

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

LESLIE SHOHET-BENEDICT,  
  
*Plaintiff(s),*  
  
vs.  
  
ADVANCE AUTO PARTS INC., et al  
  
*Defendant(s).*

Docket No: **L626-14- (AS)**

Civil Action

CASE MANAGEMENT ORDER II

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on August 12, 2014:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Erica Cesaro	Plaintiff(s)
Breuninger & Fellman	Kathleen Romalho	National Automotive Parts Association
Gibbons PC	Mark R. Galdieri	Honeywell
Hawkins Parnell	Roy Viola	Abex
Hoagland Longo	Daniel Kuszmanski	Borg Warner
LeClair Ryan	Michael Goldklang	Ford
Lynch Daskal	Jessica Lau	Georgia Pacific
McCarter & English	Jean Patterson	Carquest Corp.
O'Toole Fernandez	Leslie Lombardy	Dana Companies, LLC
Porzio Bromberg	Pamela Kaplan	BMW of North America
Wilbraham Lawler	Elizabeth deBerardinis	Advance Auto

IT IS on this 13<sup>th</sup> day of August, 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**

October 10, 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.

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

### **EARLY SETTLEMENT**

- September 17, 2014      The settlement conference previously scheduled on this date is **CANCELLED**.
- January 5, 2015          Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

- November 21, 2014      Summary judgment motions shall be filed no later than this date.
- December 19, 2014      Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

- September 12, 2014      Plaintiff shall serve updated executed medical authorizations by this date.
- February 16, 2015      Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

### **LIABILITY EXPERT REPORTS**

- January 16, 2015          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.
- February 16, 2015          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**

- March 6, 2015              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**

- February 19, 2015 @ 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.
- March 23, 2015              Trial Date. *(The October 14, 2014 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  
Brody Deposition Services  
Priority One