

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

**Docket No:** L-5516-16 (AS)

**Civil Action**

**CASE MANAGEMENT ORDER VIII**

ESTATE of STEPHEN KOPP III, <i>Plaintiff(s),</i>
vs.
BRIDGESTONE FIRESTONE NORTH AMERICA TIRE, LLC, 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 December 18, 2018:

FIRM	ATTORNEY	CLIENT
Levy Konigsberg	Robert Ellis	Plaintiff(s)
Breuninger & Fellman	Kathleen Ramalho	Genuine Parts Co.; National Automotive Parts Assoc.; TMD Friction Inc.
Budd Lerner	Terrence W. Camp	Goodyear Tire & Rubber Co.
Caruso Smith	Marcia DePolo	Union Carbide
Goldberg Segalla	H. Lockwood Miller	Navistar International
Greenbaum Rowe	Kersten Kortbawi	American Honda Motor Co., Inc.
Hawkins Parnell	Roy Viola	Pneumo Abex
Kaufmann Borgeest	Neepa Patel	Morton International
Landman Corsi	Jessica Lomia	Fel-Pro
Lavin O'Neil	Leland Kellner	Toyota Motor Sales, USA; Sumitomo Electric USA; Mazda North American Operations, Inc.
LeClair Ryan	Adam Husik	Ford
Lynch Daskal	Lawrence G. Lee	Luk Clutch Systems; Nissan North America, Inc.
Margolis Edelstein	Jeanine D. Clark	Goodrich Corp.
McElroy Deutsch	Michelle Hydrusko	ExxonMobil Corp.
McGivney Kluger	Trish Wilson	ZF North American, Inc.; Western Auto Supply co.
O'Toole Scrivo	Gary Van Lieu	Akebono Brake
Rawle & Henderson	Samuel Garson	Hennessy
Speziali Greenwald <i>for Tanenbaum Keale</i>	Michael Quinn	Borg Warner Morse Tec
Wilbraham Lawler	Lynn Roberts	Kelsey Hayes
Wilson Elser	Joseph Hanlon	Texaco

IT IS on this 19<sup>th</sup> day of December, 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.

Any jurisdictional motions must be filed in accordance with the Court Rules or be waived.

Any *forum non conveniens* motions must be filed as soon as practicable; once sufficient discovery is conducted so that the motion may be properly brought.

### **DISCOVERY**

- |                  |   |
|------------------|---|
| January 31, 2019 | Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.   |
| January 31, 2019 | Defendants shall serve answers to supplemental interrogatories and document requests by this date.  |
| March 29, 2019   | 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 29, 2019   | Depositions of corporate representatives shall be completed by this date.   |

### **EARLY SETTLEMENT**

- |                |  |
|----------------|--|
| August 9, 2019 | Settlement demands shall be served on all counsel and the Special Master by this date. |
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### **MEDICAL EXPERT REPORT**

- |                    |  |
|--------------------|--|
| May 31, 2019       | Plaintiff shall serve medical expert reports by this date.   |
| May 31, 2019       | Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.   |
| September 13, 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**

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|--------------------|--|
| May 31, 2019       | Plaintiff shall identify its liability experts and serve liability expert reports by this date or waive any opportunity to rely on liability expert testimony.           |
| September 13, 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. |

### **SUMMARY JUDGMENT MOTION PRACTICE**

- |               |   |
|---------------|---|
| June 14, 2019 | Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date. |
| June 28, 2019 | Summary judgment motions shall be filed no later than this date.                            |
| July 26, 2019 | Last return date for summary judgment motions.  |

**EXPERT DEPOSITIONS**

October 11, 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**

June 19, 2019                      The settlement conference previously scheduled on this date is **cancelled**.

To be scheduled                      Settlement conference.

November 12, 2019 (*Tuesday*)      Trial Date. (*The July 15, 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