

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

**Docket No: L-836-10 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER V**

ESTATE OF ANITA CREUTZBERGER,  <i>Plaintiff(s),</i>  vs.  ABEX CORPORATION, et al  <i>Defendant(s).</i>
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This matter coming in for a Case Management Conference with Special Master, Agatha N. Dzikiewicz, on July 3, 2013 and the following firms appearing:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Michael McMahon	Plaintiff(s)
Gibbons	Mark R. Galdieri	Honeywell
Harwood Lloyd	Seth Griep	Motion Control
Hoagland Longo	Kristy K. Lyons	Borg Warner
LeClair Ryan	Robyn Kalocsay	Ford
O'Toole Fernandez	Jacqueline Muttick	Dana
Smith Abbot	Roy Viola	Pneumo Abex
Wilbraham Lawler	Andrea Greco	Kelsey-Hayes; Maremont

IT IS on this 9<sup>th</sup> day of July, 2013 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 31, 2013 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.

October 31, 2013 Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

October 2, 2014 The settlement conference previously scheduled on this date is **cancelled**.

November 15, 2013 Settlement demands shall be served on all counsel and the Special Master by this date.

## **SUMMARY JUDGMENT MOTION PRACTICE**

- November 22, 2013      Summary judgment motions limited to product identification issues shall be filed no later than this date.
- December 20, 2013      Last return date for product identification summary judgment motions.

## **MEDICAL DEFENSE**

- November 15, 2013      Plaintiff shall serve additional medical expert reports by this date.
- January 15, 2014      Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

## **LIABILITY EXPERT REPORTS**

- January 17, 2014      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.
- February 17, 2014      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.

## **EXPERT DEPOSITIONS**

- February 28, 2014      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**

- January 29, 2014 @ 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.
- March 10, 2014      Trial Date. (*The October 28, 2013 trial is adjourned to this date.*)

**Plaintiff's counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.**

*/s/ Vincent Le Blon*  
VINCENT Le BLON, J.S.C.

cc:      Clerk, Mass Tort  
         Brody Deposition Services  
         Priority One