

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 III

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on August 5, 2014:

FIRM	ATTORNEY	CLIENT
Keefe Bartels	Patrick Bartels	Plaintiff(s)
Breuninger & Fellman	Raymond Chow	Genuine Parts Co.; NAPA
Gibbons PC	Mark R. Galdieri	Honeywell International Inc.
Hoagland Longo	Steven Satz	Borg Warner
Lavin O'Neil	LaWanda D. White	Bob Maguire Parts Center
McGivney Kluger	Joel Clark	Lucas Motor Co.
Troutman Sanders	Joann Rogers	Parker Hannifan; Standard Motor
Wilbraham Lawler	Andrea Greco	Holman

IT IS on this 11th 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

- September 30, 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.
- October 14, 2014 Defendants shall serve answers to standard interrogatories by this date.
- October 28, 2014 Plaintiff shall propound supplemental interrogatories and document requests by this date.
- November 28, 2014 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

October 28, 2014 Defendants shall propound supplemental interrogatories and document requests by this date.

November 28, 2014 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

January 30, 2015 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.

March 16, 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.

March 31, 2015 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

March 31, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

May 1, 2015 Summary judgment motions shall be filed no later than this date.

May 29, 2015 Last return date for fication summary judgment motions.

MEDICAL DEFENSE

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

October 21, 2014 Defendants shall forward medical authorizations to plaintiff's counsel by this date.

September 30, 2014 Plaintiff shall serve a diagnostic medical report and any medical records in plaintiff's possession by this date.

April 1, 2015 Plaintiff shall serve additional medical expert reports by this date.

June 1, 2015 The defense medical examination of plaintiff(s) shall be completed by this date.

June 30, 2015 Defendants shall identify its medical experts and serve medical expert 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 26, 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.

July 27, 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.

ECONOMIST EXPERT REPORTS

June 26, 2015 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 27, 2015 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 14, 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

August 4, 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.

August 31, 2015 Trial 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