

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

Docket No: L-3028-18 (AS)

Civil Action

CASE MANAGEMENT ORDER III

ESTATE of KENNETH JOHNSON, <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 March 17, 2020:

FIRM	ATTORNEY	CLIENT
Cohen Placitella & Roth	Rachel Placitella	Plaintiff(s)
Brown & Connery	Stephen J. DeFeo	McQuay International
Clyde & Co.	Kevin Turberg	Jenkins Bros.
Connell Foley	Scott Humphreys	Atlas Copco Compressors; Henry Technologies
Flynn Watts	Michael A. Moroney	Spirax Sarco
Leader Berkon	Jacob F. Kratt	IMO Industries; The Marley-Wylain Co. (incorrectly named as Weil McLain)
Marshall Dennehey	Paul Johnson	Honeywell International Inc.; Warren Pumps
McCarter & English	Theresa A. Dill	Watts Water
McElroy Deutsch	Joseph D. Rasneck	Emerson Climate Technologies; Copeland Compressors
McGivney Kluger	Kevin Hoffman	Nutley Heating & Oil; Armstrong International
Pascarella DiVita	Robert Slomicz	Ingersoll Rand; Trane US Inc.; Crane Co.
Reilly McDevitt	Adrianna Exler Astringer	Cleaver Brooks; Miller & Chitty
Turner O'Mara	Sara K. Saltsman	Carrier Corp.; Bryant Heating & Cooling Systems

IT IS on this 17th day of March 2020, *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 31, 2020

Defendants shall serve answers to standard interrogatories by this date.

April 9, 2019 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

May 29, 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.

May 29, 2020 Depositions of corporate representatives shall be completed by this date.

EARLY SETTLEMENT

June 12, 2020 Settlement demands shall be served on all counsel and the Special Master by this date.

MEDICAL EXPERT REPORT

September 11, 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

September 11, 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

June 12, 2020 Plaintiff's counsel shall advise, in writing, of intent not to oppose motions by this date.

June 26, 2020 Summary judgment motions shall be filed no later than this date.

July 24, 2020 Last return date for summary judgment motions.

ECONOMIST EXPERT REPORTS

September 11, 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

October 9, 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

To be scheduled Settlement conference.

November 9, 2020

Trial 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