

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

Docket No: L-623-16 (AS)

Civil Action

CASE MANAGEMENT ORDER II

JOAQUIM & ROSA AMADOR, <p style="text-align: right;"><i>Plaintiff(s),</i></p>	vs. BRENT MATERIAL CO., et al <p style="text-align: right;"><i>Defendant(s).</i></p>
--	--

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on June 23, 2016:

FIRM	ATTORNEY	CLIENT
Maune Raichle	Clay Thompson	Plaintiff(s) <i>co-counsel with Levy Konigsberg</i>
Capehart Scatchard	Voris Tejada	Kennedy Culvert
Caruso Smith	Marcia DePolo	CertainTeed; Brent Material
Hack Piro	Robert Alencewicz	Luce Schwab
Hoagland Longo	Jason R. Gosnell	Wallwork Bros.
Margolis Edelstein	Dawn Dezii	Progressive Brick
Marks O'Neill	Sebastian Goldstein	Atlantic Plumbing Supply; JM Mfg.
Marshall Dennehey	Paul Johnson	Insulation Materials Corp.
McElroy Deutsch	Joseph D. Rasnek	Ridge Tool Co.
McGivney Kluger	Thomas McNulty	John Wallace; S. Franklin & Sons; John Hartel; L&H Plumbing
Nowell	Jacek Zapotoczny	United Supply
O'Brien Firm	Elizabeth Stoehr	Grant, Garber Supply
Reilly Janiczek	Brandy Harris	York Corrugating; Hilco; Lee Supply f/k/a the Lee Co.
Swartz Campbell	Patrick Fitzmaurice	Riverside Supply
Wilbraham Lawler	Michelle Kirsch	Dunphey Smith

IT IS on this 23rd day of June, 2016, *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

- July 8, 2016 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

- July 8, 2016 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

August 8, 2016 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.

August 31, 2016 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

September 9, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

August 19, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

September 2, 2016 Summary judgment motions shall be filed no later than this date.

September 30, 2016 Last return date for summary judgment motions.

MEDICAL DEFENSE

October 14, 2016 Defendants shall identify its medical experts and serve medical reports, if any, by this date. **In addition, defendants shall notify plaintiff's counsel (as well as all counsel of record) of a joinder in an expert medical defense by this date.**

LIABILITY EXPERT REPORTS

July 22, 2016 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.

October 14, 2016 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

July 22, 2016 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.

October 14, 2016 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

October 31, 2016 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

August 24, 2016 The settlement conference previously scheduled on this date is **cancelled**.

October 26, 2016 @ 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.

10 business days prior to trial Pretrial Information Exchange Form due.

November 14, 2016 **Trial-Ready** Date. (*The September 19, 2016 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: Clerk, Mass Tort