

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

Docket No: **L-6332-14 (AS)**

Civil Action

CASE MANAGEMENT ORDER II

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| <p>WALTER & KATHLEEN WILLIAMS, <i>Plaintiff(s),</i></p> <p>vs.</p> <p>AMERICAN OPTICAL CORP., et al <i>Defendant(s).</i></p> |
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on July 31, 2015:

| FIRM | ATTORNEY | CLIENT |
|-------------------|----------------------|------------------------------------|
| Belluck & Fox | William Papain | Plaintiff(s) |
| Budd Larner | Philip Adelman | Somerville Lumber Co. |
| Caruso Smith | Marcia DePolo | CertainTeed; Union Carbide |
| Day Pitney | Mark Di Gesu | International Paper |
| Drinker Biddle | Julie Tersigni | American Optical |
| Goldfein & Joseph | Madhurika Jeremiah | ACL; Bell |
| Jones Law Firm | Richard V. Jones | Metropolitan Life |
| Marshall Dennehey | Paul Johnson | Kaiser Gypsum |
| Mayfield Turner | Joshua Locke | Carrier Corp. |
| McElroy Deutsch | Joseph D. Rasnek | Occidental Chemical Corp. |
| McGivney Kluger | Nancy Giacumbo | Rogers Corp.; Hollingsworth & Vose |
| Porzio Bromberg | Pamela Kaplan | Cytec Engineered Materials |
| Sedgwick | Bridget Polloway | CBS Corp.; General Electric |
| Vasios Kelly | Thomas J. Kelly, Jr. | Bird, Inc. |
| Weiner Lesniak | Alan J. Baratl | Mitsui |
| Wilbraham Lawler | Anisha Abraham | Plastics Engineering Co. |

IT IS on this 5th day of August, 2015 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 16, 2015 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 16, 2015 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

September 18, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

October 23, 2015 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

November 6, 2015 Summary judgment motions shall be filed no later than this date.

December 4, 2015 Last return date for summary judgment motions.

MEDICAL DEFENSE

October 30, 2015 Plaintiff shall serve supplemental medical expert reports, including wrongful death, by this date.

January 8, 2016 Defendants shall identify its medical experts and serve medical expert 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

October 30, 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.

January 8, 2016 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 29, 2016 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

October 27, 2015 @ 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.

January 20, 2016 @ 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 16, 2016 (*Tues.*)

Trial Date. (*The August 17, 2015 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