

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

Docket No: **L-2600-14 (AS)**

Civil Action

CASE MANAGEMENT ORDER IV

PANTELIS ZABOGLU,  <i>Plaintiff(s),</i>  vs.  ABD ELECTRICAL SUPPLY CO., et al  <i>Defendant(s).</i>
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on April 30, 2015:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Joseph J. Mandia	Plaintiff(s)
Day Pitney	Rasika Chakravarthy	Phelps Dodge Ind., Inc.
Forman Watkins	Thomas M. Toman, Jr.	Cooper Industries
Hoagland Longo	Jason R Gosnell	Siemens Industries; WW Grainger
Kelly Jasons	Angela Caliendo	Square D
Margolis Edelstein	J. Edmund Bryak	Belden Wire & Cable Co.
Mayfield Turner	Andrew Keith	Carrier Corp.
McElroy Deutsch	Gabriel Ferstendig	Allen Bradley; AT&T; Colgate Palmolive
McGivney Kluger	Joel Clark	Killark; CCX, Inc.; Standard Wire
O'Brien Firm	Brian P. Lawlor	ABB Inc.
Pascarella DiVita	Brad Bishop	ABD Electrical
Ounan & Quinn	Michael Quinn	CBS/Westinghouse; Brent Electric
Reilly Janiczek	Edward Henry	Cleaver Brooks Inc.; Gould Electronics
Wilbraham Lawler	Andrea Greco	Buffalo Pumps

IT IS on this 1<sup>st</sup> day of May, 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**

August 31, 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.

September 30, 2015 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

October 9, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

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**

September 30, 2015 Plaintiff shall serve medical expert reports by this date.

January 15, 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 23, 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 15, 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**

February 5, 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**

September 2, 2015 The settlement conference previously scheduled on this date is **cancelled**.

February 2, 2016 @ 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.

February 29, 2016

Trial Date. (*The September 28, 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