

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

Docket No: **L-1933-12 (AS)**

Civil Action

CASE MANAGEMENT ORDER III

<p>RACHELE & DAVID VENTRES,</p> <p style="text-align: center;"><i>Plaintiff(s),</i></p> <p style="text-align: center;">vs.</p> <p>002 AUTO PARTS, INC., et al</p> <p style="text-align: center;"><i>Defendant(s).</i></p>

This matter coming in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on December 10, 2012 and the following firms appearing:

FIRM	ATTORNEY	CLIENT
Levy Phillips & Konigsberg	John Guinan	Plaintiff(s)
Bodell Bove	Jay Green	BWP Distributors
Brueninger & Fellman	Kathleen Ramalho	NAPA
Caruso Smith	Marcia DePolo	Union Carbide
Gibbons	Mark R. Galdieri	Honeywell
Goldberg Segalla	Robert	R. Bosch
Hardin Kundla	Nicea D'Annunzio	Harley Davidson
Hoagland Longo	Kristy Lyons	Borg Warner
Lavin O'Neil	Catherine Brunermer	3 M Company
Littleton Joyce	Jason Schmitz	BASF
Maron Marvel	Meryl Topchik	IHC
Marshall Dennehey	Arthur Bromberg	NMBFIL, Inc.
McElroy Deutsch	Michael Jardim	Allen-Bradley
McGivney Kluger	Nancy Giacumbo Caitlin Christie	Permatex; Vermont Talc
O'Toole Fernandez	Leslie Lombardy	Dana Co.
Porzio Bromberg	Michelle Burke	DuPont
Smith Abbot	Roy Viola	Abex
Wilbraham Lawler	Mary Chicorelli	Maremont
Wilson Elser	Bruce McCoy	Fel-Pro

IT IS on this 11th day of December, 2012 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

- January 11, 2013 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- February 8, 2013 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- January 11, 2013 Defendants shall propound supplemental interrogatories and document requests by this date.
- February 8, 2013 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- March 8, 2013 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.
- March 22, 2013 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- March 29, 2013 Settlement demands shall be served on all counsel and the Special Master by this date.
- April 17, 2013 The Settlement Conference previously scheduled on this date is **CANCELLED**.

SUMMARY JUDGMENT MOTION PRACTICE

- April 26, 2013 Summary judgment motions limited to product identification issues shall be filed no later than this date.
- May 24, 2013 Last return date for product identification summary judgment motions.

OTHER MOTION

- May 10, 2013 Filing date.
- June 7, 2013 Return date.

MEDICAL DEFENSE

- January 31, 2013 Plaintiff shall serve additional medical expert reports by this date.
- January 31, 2013 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- June 21, 2013 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

May 31, 2013 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.

June 28, 2013 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

July 15, 2013 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

July 10, 2013 @ 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.

July 29, 2013 Trial Date. (*The May 20, 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