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SUPERIOR COURT BERGEN COUNTY
FILED

APR 23 2008



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JONATHAN N. HARRIS
J.S.C.

IN RE: ALLEGED MAHWAH TOXIC
DUMP SITE LITIGATION

DEPUTY CLERK
SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY
CASE NO. 277
MASTER DOCKET NO. L-489-08

CIVIL ACTION

APPLICABLE TO ALL CASES

**CASE MANAGEMENT ORDER
NUMBER TWO**

THIS MATTER having come on for a Case Management Conference on April 3, 2008, the Honorable Jonathan Harris, and all parties having appeared by counsel, the following Case Management Order is hereby entered:

1. This Order is effective as of **April 3, 2008**.
2. Plaintiffs' Amended Complaints and Coordinate Answers shall be deemed amended as following, without the necessity of any party filing additional pleadings:
 - A. Docket No. L-192-07 Sheridan Van Dunk shall be denominated a party as infant by Evelyn Van Dunk;
 - B. Docket No. L-739-08 – Kara Milligan shall be denominated a party as in infant by Bernadine Milligan;
 - C. Docket No. L-9170-07 – Anthony Van Dunk's and Lucy Van Dunk's claims relating to 11 Peters Mine Road shall be excised from the pleading;

Eugenio Pagan and Yvonne Pagan shall be denominated as parties claiming diminution of value to 8 Van Dunk Way and relocation expenses;

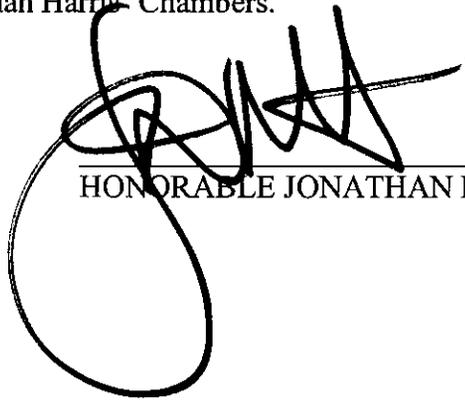
- D. Docket No. L-9181-07 – Jacob A. Corter’s and Diane Corter’s claims are excised from the pleading;
 - E. Docket No. L-9194-07 – Rodney D. Mann, Sr. and Kathleen Mann seek damages for diminution of value to 23 Van Dunk Lane along with relocation expenses;
3. Plaintiffs’ counsel shall comply with Rule 4:26-2(B)(1) no later than April 18, 2008. (Compliance is to file and serve the applicable certificates by April 18, 2008);
 4. Plaintiffs’ counsel shall identify and disclose to Defendants’ counsel, those Plaintiffs who have died since filing of the original complaint no later than April 18, 2008;
 5. All attorneys shall make a good faith effort to identify those parties and potential witnesses who may become unable to testify at the time of trial due to health conditions or otherwise, and shall inform other counsel of the same no later than April 30, 2008 and all counsel shall have a continuing obligation in this regard throughout this matter;
 6. Plaintiffs’ counsel shall file motions to be relieved of counsel (Notice of all parties in accordance with the Rules of Court, as well as, all affected Plaintiffs) no later than necessary for said motion to be returnable on or before May 9, 2008;

7. Defendants shall file and serve any and all cross-claims pursuant to Rule 4:7-5 no later than May 2, 2008;
8. The parties are hereby permitted to engage in document discovery with the following limitations:
 - A. Interrogatories demands, production of document demands, and demands for electronically stored information, along with the inspection of property shall be propounded no later than May 16, 2008;
 - B. The Defendants shall in good faith use their best efforts not to seek duplicative discovery to that information contained in the Plaintiffs' questionnaire;
 - C. Fully responsive responses to said document discovery shall be served upon all counsel not later than August 29, 2008;
 - i. For the purpose of this Order fully responsive discovery responses means at the bare minimum, that every tangible item shall be separate, independent, and uniquely tagged, logged, or indexed (whichever is most proper) using a Bate stamped method or equivalent system;
 - ii. Fully responsive responses to an interrogatory questions or a demands for production of documents or other items shall itemize each document or item responsive to said request by referencing it using a Bate Stamp or similar method;
 - iii. Tangible items that are intended to be withheld due to privilege, work product, trade secret, proprietary information, or any other

good faith basis shall nevertheless be indexed, tagged, or logged as aforementioned and the party seeking to assert said privilege shall produce a privileged log that sufficiently identifies the item with a description and index number in accordance with Rule 4:10-2 in a way that does not disclose that which was thought to be “withholdable.”

9. This Order does not prohibit depositions or requests for admissions.
10. The next Case Management Conference shall be September 29, 2008 at 9:00 am in the Honorable Jonathan Harris' Chambers.

4/23/08



HONORABLE JONATHAN HARRIS, J.S.C.