

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

Docket No: **L-5834-12 (AS)**

Civil Action

CASE MANAGEMENT ORDER I

THOMAS WOJCIK,
<i>Plaintiff(s),</i>
vs.
84 LUMBER CO., et al
<i>Defendant(s).</i>

This matter coming in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on July 25, 2013 and the following firms appearing:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Philip Tortoreti	Plaintiff(s)
Bucca & Campisano	Benjamin Bucca, Jr.	IMO Industries
Connell Foley	Angela Iuso	Superior Welding Supply
Drinker Biddle	Julie Tersigni	TLV
Gibbons	Robert Brown	Honeywell International
Hack Piro	Robert Alencewicz	Johansen
Hoagland Longo	Jacob Grouser	Collins Packing; Frick Co.; Industrial Welding Supply; Wallwork Bros.
Kent & McBride	Amarya Ju	Marshall Maintenance
Langsam Stevens	Charles Adams	Zy-Tech
LeClair Ryan	Michael Goldklang	Ford Motor
Margolis Edelstein	Dawn Dezii	Central Jersey Supply; United Brass Works; Woosulate
Marshall Dennehey	Paul Johnson	Jaeger Lumber
McElroy Deutsch	Joseph Rasnek	Flowserve US, Inc.; Foxboro
McGivney KLuger	Caitlin Christie Thomas McNulty	Madsen & Howell; Fairbanks; Sloan Valve; Dodge-Newark; Grundfos Pumps; Gardner Denver; Flowserve; Sporlan Valve; L&H Plumbing; Permatex; Henkel Corp.
O'Toole Fernandez	Gary Van Lieu	McMaster Carr; Warner Electric
Reilly Janiczek	Steven A. Jenks, Jr.	ITT Corp.; Magnatrol
Sedgwick	Corinne Cerrati	Penn Valve; General Electric
Segal McCambridge	Dinesh Dadlani	BW/IP
Swartz Campbell	William Morlok	Chemstar Mechanical
Tierney Law Offices	Todd Arno	Major Inc.; AJ Friedman Supply
Vasios Kelly	Thomas J. Kelly, Jr.	Armstrong International Inc.
Weber Gallagher	Michael Moroney	Spriax Sarco

IT IS on this 29th day of July, 2013 *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.

Defense counsel shall notify plaintiffs' counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

DISCOVERY

- November 1, 2013 Plaintiff shall serve answers to standard interrogatories, provide the information required by paragraph VI.B.1.a. of the General Order, and shall advise defendants whether the plaintiff is available for deposition and, if not, the reasons therefore by this date.
- November 15, 2013 Defendants shall serve answers to standard interrogatories by this date.
- November 29, 2013 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- December 31, 2013 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- November 29, 2013 Defendants shall propound supplemental interrogatories and document requests by this date.
- December 31, 2013 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- January 31, 2014 Plaintiff depositions shall be concluded by this date. Plaintiff's counsel shall contact the Special Master within one week of this deadline if plaintiff depositions are not completed by this date.
- February 28, 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.
- February 28, 2014 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- March 14, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

March 28, 2014 Summary judgment motions limited to product identification issues shall be filed no later than this date.

April 25, 2014 Last return date for product identification summary judgment motions.

MEDICAL DEFENSE

November 1, 2013 Plaintiff shall serve executed medical authorizations (along with answers to interrogatories) by this date.

November 1, 2013 Plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.

November 29, 2013 Any defendant wishing to present a medical defense shall advise all counsel of its intention by entering a Notice of Appearance of Defense Medical Counsel by this date. Any defendant who does not file such an appearance by this date may be foreclosed from asserting a medical defense.

March 31, 2014 Plaintiff shall serve additional medical expert reports by this date.

May 1, 2014 The defense medical examination of plaintiff(s) shall be completed by this date.

May 30, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

May 30, 2014 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 30, 2014 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

May 30, 2014 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.

June 30, 2014 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

July 15, 2014 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 2, 2014 @ 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.

July 28, 2014 Trial 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