	Plaintiff(s)
Archer & Greiner	Eric Dakhari	Bridgestone Firestone
Budd Lerner	Philip Adelman	Goodyear Tire & Rubber
Caruso Smith	Ronald S. Suss	Union Carbide
Gibbons PC	Robert Brown	Honeywell / Bendix
Goldfein & Joseph	Madhurika Jeremiah	ACL / Bell
Harwood Lloyd	Robert Delicate	Carlisle
Hawkins Parnell	Roy Viola	Abex
Hoagland Longo	Daniel Kuszmerski	Borg Warner
Jones Law Office	Richard Jones	Metropolitan Life
LeClair Ryan	Michael Goldklang	Ford Motor Co.
Margolis Edelstein	Jeanine D. Clark	Central Jersey Supply; BF Goodrich
Marshall Dennehey	Paul Johnson	Kaiser Gypsum
McElroy Deutsch	Joseph D. Rasnak	AO Smith Water Products; Lipe Automation Corp.; Arvin Meritor
O'Toole Fernandez	Leslie Lombardy	Dana
Porzio Bromberg	Heather Siegelheim	Wyeth Holdings Corp.
Rawle & Henderson	Meredith Mack	Mack Trucks
Segal McCambridge	David Kostus	PACCAR
Wilbraham Lawler	Mary F. Chicorelli	Maremont
Wilson Elser	Emily Weisslitz	McCord Corp.

IT IS on this 7th day of **August, 2013** 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

- August 6, 2013 Defendants Mack, Pacor, and Ryder shall provide 2 possible dates for corporate representative depositions by this date.
- October 15, 2013 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- October 15, 2013 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- November 8, 2013 Summary judgment motions limited to product identification issues shall be filed no later than this date.
- December 6, 2013 Last return date for product identification summary judgment motions.

MEDICAL DEFENSE

- January 10, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

- January 10, 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

- January 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

- January 30, 2014 @ 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 24, 2014

Trial Date. *(The August 26, 2013 trial is adjourned to this date.)*

Plaintiff's counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.

/s/ Vincent Le Blon
VINCENT Le BLON, J.S.C.

cc: Clerk, Mass Tort
Brody Deposition Services
Priority One