

FILED

JAN 30 2008

JONATHAN N. HARRIS

~~J.S.C.~~

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IN RE: ALLEGED MAHWAH TOXIC DUMP SITE
LITIGATION

SUPERIOR COURT OF
NEW JERSEY

LAW DIVISION:
BERGEN COUNTY

CASE NO. 277

MASTER DOCKET NO.
L489-08

CIVIL ACTION

APPLICABLE TO ALL
CASES

CASE MANAGEMENT
ORDER NUMBER ONE

X

THIS MATTER having come on for a Case Management Conference on January 22, 2008, before the Hon. Jonathan Harris, and all parties having appeared by counsel, the following Case Management Order is entered:

1. This Order is effective as of **January 22, 2008**.
2. Counsel for all parties shall meet and confer either in person or by telephone by **January 29, 2008** in an attempt to reach agreement on the following issues:
 - a) the form and content of a Plaintiff questionnaire; and
 - b) a Joint Stipulation and Consent Order regarding the applicability, if any, of certain federal court rulings.
3. If the parties cannot agree on the form and content of a Plaintiff questionnaire, Plaintiffs shall submit their proposed form to the Court, and Defendants shall submit either their proposed form or their objections to Plaintiffs' proposed form to the Court, by **January 31, 2008**. It is contemplated that the Court will review the parties' positions and determine the form and content of a Plaintiff questionnaire by **February 4, 2008**.

4. Plaintiffs shall file Amended Complaints in any, or all, of the forty-four (44) actions presently under mass tort coordinated management no later than **February 11, 2008**.

5. Defendants shall file and serve Answers or other responsive pleadings to the Amended Complaints by **February 19, 2008**.

6. Each Plaintiff shall serve fully responsive answers to the Plaintiff questionnaire by **March 31, 2008**.

7. To the extent that the Plaintiff questionnaire requests the production of documents, such documents shall be provided by **March 31, 2008** in paper or digital media readily accessible by Defendants. Each page produced shall be uniquely indexed by Bates stamp or equivalent system.

8. Each Plaintiff shall execute and deliver to Defendants HIPAA-compliant medical authorizations (one for each physician or other health care provider) for all treatment and examinations requested in the Plaintiff questionnaire by **March 31, 2008**.

9. The next Case Management Conference is scheduled for **April 3, 2008 at 9 a.m.**

10. All actions subject to this Case Management Order shall not, at this time, be subject to dismissal for lack of prosecution under R 1:13-7 or 4:43-2. Any prior notices regarding dismissal pursuant to these rules which may have been sent shall be deemed ineffective, and the actions not dismissed, until further Order of the Court.

11. Unless inconsistent with this Case Management Order, the Initial Order for Case Management dated November 30, 2007 remains in effect.

12. Any stay of motions provided for in the Initial Order for Case Management dated November 30, 2007 is vacated.

13. A table of all underlying Docket numbers is attached to this Case Management Order.

14. Applications for *Pro Hac Vice* admission shall be made by formal motion. Consent applications with the proper affidavits and notice are acceptable to the Court.

15. Except on mutual consent, other than the Plaintiff questionnaire, all discovery is stayed until the April 3, 2008 Case Management Conference.

Dated: JANUARY 30, 2008


JONATHAN N. HARRIS, J.S.C.

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Cases Filed in Passaic County Concerning the Ringwood Mines Landfill Site

<u>Caption</u>	<u>Bergen County Docket Number</u>	<u>Passaic County Docket Number</u>
Randy Gutierrez et.al.	Ber-L-9170-07	L-438-06
Pansy Shirhall et.al.	Ber-L-9171-07	L-460-06
Darlene Mann et.al.	Ber-L-9172-07	L-431-06
Edward Mann et.al.	Ber-L-9173-07	L-458-06
Amy Sheehan et.al.	Ber-L-9175-07	L-457-06
Jermine Van Dunk et.al.	Ber-L-9177-07	L-432-06
Mildred Batchelor et.al.	Ber-L-9178-07	L-456-06
Henrietta Corter Duncan et.al.	Ber-L-9179-07	L-428-06
Nadine Vreeland et.al.	Ber-L-9181-07	L-455-06
Kendra Van Dunk et.al.	Ber-L-9183-07	L-429-06
Dawn Meyers et.al.	Ber-L-9184-07	L-454-06
Claudette Coleman et.al.	Ber-L-9185-07	L-430-06
Arlene Mann et.al.	Ber-L-9188-07	L-453-06
Cheryl Bender et.al.	Ber-L-9189-07	L-434-06
Andrea Van Dunk et.al.	Ber-L-9190-07	L-452-06
Justin Milligan et.al.	Ber-L-9192-07	L-425-06
Gregory A. Cook et.al.	Ber-L-9193-07	L-426-06

Christa D. Modafferi et.al.	Ber-L-9194-07	L-427-06
Hope Westerhaff et.al.	Ber-L-9195-07	L-450-06
Austin Van Dunk et.al.	Ber-L-9196-07	L-449-06
Frederick Milligan et.al.	Ber-L-9197-07	L-448-06
Gregory Guenther et.al.	Ber-L-9198-07	L-447-06
Donna Skinner et.al.	Ber-L-9200-07	L-451-06
Loretta Rusinyak et.al.	Ber-L-9201-07	L-446-06
Pierce Morgan et.al.	Ber-L-9202-07	L-462-06
John M. Fudal, jr. et.al.	Ber-L-9205-07	L-445-06
Brittany Milligan et.al.	Ber-L-9206-07	L-463-06
Mary Milligan et.al.	Ber-L-9207-07	L-444-06
Brandy Mann et.al.	Ber-L-9208-07	L-464-06
Yolanda Murphy et.al.	Ber-L-9209-07	L-467-06
Amy Meyer et.al.	Ber-L-9210-07	L-443-06
Linda Degroat et.al.	Ber-L-9211-07	L-465-06
Adam Sheehan et.al.	Ber-L-9212-07	L-461-06
Jayson Degroat et.al.	Ber-L-9213-07	L-442-06
Jennifer L. Chokov et.al.	Ber-L-9214-07	L-466-06
Christian Morgan et.al.	Ber-L-9215-07	L-433-06
Romona Thompson et.al.	Ber-L-9216-07	L-459-06
Laken Mann et.al.	Ber-L-9218-07	L-424-06
Veronica Morales et.al.	Ber-L-9220-07	L-439-06
Trinity Van Dunk et.al.	Ber-L-9222-07	L-440-06
Michelle Van Dunk et.al.	Ber-L-9224-07	L-44106
Dennis Van Dunk et.al.	Ber-L-9225-07	L-436-06
Emily Knapp et.al.	Ber-L-9226-07	L-437-06
Terry Gunn, et al.	Ber-L-9191-07	L-435-06
Faith Babcock, et al.	Ber-L-739-08	L-953-06