FILED

SEP 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 #21

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 July 24, 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 September, 2012,

ORDERED,

COMPLIANCE WITH PRIOR CASE MANAGEMENT ORDER:

1. The Court heard oral argument on the "Armona" Release Motions (*Gorman*, BER-L-10797-10 and *Bruno*, et al., BER-L-6510-11) and issued a decision on August 8, 2012.

2. Discovery has been proceeding (both written and depositions); the parties shall continue to cooperate in the production of discovery.

CASE MANAGEMENT:

1. This matter is scheduled for mediation with the agreed upon mediator on October 18, 2012. The parties shall contact the mediator to confirm this date by the close of business on Monday, September 17, 2012. This will be an initial session at which time the mediator will set forth the parameters for submissions and set forth a schedule for future mediation sessions.
2. Discovery is hereby extended in accordance with Schedule A attached hereto.

GENERAL:

1. The next Case Management Conference is scheduled for December 13, 2012 at 1:30 p.m. Counsel shall submit a proposed agenda 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.

"A"

PROPOSED SCHEDULE

Date	Item
April 15, 2013	End of fact discovery on all discovery pool cases; end of fact discovery of DuPont. Nothing precludes the parties from taking discovery on non-discovery pool plaintiffs after this date (including additional discovery of DuPont that is specific to the non-discovery pool plaintiffs or that arises directly as a result of such discovery). In addition, before April 15, 2012, DuPont may seek leave to take discovery of non-discovery pool plaintiffs. Selection of trial plaintiffs for the first trial (5 plaintiffs selected by plaintiffs and 5 plaintiffs selected by DuPont). Trial plaintiffs must be selected from the discovery pool.
June 14, 2013	Affirmative expert reports for trial plaintiffs due (*i.e.*, expert reports for issues upon which a party bears the burden of proof at trial)
September 6, 2013	Rebuttal expert reports due (*i.e.*, expert reports that respond to previously served expert reports)
October 18, 2013	Depositions of experts to be completed
November 18, 2013	Deadline for *Kemp* motions, motions *in limine* and any other pretrial motions
December 13, 2013	Oppositions to *Kemp* motions, motions *in limine* and other pretrial motions
January 3, 2014	Replies to *Kemp* motions, motions *in limine* and other pretrial motions
January 31, 2014	Pretrial memorandum, including witness list(s), exhibit list(s), and jury instructions
Trial	Date to be set by the Court