

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

DONNA ARVELO,  
*Plaintiff(s),*  
vs.  
ASBESTOS CORPORATION LTD., et al  
*Defendant(s).*

**Docket No:** L-588-17 (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 *October 6, 2017*:

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
Levy Konigsberg	Daniel LaTerra	Plaintiff(s)
Caruso Smith	Alexandra Caruso	Union Carbide
Cozen O'Connor	Seth Zuckerman	Gerdau Ameristeel
Drinker Biddle	Christine Lozier	Johnson & Johnson
Goldfein & Joseph	Stephen Cristal	ACL; Bell
Hawkins Parnell	Elizabeth Turley	Revlon Inc.; Revlon Consumer Products; Bristol Myers Squibb; Yves Saint Laurent America
Hoagland Longo	Daniel Kuszmerski	Whittaker Clark & Daniels
Margolis Edelstein	Jeffrey Hall-Gale	Central Jersey Supply
Marks O'Neill	Sebastian Goldstein	Superior Boiler Works; Nicholas Schwalje
McCarter & English	Ingrid H. Graff	General Dynamic Corp.
McElroy Deutsch	Joseph D. Rasnek	Kuehne Co.
McGivney Kluger	Stephen DeNaro	RE Carroll
O'Toole Scrivo	Leslie Lombardy	Colgate
Rawle & Henderson	Paul Smyth	Cyprus Amax Minerals; Imerys Talc America
Rivkin Radler	Alexander Pappas	Helen of Troy
Segal McCambridge	Dinesh Dadlani	Chattem Inc.
Styliades Mezzanotte	Marie Coronel	HM Royal

IT IS on this 12<sup>th</sup> day of **October, 2017**, *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**

October 27, 2017 Defendants, Cyprus Amax Minerals, Imerys Talc America, Johnson & Johnson, Johnson & Johnson Consumer, shall respond to plaintiff's requests for more specific answers to supplemental interrogatories and document production by this date.

November 17, 2017 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.

November 17, 2017 Depositions of corporate representatives shall be completed by this date.

### **EARLY SETTLEMENT**

January 12, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

November 24, 2017 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

December 8, 2017 Summary judgment motions shall be filed no later than this date.

January 5, 2018 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

November 17, 2017 Plaintiff shall serve medical expert reports by this date.

November 17, 2017 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

January 26, 2018 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**

November 17, 2017 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.

January 26, 2018 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**

November 17, 2017 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.

January 26, 2018 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**

February 16, 2018 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**

December 7, 2017                      The settlement conference previously scheduled on this date is **cancelled**.

February 9, 2018 @ 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.

February 26, 2018                      Pretrial Information Exchange submissions due.

March 5, 2018                            **Trial-Ready** Date. (*The January 22, 2018 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