

**FILED**

September 14, 2022  
ANA C. VISCOMI, J.S.C.

ANA C. VISCOMI J.S.C.  
SUPERIOR COURT OF NEW JERSEY  
56 PATERSON STREET  
P.O. BOX 964  
NEW BRUNSWICK, NEW JERSEY 08903-2633

IN RE: ASBESTOS LITIGATION  
APPLICABLE TO ALL CASES

SUPERIOR COURT OF NEW JERSEY  
CIVIL DIVISION: MIDDLESEX COUNTY  
DOCKET NO: MID-L-52237-81 (AS)

Civil Action  
ASBESTOS LITIGATION

AMENDED CASE MANAGEMENT  
ORDER REGARDING PRE-TRIAL  
INFORMATION EXCHANGE

IT IS ON THIS 14<sup>th</sup> day of September 2022,

**ORDERED:**

This Case Management Order supersedes all prior Orders regarding Pre-Trial Information Exchange pursuant to R. 4:25-7(b).

Effective immediately, in all cases where the parties are directed by the Court to submit a Pre-Trial Information Exchange Form ("PIE") in accordance with R. 4:25-7 and R. 4:25-8, the parties shall utilize the attached form (revised on this date), which shall be due at a date established by the Court during a pre-trial conference.

**IT IS FURTHER ORDERED** that the plaintiff's counsel and defense counsel shall confer in advance of jury selection for purposes of attempting to agree upon the following: a brief statement of the nature of the action to be read to the jury; special voir dire questions, including open-ended questions; jury charges; an indication of any stipulations reached as to *in limine* motions, and indication of which *in limine* motions must be decided in advance of opening statements; and a proposed jury verdict sheet. Counsel shall submit to the Court a stipulation as to

that which has been agreed upon and also set forth a list of areas of non-agreement for the Court's consideration. This shall be submitted no later than the first day of trial or earlier as determined by the Court.

**IT IS FURTHER ORDERED** that counsel shall be prepared to adjust the schedule of witnesses to accommodate for the unavailability of previously scheduled witnesses who may be unavailable due to a party's settlement during the course of trial or for any other reason. This requires counsel to continually coordinate during the course of trial. Counsel shall conduct *de bene esse* testimony for any witnesses who may be unavailable to assure a continuous trial schedule.

*/s/ Ana C. Viscomi*  
ANA C. VISCOMI, J.S.C.

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

**Docket No:** MID-L-\_\_\_\_\_ (AS)

**Civil Action**

**PRETRIAL INFORMATION  
EXCHANGE**

**Pursuant to R. 4:25-7(b) and R. 4:25-8**

<p><i>Plaintiff(s),</i></p> <p>vs.</p> <p><i>Defendant(s).</i></p>
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1. **Brief statement of the nature of the action. (This statement will be read to the jury to briefly describe the nature of the action.)**
2. **A list of all lay and witness experts (including addresses) who may be called in the party's case in chief.**
3. **A list of all trial exhibits. All such exhibits shall be premarked for identification.**
4. **A list of any proposed deposition or interrogatory reading(s) by page and line number or by question number.**
5. **All *in limine* motions in accordance with R. 4:25-8.**
6. **A listing of all anticipated problems with regard to the introduction of evidence in each party's case in chief, especially, but without limitation, as to any hearsay problems, and legal argument as to all such anticipated evidence problems.**
7. **Stipulations reached on contested procedural, evidentiary and substantive issues.**
8. **Any special voir dire questions including 3 proposed open-ended questions.**
9. **A list of proposed jury instructions.**
10. **A proposed jury verdict sheet.**
11. **All expert reports.**
12. **Length of Trial.**

- 13. Scheduling conflicts (holidays, vacations, etc.).**
- 14. A proposed schedule setting forth the schedule of the respective witnesses with an indication of the expected duration of testimony.**