

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

MICHAEL C. ARGENTO,  
  
*Plaintiff(s),*  
  
vs.  
  
CHARLES B. CHRYSTAL CO., INC., et al  
  
*Defendant(s).*

Docket No: **L-5418-12 (AS)**

Civil Action

CASE MANAGEMENT ORDER III

This matter coming in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on April 3, 2013 and the following firms appearing:

FIRM	ATTORNEY	CLIENT
Levy Phillips & Konigsberg	Moshe Maimon	Plaintiff(s)
Barry McTiernan	Will Cooney	Vornado Realty (Two Guys)
Brown & Connery	Stephen DeFeo	Lorillard Tobacco Co.; Hollingsworth & Vose Co.
Goldberg Segalla	Brian Hannan	P&G
Hoagland Longo	Michael Lazarus	Whittaker Clark & Daniels
McGowan Law Office	John S. McGowan	Scotts Co.
Morrison Mahoney	Justin English	Charles B. Chrystal
O'Toole Fernandez	Joshua Lichenstein	RT Vanderbilt Co.
Porzio Bromberg	Christopher DePhillips	Wyeth Holdings

IT IS on this 9<sup>th</sup> day of April, 2013 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.

**DISCOVERY**

- May 17, 2013 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.
- May 17, 2013 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

April 25, 2013            The settlement conference previously scheduled on this date is CANCELLED.

May 17, 2013            Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

May 24, 2013            Summary judgment motions limited to product identification issues shall be filed no later than this date.

June 21, 2013            Last return date for product identification summary judgment motions.

### **OTHER MOTIONS**

June 14, 2013            Filing date.

July 12, 2013            Return date.

### **MEDICAL DEFENSE**

July 12, 2013            Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

### **LIABILITY EXPERT REPORTS**

June 7, 2013            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.

July 12, 2012            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.

### **EXPERT DEPOSITIONS**

July 31, 2013            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**

July 17, 2013 @ 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. Any request to be excused from the settlement conference shall be made to the Special Master no later than 4:00pm of the day prior to the conference.

August 12, 2013

Trial Date. (*The May 28, 2013 trial is adjourned to this date.*)

**Plaintiff's counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.**

*/s/ Vincent Le Blon*  
VINCENT Le BLON, J.S.C.

cc: Clerk, Mass Tort  
Brody Deposition Services  
Priority One