

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

Docket No: L-3600-16 (AS)

Civil Action

CASE MANAGEMENT ORDER IV

MICHELE HOLLAND (Estate of Edward Prezwodek), vs. ABB 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 July 24, 2018:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Daniel Weiss	Plaintiff(s)
Forman Watkins	Matthew G. Broderson	Cooper Industries
Hoagland Longo	Jillian Madison	Westfield Plumbing
Littleton Park	Christine Emery	McMaster-Carr
Mandelbaum Salsburg	Mara P. Codey	Turtle & Hughes
Margolis Edelstein	Nicholas E. Sulpizio	Woolsulate; Central Jersey Supply
Maron Marvel	Lina C. Flanigan	Keeler/Dorr-Oliver Boiler co.
Marshall Dennehey	Jeremy J. Zacharias	Riley Power
McCullough Ginsberg	Jason Schmolze	Okonite
McElroy Deutsch	Andrew F. Bain	Eaton Corp.; Rockwell Automation
McGivney Kluger	Caitlin Bodtmann	Bergan Industrial; Madsen & Howell; Graybar Electric; Jewel Electric Supply; Griffith Electric Supply
O'Brien Firm	Jodie J. Farrow	ABB Inc.
O'Toole Scrivo	Glenn Chew	W.A. Birdsall & Co.
Pascarella DiVita	John S. McGowan	Ingersoll Rand
Porzio Bromberg	Michelle Burke	Wyeth Holdings, LLC
Reilly Janiczek	Joshua Sonstein	Gould Electronics Inc., Samson Electrical Supply; E.W. Berger
Speziali Greenwald	Joanne Hawkins	General Electric
Tanenbaum Keale	Pamela R. Kaplan	CBS/ Westinghouse, Wesco, Foster Wheeler
Tierney Law Office	Brian Garbaez	Elizabeth Ind.
Wilbraham Lawler	Lynn E. Roberts, III	South Amboy Supply

IT IS on this 25th day of July, 2018, 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, 2018 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, 2018 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

- December 14, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

- December 14, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- January 18, 2019 Summary judgment motions shall be filed no later than this date.
- February 15, 2019 Last return date for summary judgment motions.

MEDICAL DEFENSE

- December 7, 2018 Plaintiff shall serve medical expert reports by this date.
- December 7, 2018 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- March 29, 2019 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

- December 7, 2018 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.
- March 29, 2019 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

- December 7, 2018 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.
- March 29, 2019 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

April 30, 2019 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 13, 2018 The settlement conference previously scheduled on this date is **cancelled**.

April 30, 2019 @ 1:30pm 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.

June 3, 2019 Trial Date. (*The January 28, 2019 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