

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

Docket No: L-4648-13 (AS)

Civil Action

CASE MANAGEMENT ORDER I

JAMES & ELAINE HUDSON, <i>Plaintiff(s),</i> vs. A&M WHOLESALE HARDWARE CO., et al <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 October 10, 2013:

FIRM	ATTORNEY	CLIENT
Wilentz Goldman & Spitzer	Vincent Cheng	Plaintiff(s)
Barrett Lazar	Dale Hibbard	A&M Wholesale Hardware
Connell Foley	Timothy Corrison	August Arace
Delany & O'Brien	Brian P. Lawlor	Grant Supply
Hack Piro	Robert Alencewicz	Johansen Co.
Hardin Kundla	John Grillos	Calon Insulation
Kent & McBride	Robert S. Florke	Binsky & Snyder
Margolis Edelstein	Jeanine D. Clark	Central Jersey Supply; Woolsulate; Ideal Supply Co.
McGivney Kluger	Joel Clark	Raritan Supply; Bergen Industrial
Swain & Westreich	Kenneth Westreich	Dolan & Traynor
Viscomi & Lyons	Jennifer Connelly	Sherman & Chaplin

IT IS on this 21st day of October, 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.

Defense counsel shall notify plaintiffs' counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

DISCOVERY

October 25, 2013 Defendants shall serve answers to standard interrogatories by this date.

November 8, 2013 Plaintiff shall propound supplemental interrogatories and document requests by this date.

December 6, 2013 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

November 8, 2013 Defendants shall propound supplemental interrogatories and document requests by this date.

December 6, 2013 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

January 24, 2014 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.

February 28, 2014 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

April 18, 2014 Settlement demands shall be served on all counsel and the Special Master by this date.

SUMMARY JUDGMENT MOTION PRACTICE

March 14, 2014 Summary judgment motions limited to product identification issues shall be filed no later than this date.

April 11, 2014 Last return date for product identification summary judgment motions.

MEDICAL DEFENSE

November 8, 2013 Any defendant wishing to present a medical defense shall advise all counsel of its intention by entering a Notice of Appearance of Defense Medical Counsel by this date. Any defendant who does not file such an appearance by this date may be foreclosed from asserting a medical defense.

January 2, 2014 Plaintiff shall serve additional medical expert reports by this date.

January 2, 2014 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

April 28, 2014 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date.

LIABILITY EXPERT REPORTS

March 28, 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.

April 28, 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.

ECONOMIST EXPERT REPORTS

March 28, 2014 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.

April 28, 2014 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

May 16, 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

May 1, 2014 @ 9:30am 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.

May 27, 2014 (*Tuesday*) Trial 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