

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

TIMOTHY & CHARLENE McGRATH, <i>Plaintiff(s),</i> vs. BOB MAGIRE PARTS CENTER INC., et al <i>Defendant(s).</i>

Docket No: **L-298-12 (AS)**

Civil Action

CASE MANAGEMENT ORDER II

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on December 10, 2013:

FIRM	ATTORNEY	CLIENT
Keefe Bartels	Patrick Bartels	Plaintiff(s)
Gibbons PC	Mark R. Galdieri	Honeywell International Inc.
Hoagland Longo	Carl Figueroa	Borg Warner
McGivney Kluger	Thomas McNulty	Lucas Motor Co.
Wilbraham Lawler	Ashish Agrawal	Holman

IT IS on this 10th day of **December, 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

- January 17, 2014 Plaintiff shall serve answers to standard interrogatories, provide the information required by paragraph VI.B.1.a. of the General Order, and shall advise defendants whether the plaintiff is available for deposition and, if not, the reasons therefore by this date.
- January 31, 2014 Defendants shall serve answers to standard interrogatories by this date.
- February 14, 2014 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- March 14, 2014 Defendants shall serve answers to supplemental interrogatories and document requests by this date.
- February 14, 2014 Defendants shall propound supplemental interrogatories and document requests by this date.

March 14, 2014 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

March 31, 2013 Plaintiff depositions shall be concluded by this date. Plaintiff's counsel shall contact the Special Master within one week of this deadline if plaintiff depositions are not completed by this date.

April 18, 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 18, 2014 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

February 11, 2104 The settlement conference previously scheduled on this date is **CANCELLED**.

April 18, 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 limited to product identification issues shall be filed no later than this date.

June 6, 2014 Last return date for product identification summary judgment motions.

MEDICAL DEFENSE

February 14 2014 Plaintiff shall serve executed medical authorizations by this date.

January 31, 2014 Defendants shall forward medical authorizations to plaintiff's counsel by this date.

February 14, 2014 Plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.

February 28, 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 30, 2014 Plaintiff shall serve additional medical expert reports by this date.

May 30, 2014 The defense medical examination of plaintiff(s) shall be completed by this date.

July 3, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

June 20, 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.

July 21, 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

June 20, 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.

July 21, 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

August 1, 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

August 6, 2014 @ 1:30pm 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 18, 2014 Trial Date. (*The February 24, 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/ Vincent Le Blon
VINCENT Le BLON, J.S.C

cc: counsel:

Goldfein & Joseph

cc: Clerk, Mass Tort

Brody Deposition Services

Priority One