

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

JOHN SARACEN,  <i>Plaintiff(s),</i>  vs.  3M COMPANY, et al  <i>Defendant(s).</i>
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Docket No: **L-713-13 (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 February 19, 2014:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitella	Plaintiff(s)
Caruso Smith	Stacey Lee Trien	Union Carbide; CertainTeed; Amchem
Connell Foley	Angela Iuso	McBride
Gibbons PC	Mark R. Galdieri	Hoffman-La Roche
Lavin O'Neil	Carolyn McCormack	3M Company
Littleton Joyce	Jason Schmitz	BASF Catalysts, LLC
Lynch Daskal	Cynthia Cho	Georgia Pacific
Margolis Edelstein	Joni Tarchichi	Passaic Metal
Maron Marvel	Meryl Topchik	Industrial Holdings Corp.
McGivney Kluger	Thomas McNulty Caitlin Christie	Duro Dyne; Raritan Supply DAP; Monsey Products
Morgan Melhuish	Robert Machi	Novartis Pharmaceuticals
Tierney Law Offices	Kellie Hannum	Elizabeth Industrial Supply
Vasios Kelly Strollo	Thomas J. Kelly, Jr.	Johnson & Johnson
Wilbraham Lawler	Andrea Greco	Karnak
Wilson Elser	Eric Evans	Prudential

IT IS on this 25th 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.

**DISCOVERY**

March 31, 2014                      Plaintiff shall serve answers to wrongful death interrogatories by this date.

April 30, 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.

May 30, 2014 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

June 4, 2014 The settlement conference previously scheduled on this date is **CANCELLED**.

June 13, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

June 27, 2014 Summary judgment motions limited to product identification issues shall be filed no later than this date.

July 25, 2014 Last return date for product identification summary judgment motions.

### **MEDICAL DEFENSE**

April 30, 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.

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

August 29, 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.

August 29, 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.

September 30, 2014 Plaintiff shall identify its rebuttal liability experts and serve rebuttal liability expert reports, if any, by this date.

### **EXPERT DEPOSITIONS**

October 17, 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**

September 25, 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.

October 27, 2014 Trial Date. (*The July 14, 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: Clerk, Mass Tort  
Brody Deposition Services  
Priority One