



AAA Mediation.org™

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Hackensack, New Jersey



Current Employer-Title Attorney, Arbitrator and Mediator

Profession Attorney - Litigation, Commercial, Construction, Family Law, Real Estate
Arbitrator and Mediator - Civil, Construction, Foreclosure and Family

Work History Attorney, Self-employed, 1978 – 1983 & 1988 – Present; Partner/Associate, LaFianza & Strull, 1985 – 1988; Litigation Associate, Friedman Carney & Wilson, 1983 – 1984; Editor – Federal Taxes, Prentice-Hall Inc., 1978.

Experience Forty years of experience as a litigator in a variety of fields including construction, corporate, commercial, real estate, insurance fraud, consumer law and family law. Represented owners, general contractors and subcontractors in residential and commercial construction disputes. Representative cases in other areas include, representing physicians in contract negotiations with hospitals, owners in chancery action to clear title, and purchasers of a bar/restaurant in a breach of contract action due to fraud by seller. Appointed by the New Jersey Superior Court as a Special Fiscal Agent in estate matter; appointed by Court as administrator in contested estate matters; appointed by Court to represent alleged incompetents in guardianship proceedings and to represent minors in probate matters.

Mediator Experience Served as a mediator in the New Jersey Super Storm Sandy mediation program administered by the American Arbitration Association. Mediated cases included matters between homeowner's and insurers and business owners and insurers.

Mediations were held as a mediator for cases referred by the New Jersey Superior Court's civil mediation program as well as being privately retained by parties. A sample of the cases mediated is set forth below.

Served as a mediator in an attorney malpractice action. Carrier was an active participant in the mediation.

Served as a mediator in a case wherein the plaintiffs were suing their insurance carrier for refusal to pay on an automobile claim. Plaintiff's auto was stolen from a towing company. The insurance carrier as well as the towing company and the GAP insurer were parties. The issues included bailment and the auto insurer counterclaimed for fraud.

Served as mediator in a case wherein the installer of commercial refrigeration equipment was suing the corporation who owned the store where the refrigeration equipment was installed together with three named persons who were alleged to be owners of the corporation for breach of contract. The corporation filed a counterclaim for damages resulting from the failure of the refrigeration equipment.

Served as a mediator in a matter wherein the Plaintiff was suing to enforce judgments against three parties involved in the diamond industry. The underlying case was a breach of contract relating to the diamonds. The defendants alleged that Plaintiff had converted diamonds it was holding as collateral to its own use and replaced them with other diamonds.

Served as a mediator in a matter involving breach of a commercial brokerage agreement. The broker was seeking to collect a commission on a lease extension. The defendant's position was that it was not the original tenant who leased the property and therefore was not obligated to pay a commission under the agreement.

Served as a mediator in a matter where a web design firm was suing the client for fees it earned in marketing client's business on the internet.

Mediation also performed for the Family Part, Superior Court of New Jersey in custody and parenting matters.

Representative Issues Handled as a Mediator

Civil issues have included legal malpractice, breach of contract, conversion, identity of successor entities, faulty installation of equipment, insurance coverage, landlord/tenant, fraud and negligence. Family mediation issues have included custody, parenting time and economic issues.

Mediator Style & Process Preferences

My mediation philosophy is that I am there to assist the parties to reach a resolution of their matter. I listen to what each party says, try to find out the true nature of the dispute and offer alternative ways of looking at the issues which can lead to a consensus and resolution of the matter. I use my more than 40 years of experience as a litigation attorney and more than 20 years experience as an ADR professional to understand and evaluate the issues, the parties, their counsel and to suggest creative and workable resolutions.

Mediations are available using the Zoom virtual platform. Pre-mediation conferences shall be via teleconference or Zoom based on parties' preferences.

Technology Proficiency

Evidentiary hearings and mediations are available using the Zoom virtual platform. Pre-mediation and pre-arbitration conferences shall be via teleconference or Zoom based on parties' preferences.

Education

Boston University (JD-1978); Columbia University (AB-1974).

Professional Licenses

Admitted to the Bar: New York (1980), New Jersey (1978); U.S. District Court: District of New Jersey (1978), Southern (1980) and Eastern (1980) Districts of New York; U.S. Supreme Court (1987).

