

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

MANUBHAI & SUDHABEN PATEL,  
*Plaintiff(s),*

vs.

ATLAS ACQUISITION, INC., et al  
*Defendant(s).*

**Docket No: L-5111-14 (AS)**

**Civil Action**

**CASE MANAGEMENT ORDER V**

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on March 1, 2016:

<b>FIRM</b>	<b>ATTORNEY</b>	<b>CLIENT</b>
Levy Konigsberg	Amber Long	Plaintiff(s)
Breuninger Fellman	Raymond Chow	NAPA
Gibbons	Mark R. Galdieri	Honeywell International Inc.

IT IS on this 2<sup>nd</sup> day of **March, 2016** *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**

- April 1, 2016            Plaintiff shall serve answers to wrongful death interrogatories by this date.
- July 8, 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.
- July 8, 2016            Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

- July 15, 2016           Settlement demands shall be served on all counsel and the Special Master by this date.

**SUMMARY JUDGMENT MOTION PRACTICE**

- August 5, 2016           Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

August 19, 2016 Summary judgment motions shall be filed no later than this date.

September 16, 2016 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

July 8, 2016 Plaintiff shall serve medical expert reports, including wrongful death report, by this date.

October 21, 2016 Defendants shall identify its medical experts and serve medical expert 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**

July 8, 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.

October 21, 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.

### **ECONOMIST EXPERT REPORTS**

August 31, 2016 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.

October 21, 2016 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**

November 18, 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**

July 7, 2016 The settlement conference previously scheduled on this date is **cancelled**.

November 2, 2016 @ 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.

December 12, 2016

Trial Date. (*The July 25, 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