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**FN-2371323 MN-2371323 LN-2371323,
Esq.**

Miami, Florida



Current Employer-Title Norman S. Gerstein P.A. - President

Profession Attorney, Arbitrator, Mediator, Special Master, Receiver and Personal Representative, Receiver

Work History President, Law Offices of Norman S. Gerstein P.A., 2010-Present; County Judge/Circuit Judge, State of Florida, 1981-2010; Assistant Public Defender, State of Florida, 1973-1981.

Experience From 1973-1981, served as an Assistant Public Defender and as a Special Assistant State Attorney. Appointed in 1981 to the County Court and then in 1986 to the Circuit court by Governor Bob Graham. Served with distinction for 29 years until 2010.

Since leaving the court, have been appointed as a special master on numerous cases. Most appointments concern discovery and production disputes, including sitting in on depositions, ruling on attorney client and work product issues, and miscellaneous issues between the parties.

Served as the special master for the Haitian Evangelical Church in Miami. Court appointed to insure that an election could take place for the board of Directors of the church.

Served in every Division of the County and Circuit Court, including criminal, general jurisdiction, juvenile, drunk driving division and probate, and has consistently earned extremely high ratings in the Dade County Bar Association's Judicial Bar Poll. Extensive trial experience in almost all areas of the law, including but not limited to complex civil cases, land use cases, personal injury and medical malpractice, foreclosures, trust, wills and estates, business disputes and negligent security cases.

Mediator Experience Served as a full-time Judge in all Divisions of the Court from 1981-2010, retiring in April 2010. Since then, mediated over 3000 cases. These cases have been from every division in the court and include virtually all fields of law and every type of case litigated in General jurisdiction, Family, and Probate Divisions. Has extensive trial and mediation experience in all types of personal injury cases including wrongful death and medical malpractice, maritime disputes, partnerships, trusts, wills and estates, guardianship cases, negligent security cases, foreclosures, and land use cases. The amount in controversy has ranged from \$10K to over 10M dollars.

Representative Issues Handled as a Mediator	<p>Mediation cases have been quite varied and have included almost all areas of law. The personal injury, medical malpractice and wrongful death cases have included issues concerning liability, comparative fault, economic and non-economic damages, and occasionally punitive damages. The probate cases have included issues concerning will contests, priorities concerning appointments of executors, personal representatives and guardians, and distribution issues between beneficiaries, estate expenses and attorney's fees. The maritime cases have included issues concerning liability, comparative fault, economic and non-economic damages, maintenance and cure, and occasionally punitive damages under the Jones Act. Business disputes have generally involved partnership breakup, corporate dissolutions, and all types of contractual disputes between the parties. Foreclosures have generally included attempts to refinance or restructure existing loans, legal and equitable defenses to the loan default and to the foreclosure of real property.</p>
Mediator Style & Process Preferences	<p>Having spent over 30 years in the court system, I know how important mediation can be to the litigants and to the court system. The mediation process must include a number of key components to insure that it is effective, fair and impartial. Although I have heard thousands of cases in court and hundreds of cases in mediations, I firmly believe that each mediation is unique. Each has it's own set of legal issues and each has parties with their own personalities, perspectives and feelings concerning the subject matter of the mediation.</p> <p>At the beginning of the mediation, it is crucial that the parties truly believe that the mediator is impartial and will remain impartial throughout the mediation. The parties must believe that the mediator is truly interested in helping them solve their disputes. This can only be accomplished by spending adequate time with them and listening to the parties and their counsel. Confidentiality is of course another key component to an effective mediation. Without trust in the process and the mediator, the parties will not share enough information to have a truly meaning mediation.</p> <p>While the mediator is not there to make legal decisions on behalf of the parties, the mediator should have expertise in the subject matter of the mediation. The mediator must be perceived as having adequate expertise in the relevant legal areas. The mediator's role is to help facilitate the parties find a resolution to their dispute. Self determination is always the fundamental principle of mediation. Although it is helpful for the mediator to suggest and explore multiple solutions to the dispute, the parties must always be helped to make a voluntary decision to settle their disputes.</p>
Education	University of Miami, School of Law (JD-1973); Rollins College (BA-1970).
Professional Licenses	Admitted to the Bar: Florida (1973), Federal.
Professional Associations	American Bar Association, National Academy of Distinguished Neutrals, International Chamber of Commerce The Florida Bar.
Mediation Rate	\$650 Per Hour
Languages	English
Citizenship	United States of America
Locale	Miami, FL

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.