

FILED
September 15, 2023
ANA C. VISCOMI, J.S.C.

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

Civil Action

CASE MANAGEMENT ORDER I

IN RE ASBESTOS LITIGATION
VENUED IN MIDDLESEX COUNTY
(As per cases listed below)

CASE	DOCKET	PLAINTIFF'S COUNSEL
CAMP, Estate of Kimberly	L-2202-20	Weitz & Luxenberg
CLARK, Kayme	L-3809-18	Dean Omar
GOFORTH, Denise	L-2603-23	Cohen Placitella
LaBARR-MABRY, Domenica	L-4652-17	Levy Konigsberg
MAZARIEGOS, Hannah for estate of Darla	L-7038-20	Levy Konigsberg
NARANJO, Kimberly	L-6108-21	Cohen Placitella
TONGAMANA, Kelly Lynn	L-2611-23	Cohen Placitella
YOUNG, Denise	L-4161-18	Weitz & Luxenberg

These matters are hereby consolidated for discovery, case management, and trial. To the extent the deadlines in this order conflict with any single plaintiff case management order, the deadlines in this order shall control.

IT IS on this 15th day of September 2023, **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.

Defense counsel shall notify plaintiff's counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

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.

Trial Counsel designations are hereby waived due to the age of these cases or extremis health condition of the plaintiff(s).

PLEADINGS

September 25, 2023 The time by which plaintiff may serve summons and complaint upon any defendant is extended to this date.

October 20, 2023 The time by which defendants may file an answer to the complaint is extended to this date.

DISCOVERY

October 15, 2023 Plaintiff shall serve answers to standard interrogatories by this date.

November 15, 2023 Defendants shall serve answers to standard interrogatories by this date.

November 29, 2023 Plaintiff shall propound supplemental interrogatories and document requests by this date.

December 13, 2023 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

October 29, 2023 Defendants shall propound supplemental interrogatories and document requests by this date.

November 15, 2023 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

November 30, 2023 Plaintiff depositions shall be conducted by this date. Plaintiff's counsel shall contact the Special Master within one week of this deadline if plaintiff depositions are not completed by this date.

November 30, 2023 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.

January 15, 2024 Depositions of corporate representatives shall be completed by this date. Any and all documents responsive to Notices to Produce shall be produced 10 days in advance of a corporate representative's deposition, if not produced in accordance with deadlines set forth for responses to document requests.

MEDICAL EXPERT REPORTS

Plaintiff shall serve executed medical authorizations as to any living plaintiff as to any ongoing treatment within 20 days, and as to any deceased plaintiff, to the extent not already done, within 10 days (September 25, 2023).

October 30, 2023 Plaintiff shall serve medical expert reports or updated reports, as needed by this date to the extent not already done.

November 5, 2023 Upon request by defense counsel, plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

December 30, 2023 Defendants shall identify its medical experts and serve medical reports, if any, by this date.

LIABILITY EXPERT REPORTS

October 30, 2023 Plaintiff shall identify its liability experts and serve liability expert reports by this date or waive any opportunity to rely on liability expert testimony.

December 30, 2023 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

October 30, 2023 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.

December 30, 2023 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.

SUMMARY JUDGMENT MOTION PRACTICE

December 22, 2023 Summary judgment motions shall be filed no later than this date.

January 19, 2024 Last return date for summary judgment motions.

EXPERT DEPOSITIONS

January 15, 2024 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. Plaintiff and defendants may consent to an extension for completion of these depositions.

PRE-TRIAL AND TRIAL

December 14, 2023 Any motion to deconsolidate must be filed by this date. No motion to deconsolidate may be filed until product identification testimony is completed as to the respective plaintiff. Plaintiff's counsel and defendant's counsel may consent to a deconsolidation of an individual plaintiff.

December 14, 2023 Settlement demands must be served by this date, each individual plaintiff as to defendant's counsel with copy to Special Master.

February 5, 2024 Pre-trial submissions due.

February 12, 2024 Pre-trial responses due.

February 20, 2024 @ 10:00am In-person pre-trial conference.

March 4, 2024 *In Limine* Motions.

March 18, 2024 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.