

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

ESTATE of DERON ROBERTS, <i>Plaintiff(s),</i>
vs.
ABB INC., et al <i>Defendant(s).</i>

**Docket No:** L-6782-16 (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 December 18, 2019:

FIRM	ATTORNEY	CLIENT
Simon Greenstone	Joseph J. Mandia	Plaintiff(s) <i>co-counsel with Szaferman Lakind</i>
Breuninger & Fellman	Kathleen Ramalho	Genuine Parts Co.
Landman Corsi	Adrianna Rudzinsky	Whittaker Clark & Daniels
McElroy Deutsch	Michelle Hydrusko	Pfizer; Fisher Controls; Invensys Systems Inc.
Pascarella DiVita	Robert W. Slomicz	Ingersoll Rand
Rawle & Henderson	Sebastian Goldstein	Cyprus Amax Minerals Co.
Tanenbaum Keale	Elizabeth Gee	CBS Corp.

IT IS on this 18<sup>th</sup> day of December 2019, *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**

March 20, 2020 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 20, 2020 Depositions of corporate representatives shall be completed by this date.

**EARLY SETTLEMENT**

July 24, 2020 Settlement demands shall be served on all counsel and the Special Master by this date.

### **MEDICAL EXPERT REPORT**

- May 22, 2020 Plaintiff shall serve medical expert reports by this date.
- May 22, 2020 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.
- July 13, 2020 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**

- May 22, 2020 Plaintiff shall identify its liability experts and serve liability expert reports by this date or waive any opportunity to rely on liability expert testimony.
- July 13, 2020 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**

- July 24, 2020 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.
- August 7, 2020 Summary judgment motions shall be filed no later than this date.
- September 4, 2020 Last return date for summary judgment motions.

### **ECONOMIST EXPERT REPORTS**

- May 22, 2020 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.
- July 13, 2020 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**

- September 30, 2020 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**

- August 13, 2020 The settlement conference previously scheduled on this date is **cancelled**.

September 17, 2020 @ 10:00am Settlement conference. All defense counsel shall appear with authority to negotiate settlement and have a representative authorized to negotiate settlement available by phone.

October 26, 2020 Trial Date. (*The September 28, 2020 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: counsel:

Goldberg Segalla for Shulton Inc.

cc: Clerk, Mass Tort