

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

Docket No: **L-2741-13 (AS)**

Civil Action

CASE MANAGEMENT ORDER I

ROGER & BRENDA HUTCHINS, <i>Plaintiff(s),</i> vs. BENJAMIN FOSTER, a division of AMCHEM PRODUCTS, INC., et al <i>Defendant(s).</i>

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on *February 11, 2014*:

FIRM	ATTORNEY	CLIENT
Weitz & Luxenberg	Francis Eiden	Plaintiff(s)
Breuninger & Fellman	Raymond Chow	Genuine Auto Parts
Budd Lerner	Don Feuerstein	Good Year
Caruso Smith	Stacey Lee Trien	Amchem; Union Carbide; CertainTeed
Gibbons PC	Ahmed Kassim	Honeywell International, Inc.
Hawkins Parnell	Roy Viola	Pneumo Abex
Hoagland Longo	Katherine Blok	Goulds Pumps
Lavin O'Neil	Eugene Hamill	Toyota Motor Sales, USA, Inc.
Law Offices of Roger V. Jones	Roger V. Jones	Metropolitan Life
LeClair Ryan	Robyn Kalocsay	Ford
McGowan Law Office	John S. McGowan	Sears
O'Toole Fernandez	Jacqueline Muttick	Dana Companies
Wilbraham Lawler	Andrea Greco	Maremont

IT IS on this 21st day of **February, 2014** 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 plaintiffs' 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

- February 18, 2014 Defendants shall serve answers to standard interrogatories by this date.
- February 25, 2014 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- March 25, 2014 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- February 25, 2014 Defendants shall propound supplemental interrogatories and document requests by this date.
- March 25, 2014 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.
- April 25, 2014 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.
- April 25, 2014 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- May 2, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- May 9, 2014 Summary judgment motions shall be filed no later than this date.
- June 6, 2014 Last return date for summary judgment motions.

MEDICAL DEFENSE

- February 21, 2014 Any defendant wishing to present a medical defense shall advise all counsel of its intention by entering a Notice of Appearance of Defense Medical Counsel by this date. Any defendant who does not file such an appearance by this date may be foreclosed from asserting a medical defense.
- April 11, 2014 Plaintiff shall serve medical expert reports by this date.
- April 11, 2014 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- June 13, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

May 2, 2014 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.

June 13, 2014 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.

ECONOMIST EXPERT REPORTS

May 2, 2014 Plaintiff shall identify its expert economists and serve expert economist report(s), if any, by this date or waive any opportunity to rely on economic expert testimony.

June 13, 2014 Defendants shall identify its expert economists and serve expert economist report(s), if any, by this date or waive any opportunity to rely on economic expert testimony.

EXPERT DEPOSITIONS

June 30, 2014 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 26, 2014 @ 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.

July 14, 2014 Trial 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