

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

Docket No: **L-4617-13 (AS)**

Civil Action

CASE MANAGEMENT ORDER II

ESTATE OF FRANK ZELESNIK, <i>Plaintiff(s),</i> vs. 3M COMPANY, 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 January 6, 2015:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Joseph J. Mandia	Plaintiff(s)
Caruso Smith	Lisa Massimi	CertainTeed; Union Carbide
Drinker Biddle	Stephen Long	Neles-Jamesbury Inc.
Hoagland Longo	Carl Figueroa	Goulds Pumps
Kent McBride	Robert Florke	Binsky
Lynch Daskal	Alexander Broche	Georgia Pacific
Marshall Dennehey	Paul Johnson	Warren Pumps; Kaiser Gypsum
Pascarella DiVita	Michael A. Posavetz	Ingersoll Rand; Crane
Reilly Janiczek	Shannon Kelly	ITT Corp.
Wilbraham Lawler	Elizabeth duBerardinis	Unilever

IT IS on this 12th day of **January, 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

April 30, 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.

May 29, 2015 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

June 12, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

June 26, 2015 Summary judgment motions shall be filed no later than this date.

July 24, 2015 Last return date for summary judgment motions.

MEDICAL DEFENSE

May 29, 2015 Plaintiff shall serve medical expert reports by this date.

May 29, 2015 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

August 31, 2015 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

May 29, 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.

August 31, 2015 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 29, 2015 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.

August 31, 2015 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

September 25, 2015 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

May 8, 2015 The settlement conference previously scheduled on this date is **cancelled**.

September 16, 2015 @ 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.

October 13, 2015 (*Tuesday*) Trial Date. (*The June 1, 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