

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

Docket No: L-4617-13 (AS)

Civil Action

CASE MANAGEMENT ORDER XI

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 April 24, 2018:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Robert Ellis	Plaintiff(s)
Caruso Smith Picini	Lisa Massimi	CertainTeed; Union Carbide
Margolis Edelstein	Jeanine D. Clark	Central Jersey Supply
Marshall Dennehey	Paul Johnson	Warren Pumps
McElroy Deutsch	Michelle Hydrusko	Flowsolve US Inc.; Exxon
McGivney Kluger	Joel Clark	Binsky & Snyder
Pascarella DiVita	Gabriel Miller	Ingersoll Rand; Crane
Tanenbaum Keale	Pamela R. Kaplan	CBS Corp.

IT IS on this 24th day of April, 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.

EARLY SETTLEMENT

October 15, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

August 17, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

August 31, 2018 Summary judgment motions shall be filed no later than this date.

September 28, 2018 Last return date for summary judgment motions.

MEDICAL DEFENSE

July 31, 2018 Plaintiff shall serve medical expert reports by this date.

July 31, 2018 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

November 9, 2018 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

July 31, 2018 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.

November 9, 2018 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

July 31, 2018 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.

November 9, 2018 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

December 17, 2018 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

August 29, 2018 The settlement conference previously scheduled on this date is **cancelled**.

To be scheduled Settlement conference.

January 28, 2019 Trial Date. *(The September 17, 2018 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