

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

ROBERT & MARILYN FORTE, <i>Plaintiff(s),</i> vs. ANOVA HOLDINGS AG, et al <i>Defendant(s).</i>
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Docket No: **L-11624-14 (AS)**

Civil Action

CASE MANAGEMENT ORDER I

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on May 7, 2015:

FIRM	ATTORNEY	CLIENT
Weitz & Luxenberg	Robert Silverman	Plaintiff(s)
Caruso Smith	Marcia DePolo	CertainTeed; Union Carbide
Gibbons PC	Mark R. Galdieri	Honeywell International Inc.
Goldfein & Joseph	Madhurika Jeremiah	ACL
Jones Law Firm	Richard V. Jones	Metropolitan Life
McCarter & English	John C. Garde	Fisher Scientific
McElroy Deutsch	Gabriel Ferstendig	Pfizer
McGivney Kluger	Joel Clark	DAP; Hollingsworth & Vose
Reilly Janiczek	Michelle Cappuccio	ITT

IT IS on this 12th day of May, 2015, *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*.

Defense counsel shall notify plaintiff's counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

DISCOVERY

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|---------------|--|
| May 22, 2015 | Defendants shall serve answers to standard interrogatories by this date. |
| May 29, 2015 | Plaintiff shall propound supplemental interrogatories and document requests by this date. |
| June 29, 2015 | Defendants shall serve answers to supplemental interrogatories and document requests by this date. |
| May 29, 2015 | Defendants shall propound supplemental interrogatories and document requests by this date. |

- June 29, 2015 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- July 31, 2015 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 31, 2015 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- August 7, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- August 7, 2015 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- August 21, 2015 Summary judgment motions shall be filed no later than this date.
- September 18, 2015 Last return date for summary judgment motions.

MEDICAL DEFENSE

- July 31, 2015 Plaintiff shall serve medical expert reports by this date.
- July 31, 2015 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- September 30, 2015 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

- September 30, 2015 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.
- October 30, 2015 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

- November 30, 2015 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

December 11, 2015 @ 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.

January 11, 2016 Trial-Ready 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
Brody Deposition Services
Priority One