

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

Docket No: L-487-18 (AS)

Civil Action

CASE MANAGEMENT ORDER II

ESTATE of DONALD ZENI (Dana Nolet), vs. 3M CORPORATION, et al	<i>Plaintiff(s),</i> <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 January 7, 2020:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	William Kuzmin	Plaintiff(s)
Breuninger & Fellman	Raymond Chow	Genuine Parts Co.
Caruso Smith	Alexandra Caruso	CertainTeed; Union Carbide
Gibbons PC	Daniel Dorfman	Honeywell International
Goldberg Segalla	Elizabeth Weill	Navistar, inc.
Hawkins Parnell	Manuel A. Guevara	PACCAR Inc.; Pneumo Abex
K&L Gates	Gary M. Sapir	Ford Motor Co.
Lavin Cedrone	Edward Finch	Daimler Trucks North America; Thomas Built
Lynch Daskal	Lawrence G. Lee	Luk Clutch Systems
McElroy Deutsch	Andrew F. Bain	Eaton; Lipe Automation
Norris McLaughlin	Eric Alvarez	Blue Bird Body Co.
O'Toole Scrivo	Franklin Paez	DCo
Reilly McDevitt	Ryan Notarangelo	Arvin Meritor, Inc.; Mack Trucks

IT IS on this 8th day of January 2020, 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.

Any jurisdictional motions must be filed in accordance with the Court Rules or be waived.

Any *forum non conveniens* motions must be filed as soon as practicable; once sufficient discovery is conducted so that the motion may be properly brought.

DISCOVERY

April 15, 2020

Each defendant shall identify the crossclaims it intends to prove and the causative fault proofs as to each crossclaim to be asserted by this date.

April 30, 2020 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, 2020 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

August 14, 2020 Settlement demands shall be served on all counsel and the Special Master by this date.

MEDICAL EXPERT REPORT

June 15, 2020 Plaintiff shall serve medical expert reports by this date.

June 15, 2020 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, 2020 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 15, 2020 Plaintiff shall identify its liability experts and serve liability expert reports by this date or waive any opportunity to rely on liability expert testimony.

September 30, 2020 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.

SUMMARY JUDGMENT MOTION PRACTICE

June 26, 2020 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

July 10, 2020 Summary judgment motions shall be filed no later than this date.

August 7, 2020 Last return date for summary judgment motions.

ECONOMIST EXPERT REPORTS

June 15, 2020 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.

September 30, 2020 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

October 30, 2020 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

October 14, 2020 @ 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.

November 30, 2020 Trial Date. (*The August 24, 2020 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