

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

Docket No: L-6635-17 (AS)

Civil Action

CASE MANAGEMENT ORDER II

LEONARD & KATHLEEN WENDOWSKI, <i>Plaintiff(s),</i>
vs.
IMERY'S TALC AMERICA, et al <i>Defendant(s).</i>

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on November 27, 2018:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Dennis Geier	Plaintiff(s)
McCarter & English	John Garde	Johnson & Johnson; Johnson & Johnson Consumer
Rawle & Henderson	Samuel Garson	Cyprus Amax Minerals; Imerys Talc America

IT IS on this 27th day of **November, 2018**, *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

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|------------------|--|
| January 11, 2019 | Plaintiff shall serve answers to wrongful death interrogatories by this date. |
| January 11, 2019 | Defendants shall serve answers to standard interrogatories by this date. |
| January 31, 2019 | Plaintiff shall propound supplemental interrogatories and document requests by this date. |
| March 1, 2019 | Defendants shall serve answers to supplemental interrogatories and document requests by this date. |
| January 31, 2019 | Defendants shall propound supplemental interrogatories and document requests by this date. |
| March 1, 2019 | Plaintiff shall serve answers to supplemental interrogatories and document requests by this date. |

April 30, 2019 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.

April 30, 2019 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

June 28, 2019 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

June 28, 2019 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

July 19, 2019 Summary judgment motions shall be filed no later than this date.

August 16, 2019 Last return date for summary judgment motions.

MEDICAL DEFENSE

January 11, 2019 Plaintiff shall serve updated medical authorizations by this date.

June 14, 2019 Plaintiff shall serve medical expert reports by this date.

June 14, 2019 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

September 30, 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

June 14, 2019 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.

September 30, 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.

EXPERT DEPOSITIONS

October 25, 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.

November 18, 2019 Trial Date. (*The May 28, 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