

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

<p>LAWRENCE &amp; DOROTHY BARKER,  <i>Plaintiff(s),</i></p> <p>vs.</p> <p>BOBCAT CO., et al</p> <p><i>Defendant(s).</i></p>
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Docket No: **L-1258-15 (AS)**

Civil Action

CASE MANAGEMENT ORDER V

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on April 14, 2016:

FIRM	ATTORNEY	CLIENT
Weitz & Luxenberg	Brandi Everett	Plaintiff(s)
Breuninger & Fellman	Raymond Chow	Genuine Parts Co.
Caruso Smith	Lisa Massimi	Union Carbide
Gibbons PC	Mark R. Galdieri	Honeywell International Inc.
Goldberg Segalla	H. Lockwood Miller	Trak International
LeClair Ryan	John Soltesz	Ford
Lynch Daskal	Kate Romick	Georgia Pacific
Margolis Edelstein	Justin M. Bettis	John Crane
Marks O'Neill	Sebastian Goldstein	Caterpillar Corp.
McElroy Deutsch	Gabriel Ferstendig	Eaton Corp.
O'Toole Fernandez	Gary Van Lieu	Dana Companies
Reilly Janiczek	Brandy L. Harris	Eaton Hydraulics LLC, successor by merger to Eaton Hydraulics Inc. f/k/a Vickers Inc.

IT IS on this 20<sup>th</sup> day of April, 2016, *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 13, 2016            Trak shall serve answers to standard interrogatories by this date.
- May 20, 2016            Plaintiff shall propound supplemental interrogatories as to Trak only by this date.
- June 17, 2016            Trak shall serve answers to supplemental interrogatories by this date.

May 20, 2016 Trak shall propound supplemental interrogatories by this date.

June 17, 2016 Plaintiff shall serve answers to Trak's supplemental interrogatories by this date.

July 15, 2016 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.

July 15, 2016 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

June 30, 2016 As to Trak, settlement demands shall be served on counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

July 8, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

July 22, 2016 Summary judgment motions shall be filed no later than this date.

August 19, 2016 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

September 2, 2016 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 22, 2016 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.

September 2, 2016 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**

September 30, 2016 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**

June 16, 2016                      The settlement conference previously scheduled on this date is **cancelled**.

September 20, 2016 @ 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.

10 business days prior to trial      Pretrial Information Exchange Form.

October 31, 2016                      **Trial-Ready Date.** (*The July 18, 2016 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