FILED

SEP 17 2013

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 #23

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 March 21, 2013, the parties have been engaged in active mediation; a mediation session having been conducted up to and including September 17, 2013.

IT IS on this 17th day of September, 2013,

ORDERED,

COMPLIANCE WITH PRIOR CASE MANAGEMENT ORDER:

1. Parties will continue Good Faith Settlement Negotiations with the mediator; within the next seven (7) days, Plaintiff's counsel shall set

forth a detailed overview of the various proposals discussed during today's mediation session.

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

CASE MANAGEMENT:

1. The Motion of Weitz & Luxenberg to be Relieved as Counsel for Kenneth Moutenot was GRANTED. A Consent Order has been entered.
2. A Discovery Order has been entered and is attached hereto.

GENERAL:

1. The next Case Management Conference is scheduled for October 28, 2013 at 1:30pm. . 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.

PROPOSED SCHEDULE

Date	Item
November 1, 2013	Plaintiffs to update Plaintiff Fact Sheets as to 14 discovery pool plaintiffs with property claims.
November 22, 2013	Selection of trial plaintiffs for the first trial (2 plaintiffs selected by plaintiffs and 2 plaintiffs selected by DuPont). Trial plaintiffs must be selected from the discovery pool.
March 1, 2014	End of fact discovery on all 4 trial plaintiffs' cases; end of fact discovery of DuPont.
April 15, 2014	Affirmative expert reports due (*i.e.,* expert reports for issues upon which a party bears the burden of proof at trial).
July 2, 2014	Rebuttal expert reports due (*i.e.,* expert reports that respond to previously served expert reports).
August 18, 2014	Depositions of experts to be completed.
September 18, 2014	Deadline for *Kemp* motions, motions *in limine* and any other pretrial motions.
October 20, 2014	Oppositions to *Kemp* motions, motions *in limine* and other pretrial motions.
November 6, 2014	Replies to *Kemp* motions, motions *in limine* and other pretrial motions.
November 26, 2014	Pretrial memorandum, including witness list(s), exhibit list(s), and jury instructions.
Trial	Date to be set by the Court.

Dated: September 17, 2013