

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

Docket No: L-7217-13 (AS)

Civil Action

CASE MANAGEMENT ORDER II

MARILYN HESTON (Estate of William Heston), vs. ALFA LAVAL INC., et al	<i>Plaintiff(s),</i> <i>Defendant(s).</i>
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This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on November 19, 2015:

FIRM	ATTORNEY	CLIENT
Shivers Gosnay & Greatrex	Donald Gosnay	Plaintiff(s)
Gibbons PC	Ahmed Kassim	Honeywell International
Hoagland Longo	Jason R. Gosnell	Goulds Pumps
Kent McBride	Ravi Shah	Alpha Laval
McGivney Kluger	Thomas McNulty	Brand Insulations
Pascarella DiVita	Stephanie DiVita	Ingersoll Rand
Sedgwick LLP	Mark Wasef	General Electric; Borg Warner
Segal McCambridge	Michael F. Gorman	BW/IP

IT IS on this 23rd day of **November, 2015**, *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

March 1, 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.

March 1, 2016 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

March 11, 2016 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- March 18, 2016 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- April 1, 2016 Summary judgment motions shall be filed no later than this date.
- April 29, 2016 Last return date for summary judgment motions.

MEDICAL DEFENSE

- December 18, 2015 Defendants shall forward medical authorizations to plaintiff's counsel by this date.
- January 15, 2016 Plaintiff shall serve executed medical authorizations by this date.
- February 15, 2016 Plaintiff shall serve medical expert reports by this date.
- February 15, 2016 **Upon request by defense counsel**, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- May 31, 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

- May 31, 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.
- June 30, 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.

EXPERT DEPOSITIONS

- July 15, 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

- April 20, 2016 The settlement conference previously scheduled on this date is **cancelled**.
- July 13, 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.

August 1, 2016

Trial Date. *(The May 16, 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