

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

**Docket No:** L-2995-17 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER III**

JOSEPH JACONIA (Estate of Lamona Jaconia),	<i>Plaintiff(s),</i>
vs.	
3M COMPANY, et al	<i>Defendant(s).</i>

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on May 2, 2018:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Daniel LaTerra	Plaintiff(s)
Breuninger Fellman	Raymond Chow	Genuine Parts Co.; National Automotive Parts Assoc.
Connell Foley	Timothy Corriston	Colgate / Mennen
Drinker Biddle	Shane O'Connell	Johnson & Johnson
Gibbons	Daniel Dorfman	Honeywell
Goldberg Segalla	H. Lockwood Miller	Robert Bosch; Avco Corp.; Navistar
Harwood Lloyd	Russell Pepe	Carlisle
Hawkins Parnell	Roy Viola	Paccar; Bridgestone
Hoagland Longo	Daniel Kuszmerski	Whittaker Clark & Daniels
Lavin O'Neil	Kristen Mazzeo	Toyota Motor Sales, USA, Inc.
LeClair Ryan	Gary M. Sapir	Ford Motor Co.
Lowenstein Sandler	Gavin Rooney	Conopco; Unilever US Inc.
Lynch Daskal	Andrew Mundo	Nissan North America, Inc.
McElroy Deutsch	Donna duBeth Gardiner	Pfizer
McGivney Kluger	Pooja Patel	Midas
Norris McLaughlin	Eric Alvarez	Blue Bird Body Co.
O'Toole Scrivo	Gary Van Lieu	Dana Co.
Rawle Henderson	Paul Smyth	Imerys Talc America
Reilly Janiczek	Ryan Notarangelo	Maremont Corp.; ArvinMeritor
Rivkin Radler	Jacqueline Bushwack	Avon Products Inc.
Segal McCambridge	David Kostus	Chattem, Inc.
Tanenbaum Keale	Afigo Fadahunsi	Borg Warner; General Electric
Wilbraham Lawler	Lynn T. Roberts, III	Cummins

IT IS on this 3<sup>rd</sup> day of May, 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**

August 3, 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.

August 3, 2018 Depositions of corporate representatives shall be completed by this date.

## **EARLY SETTLEMENT**

September 28, 2018 Settlement demands shall be served on all counsel and the Special Master by this date.

## **SUMMARY JUDGMENT MOTION PRACTICE**

September 28, 2018 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

October 12, 2018 Summary judgment motions shall be filed no later than this date.

November 9, 2018 Last return date for summary judgment motions.

## **MEDICAL DEFENSE**

September 7, 2018 Plaintiff shall serve medical expert reports by this date.

September 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.

January 18, 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**

September 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.

January 18, 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**

September 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.

January 18, 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**

February 15, 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 @ 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.
- February 21, 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.
- March 18, 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