

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

ESTATE of JAMES SEYMOURE, <i>Plaintiff(s),</i>
vs.
AO SMITH WATER PRODUCTS CO., et al <i>Defendant(s).</i>

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

**Civil Action**

**CASE MANAGEMENT ORDER VIII**

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on April 2, 2019:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Lara Weissman	Plaintiff(s)
Caruso Smith	Alexandra Caruso	Union Carbide
Caruso Smith	Richard V. Jones	Metropolitan Life
Gibbons	Daniel Dorfman	Honeywell International
LeClair Ryan	Gary M. Sapir	Ford Motor Co.
Tanenbaum Keale	Christopher Keale	Borg Warner Morse Tec

IT IS on this 5<sup>th</sup> day of April, 2019, *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.

Any jurisdictional motions must be filed in accordance with the Court Rules or be waived.

Any *forum non conveniens* motions must be filed as soon as practicable; once sufficient discovery is conducted so that the motion may be properly brought.

**EARLY SETTLEMENT**

April 30, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

**MEDICAL EXPERT REPORT**

July 5, 2019 Plaintiff shall serve medical expert reports by this date.

September 6, 2019 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**

- July 5, 2019                      Plaintiff shall identify its liability experts and serve liability expert reports by this date or waive any opportunity to rely on liability expert testimony.
- September 6, 2019              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**

- July 5, 2019                      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.
- September 6, 2019              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**

- October 4, 2019                      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**

- To be scheduled                      Settlement conference.
- October 28, 2019                      Pretrial Information Exchange submissions due.
- November 4, 2019                      Trial-Ready Date. (*The August 5, 2019 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