

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

JAMES MELITSKI,  
*Plaintiff(s),*  
vs.  
ASBESTOS CORP. LTD., et al  
*Defendant(s).*

Docket No: **L-7991-12 (AS)**

Civil Action

CASE MANAGEMENT ORDER VI

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on March 4, 2015:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Philip Tortoreti	Plaintiff(s)
Gibbons	Mark R. Galdieri	Honeywell
Hoagland Longo	Kristi Luzzetti	Thul Auto Parts
LeClair Ryan	Michael Goldklang	Ford
McCarter & English	John C. Garde	Fisher Scientific

IT IS on this 4<sup>th</sup> day of **March, 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.

**DISCOVERY**

May 8, 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.

May 8, 2015 Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

May 15, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

**SUMMARY JUDGMENT MOTION PRACTICE**

June 12, 2015 Summary judgment motions shall be filed no later than this date.

July 10, 2015 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

- May 8, 2015 Plaintiff shall serve medical expert reports by this date.
- May 8, 2015 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, to McCarter & English by this date.
- August 14, 2015 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

### **LIABILITY EXPERT REPORTS**

- August 14, 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.
- September 14, 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**

- August 14, 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.
- September 14, 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**

- September 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**

- June 25, 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.
- September 17, 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.

October 13, 2015 (*Tuesday*)

Trial Date. (*The July 27, 2015 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: counsel:

Goldfein & Joseph *for ACL/Bell*

Jones Law Office *for Metropolitan Life*

cc: Clerk, Mass Tort

Brody Deposition Services

Priority One