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ATLANTIC COUNTY
LAW DIVISION

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SUPERIOR COURT OF NEW JERSEY

IN RE: BRISTOL-MYERS SQUIBB
ENVIRONMENTAL CONTAMINATION
LITIGATION

LAW DIVISION: ATLANTIC COUNTY

MASTER DOCKET NO. ATL-L-3517-08 MT

CASE MANAGEMENT ORDER NO. 15

THIS MATTER having come before the Court for Case Management Conferences on Monday, February 25, 2013 and April 12, 2013, and counsel for plaintiffs and counsel for Defendant, Bristol-Myers Squibb Company ("BMS" or "Defendant"), having participated, and for good cause shown,

IT IS on this 30 day of April, 2013, ORDERED as follows:

I. Group One Discovery and Trials

1. For discovery and trial purposes, the plaintiffs whose primary conditions include

lung cancer and/or respiratory conditions shall be known as the "Group One Plaintiffs." A pool of three Group One Plaintiff cases shall be worked up for trial in the first quarter of 2014. These cases shall be tried on the basis of a single pathway (namely, air, including vapors), with hexavalent chromium being a primary contaminant and other contaminants to be identified in plaintiffs' expert report(s), and a primary condition (lung cancer or respiratory condition). The Group One trial pool shall consist of the following actions:

- a. *Estate of Sylvia Adams*, docket no. ATL-L-983-09;
- b. *Estate of Eleanor Ruffin*, docket no. ATL-L-3942-08; and
- c. *Kevin Walker*, docket no. ATL-L-5699-11.

Mr. Walker's medical monitoring claim will be severed, to be tried at a later date as part of a consolidated trial on the medical monitoring claims asserted in this mass tort proceeding.

2. BMS has completed its answers and production of documents responsive to Plaintiffs' currently pending discovery requests.

3. No later than April 22, 2013, the parties shall meet and confer regarding any disputes regarding the document production of the Group One Plaintiffs, including production of medical records, medical expense and lien information, information regarding employment and wages, and documents relevant to damages. Any responsive documents to outstanding discovery demands that relate to the Group One Plaintiffs shall be produced by May 30, 2013. Any remaining disputes shall be promptly brought to the attention of the Court.

4. The parties shall serve any final document demands or interrogatories relevant to the Group One trial pool no later than May 28, 2013. Such discovery shall be answered within 30 days.

5. By April 29, 2013, plaintiffs shall provide an interim list of any other witnesses

whom they wish to depose. By May 15, 2013, plaintiffs shall provide its final list of depositions of fact witnesses regarding the Group One bellwether cases.

6. All fact discovery regarding the Group One Plaintiffs shall be completed by July 31, 2013.

7. No later than August 30, 2013, plaintiffs shall serve all reports from any experts they intend to call as expert witnesses on any issue for the Group One Plaintiffs.

8. The Court shall hold a conference on September 17, 2013, to determine which of the plaintiffs in the Group One trial pool will be tried and to further discuss the venue for the bellwether trials.

9. No later than ninety (90) days after plaintiffs serve their final expert report, BMS shall serve all reports from any experts it intends to call as expert witnesses on any issue for the Group One Plaintiffs.

10. Depositions of experts shall be completed no later than December 31, 2013. Depositions of experts may be noticed at any time after a party produces a report from that expert.

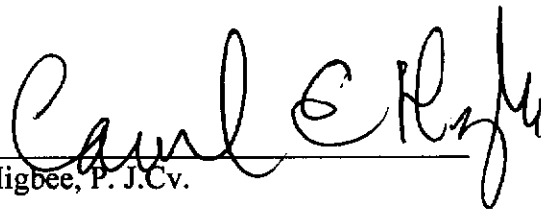
11. All dispositive motions or motions addressed to the admissibility of expert witness testimony shall be filed no later than January 7, 2014. The parties, however, may file such motions before January 7, 2014, if they are ripe. Opposition papers will be due no later than fourteen (14) days after such motion(s) is filed. Reply papers will be due no later than seven (7) days thereafter.

12. The trial of the representative Group One Plaintiff(s) shall commence in the first week of February, on February 10, 2014.

II. **Group Two Discovery**

13. For discovery and trial purposes, the plaintiffs whose primary conditions include diabetes should be known as the "Group Two Plaintiffs." By September 3, 2013, the plaintiffs will provide BMS an expert general causation report linking diabetes to the plaintiffs' chemicals of concern.

14. By September 17, 2013, the parties will meet-and-confer regarding a proposed discovery plan for Group Two Plaintiffs.



Hon. Carol E. Higbee, P. J. Cv.