FILED

JUN 13 2012

BRIAN R. MARTINOTTI, J.S.C.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: BERGEN COUNTY

CASE NO. 290
MASTER DOCKET NO.: BER-L-10803-10

IN RE ALLEGED

ENVIRONMENTAL CONTAMINATION

OF POMPTON LAKES

CIVIL ACTION
(CASE MANAGEMENT) ORDER #19

All prior orders remain in full force and effect except as modified by this Order

This Matter having been assigned to the Honorable Brian R. Martinotti, J.S.C. pursuant to the Supreme Court's Order of September 13, 2010 ordering centralized case management of the Alleged Environmental Contamination of Pompton Lakes (hereinafter referred to as "Pompton Lakes") and the Court having conducted a Case Management Conference on April 10, 2012, having reviewed the proposed agenda, counsel appearing, for good cause shown and for the reasons set forth on the record.

IT IS on this 13th day of June, 2012,

ORDERED,

COMPLIANCE WITH PRIOR CASE MANAGEMENT ORDER:

1. **Discovery.**

   a. Plaintiffs' Medical Monitoring Report.

i. Defendant shall submit the Report and letter brief as to Plaintiffs' compliance with the Court's prior Order by June 15, 2012, with a copy to the Mediator. Plaintiffs shall reply by June 22, 2012.

b. DuPont's Document Production.

i. The August 1, 2012 deadline remains in effect. Defendant shall continue to produce documents on a rolling basis.

2. Mediation.

a. The parties have contacted the mediator and forwarded a summary to him; they will contact the mediator once discovery is completed.

3. "*Armona*" Issues

a. Plaintiff, Ann Marie Gorman (BER-L-10797-10), has moved to amend her Complaint to assert a personal injury claim arising from the same conduct alleged in her prior Complaints, and to remove any claims that are barred by the "*Armona*" Release. This Motion is GRANTED as UNOPPOSED.

b. DuPont's Motion for Summary Judgment on Claims of Louis Bruno, Josephine Bruno and Ann Marie Gorman.

i. Filed: June 5, 2012

ii. Response Due: July 9, 2012

iii. Reply Due: July 18, 2012

iv. Oral Argument: July 24, 2012

4. **Discovery Pool Plaintiffs (Case Management Order No. 18).**

a. **Personal Injury Plaintiffs:**

i. Felicetta, Valeria (BER-L-6506-11)

ii. Gambino, Karen (BER-L-10733-10)

iii. Magliaro, Joseph (BER-L-10724-10)

iv. Sisco, Jo-Ann (BER-L-10702-10)

v. Westlin, June (BER-L-10763-10)

vi. Maher, Mary (BER-L-6525-11)

vii. Morrell, Valerie (BER-L-10775-10)

viii. Roesch, Jeffrey (BER-L-10705-10)

ix. Simonson, Craig (BER-L-10758-10)

x. Sweeney, Daria (BER-L-6513-11CM)

b. **Medical Monitoring Plaintiffs:**

i. Avenoso, Linda (BER-L-10616-10)

ii. Belfiore, Michele (BER-L-10631-10)

iii. Cortese, Debra (BER-L-11172-10)

iv. Harrison, Kevin (BER-L-10734-10)

v. Kamp, Darcy (BER-L-10668-10)

vi. Burckard, Kathleen (BER-L-10786-10)

vii. Capone, Christopher (BER-L-10574-10)

viii. McDonald, Scott (BER-L-10791-10)

ix. Niland, Joseph (BER-L-10589-10)

x. Spadaro, Raymond (BER-L-10714-10)

CASE MANAGEMENT:

GENERAL:

1. The next Case Management Conference is scheduled for July 24, 2012 at 1:30 p.m. Counsel shall submit a proposed agenda (including a summary for each selected plaintiff) seven (7) days prior to this Case Management Conference.
2. By consent of all parties, the court may contact or be contacted on an *ex parte* basis regarding settlement issues *only*.
3. The Court directs all counsel to *R*.1:4-8 and expects all counsel to abide by the parameters set forth therein.
4. All Court proceedings will start at the designated scheduled time. Counsel is expected to arrive promptly for these proceedings.
5. Counsel shall copy their co-counsel and all adversaries on all e-mails and other electronic correspondence submitted to the Court [COUNSEL IS PROHIBITED FROM FILING ANY PLEADING ELECTRONICALLY]. Any such submission received after 4:30 pm.

will be deemed received at 9:00 a.m. on the next day Court is in session. Any such submission received after 4:30 p.m. on a Friday or over a weekend, will be deemed received on 9:00 a.m. on the next day Court is in session.

6. Counsel is directed to contact The Superior Court of New Jersey, Attorneys Accounts: P.O. Box 980, Hughes Justice Complex, 25 W. Market Street, Trenton, New Jersey 08625 (609) 633-8643 to establish a collateral account for any filing fees within seven (7) days.

7. Counsel is required to check the Judiciary's Web Site dedicated to this matter for any decisions/Orders/information contained therein.

8. A copy of this Order and any subsequent Orders to the Court will be posted on the Judiciary Web Site.

BRIAN R. MARTINOTTI, J.S.C.