

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

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

Civil Action

CASE MANAGEMENT ORDER III

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 August 13, 2014:

FIRM	ATTORNEY	CLIENT
Weitz & Luxenberg	Alex Eiden	Plaintiff(s)
Breuninger & Fellman	Raymond Chow	Genuine Auto Parts
Budd Lerner	Daniel Feuerstein	Good Year
Caruso Smith	Lisa Massimi	Amchem; Union Carbide; CertainTeed
Gibbons PC	Mark R. Galdieri	Honeywell International, Inc.
Hoagland Longo	Jason R. Gosnell	Goulds Pumps
Lavin O'Neil	Julianne Jackson	Toyota Motor Sales, USA, Inc.
LeClair Ryan	Michael Goldklang	Ford
McGivney Kluger	Caitlin Christie	Monsey Products
McGowan Law Office	John S. McGowan	Sears
O'Toole Fernandez	John V. Kelly, III	Dana Companies
Wilbraham Lawler	Elizabeth deBerardinis	Maremont

IT IS on this 14th day of **August, 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.

DISCOVERY

October 17, 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.

November 14, 2014 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

October 9, 2014 The settlement conference previously scheduled on this date is **CANCELLED**.

November 21, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

January 9, 2015 Summary judgment motions shall be filed no later than this date.

February 6, 2015 Last return date for summary judgment motions.

MEDICAL DEFENSE

December 5, 2015 Plaintiff shall serve medical expert reports and transfer pathology specimens and x-rays, if any, by this date.

March 6, 2015 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

December 19, 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.

March 6, 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

March 27, 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

March 13, 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.

April 13, 2015

Trial Date. *(The November 3, 2014 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
Brody Deposition Services
Priority One