Professional Associations

American Bar Association (ABA SLD ADR Committee Co-Vice Chair); Bergen County Bar Association (Alternate Dispute Resolution Committee, Co-Chair, Construction Law Committee, Co-Chair; Continuing Legal Education Committee, Past Chair; Bergen Barrister, Past Editor-in-Chief; Past Trustee); Justice Marie Garibaldi American Inn of Court for ADR (Executive Board Member); Women Lawyers in Bergen (Past President; Editor-in-Chief of WLIB Newsletter); New Jersey State Bar Association; New Jersey Association of Professional Mediators (Board Member, Editor of Newsletter); Bergen County Peer Mediation Group.

Recent Publications & Speaking Engagements

"Elder Care Planning Mediation", ABA e-magazine, Voice of Experience, January 2023 issue, republished in the ABA GP Solo e-Report, May 2023; Editor-in-Chief, Women Lawyers In Bergen Newsletter, 2003 - present; "Child Support for the Special Needs Child: What a Divorce Mediator Needs to Know," NJAPM Mediation News, Vol. 18, Issue 1, Fall 2013; editor-in-chief, BERGEN BARRISTER, 1991-94; "Private Adoption: Caveat Actor," BERGEN BARRISTER, 1987; "Ten Tips for Avoiding Successful Ethics Grievances," 1986; GENERAL PRACTICE SECTION NEWSLETTER, New Jersey State Bar Association.

SPEAKING ENGAGEMENTS: Speaker, New Jersey Association of Professional Mediators, The Ethics of Ghostwriting, May 3, 2024; Panelist, Bergen County Bar Association, Top Tips for Advocates Appearing in Mediations and/or Arbitrations, April 16, 2024; Panelist, New Jersey Association of Professional Mediators, 5 Questions About Civil Mediation, April 15, 2024; Sole Speaker, New Jersey Association of Professional Mediators Bergen Peer Group, "Mediating a Construction Dispute: Learning a New Language", March 2, 2022; Moderator, Women Lawyers in Bergen, "Ageism and Diversity" April 21, 2021; Speaker and Panelist, Bergen County Bar Association, "Some Frequent Issues in Residential Home Construction" June 4, 2020; Moderator, "A Primer on Construction Drawings and Related Contract and Litigation Issues", Bergen County Bar Association seminar, November 16, 2016; Moderator, "Overview of the Court's Mediation & Arbitration Programs & the Statutory Foundations for Private Mediation and Arbitration", Bergen County Bar Association seminar, May 21, 2015; Moderator, "Arbitration of Construction Disputes", Bergen County Bar Association seminar, December 11, 2014; Moderator, "Top Ten (Maybe More) Contract Provisions in Construction Contracts - From an Owners and Contractor's Perspective", Bergen County Bar Association seminar, September 11, 2014; Speaker and Panelist, "Hot Topics in Construction Law," Bergen County Bar Association seminar May 9, 2013; Panelist, "NJ Consumer Fraud Act and Home Improvement Contractors - Navigating the Minefield," Bergen County Bar Association seminar April 18, 2012; "How to Get the Most out of your Mediation?" Bergen County Bar Association Seminar 5/18/11: "What Can Mediation Do For You and Your Client?" Bergen County Bar Association, April 6, 2011; "Qualified Medical Child Support Orders - MCSO," Bergen County Bar Association, June 27, 1996; "Residential Construction Liens," Bergen County Bar Association, March 26, 1996; "Hot Tips to Avoid Successful Ethics Grievances," Bergen County Bar Association, December 5, 1995.

Mediation Rate	\$425 Per Hour
Languages	English
Citizenship	United States of America
Locale	Hackensack, NJ

The AAA’s Rules provide the AAA with the authority to administer a mediation including, mediator appointment, general oversight and billing. Accordingly, mediations that proceed without AAA administration are not considered AAA mediations, even when the parties select an mediator who is on the AAA’s Roster.

The information contained in this resume has been supplied solely by the individual mediator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in a mediator’s resume. If you have any questions about a mediator’s experience or background, you are encouraged to contact your case manager.

Mediators on the AAA Roster are not employees or agents of the AAA.