



AAA Mediation.org™

**FN-4493875 MN-4493875 LN-4493875,
Esq.**

Wayne, New Jersey



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Current Employer-Title Farber Resolutions LLC – Principal
Rutgers Law School -- Professor, Director Mediation Clinic

Panelist Video <https://www.adr.org/videoresume?paramName=818432230>

Profession Attorney, Arbitrator, Mediator, Instructor, Coach/Trainer, Workplace Investigator, Author

Work History Principal, Farber Resolutions LLC, 2017 – Present; Attorney, Law Offices of Felicia T. Farber, 1995 – Present; Of Counsel, Law Offices of Paul G. Garjian, 1997 – 2017; Instructor, William Paterson University, 2018 – 2019; Attorney, Office of Public Defender Mental Health Advocacy Division, 2017 – 2019; Mediator/ Instructor Advanced Civil Mediation, New Jersey Office of Dispute Settlement, 2011 – 2017; Trial Attorney/ Head of Construction, Products Liability & Medical Malpractice Units, Mirman Markovits & Landau, P.C., 1992 – 1994; Instructor, Stenotype Academy & College of Paralegal Studies, 1993 – 1994; Associate, John Anthony Bonina & Associates, P.C., 1991 – 1992; Computer Engineering Systems Analyst, Boston Edison Company, 1986 – 1988.

Experience More than 28 years of experience handling complex civil and commercial cases from inception through trial in New York and New Jersey, State and Federal Courts. Litigation expertise in products liability, construction, breach of contract, personal injury, property damage, civil assault, automobile, premises, civil sexual assault, and medical malpractice. Devoted last 18+ years of practice to Alternative Dispute Resolution of the following types of disputes: commercial/business, employment, disability (ADA), workplace issues, residential construction, commercial construction, insurance, subrogation, homeowners/condo/coop association, personal injury, premises, family, will contests, civil, general equity, environmental contamination, foreclosure, fraud, securities, sexual harassment/assault, social media/online defamation, cyberbullying, and consumer matters.

Resolved hundreds of cases while serving as Sole Arbitrator, Arbitrator Panelist, and Mediator for State and Federal Courts, the American Arbitration Association - Commercial, Large and Complex Cases, and Consumer Panels, The Financial Industry Regulatory Authority (FINRA), CPR: The

International Institute of Conflict Prevention and Resolution Panels of Distinguished Neutrals for Employment Disputes Panel-Northeast, Mass Claims Employment Panel, Environmental Panel, Pro Bono Panel, and New York City ADR Panel, District Fee Arbitrator for Passaic County, New Jersey, the New Jersey Office of Dispute Settlement, the Better Business Bureau, various government entities, businesses, and private proceedings.

Matters have involved claims ranging to over \$46 million in complex, multi-party disputes. Examples of large figure cases are as follows: Multi-party construction dispute regarding major mixed-use development project in central New Jersey; Large environmental contamination insurance matter involving eight carriers and multiple groundwater and soil contaminated sites throughout state of New Jersey; Breach of contract dispute between commercial real estate developers, contractors, and subcontractors in construction of large North Jersey mall; Multi-million dollar securities disputes between financial services firms, broker-dealers and client investors.

Mediator Experience

The focus of practice since 2003 has been Alternative Dispute Resolution [Mediation & Arbitration], with an extensive background as a trial attorney in New York and New Jersey. Conduct hundreds of mediations a year—over 3000 total—with a high settlement rate over 80%. Possess mediation knowledge and skill set to handle any type of matter, no matter the size, complexity or number of parties. Cases have ranged in value from \$10,000 to over \$46 million.

Specialization in matters involving commercial/business disputes, employment, disabilities, construction (residential and commercial), insurance, torts/personal injury/medical malpractice, environmental contamination, homeowners/condo/co-op associations, mortgage/foreclosures, family/divorce and wills/trusts. Serve individuals, attorneys, and businesses of all sizes - private and public entities.

Currently serve as Civil, General Equity and Probate Mediator for the New Jersey State Superior Courts in seven counties; Certified Mediator for the US Federal District Courts for New Jersey and the Eastern District of New York; Early Childhood Mediator for the State of New Jersey; Economic Mediation Early Settlement Panelist for Bergen County; and Military Ombudsman for the Employer Support of the Guard and Reserve. Attained the highest designation of Accredited Professional Mediator in Business and Commercial Mediation by the New Jersey Association of Professional Mediators.

Conducted mediations for the Equal Employment Opportunity Commission – Newark, state and federal courts, and the Public Grievance Mediation Program sponsored by the New Jersey Association of Professional Mediators. Extensive experience conducting labor and employment mediations. Facilitated many large-scale complex construction mediations ranging from \$1 million to over \$35 million in dispute. Over seven years of extensive experience mediating foreclosure matters for the New Jersey Office of Dispute Settlement.

Appointed to the New Jersey Supreme Court Committee on Complementary Dispute Resolution, the Arbitration Advisory Committee, and the Advisory Committee on Mediator Standards. Past Chair of the Dispute Resolution Section, Member of the Executive Committee of Labor & Employment Section, and Trustee of the Women in the Profession Section of the New Jersey State Bar Association. Editor of the Dispute Resolution Section blog The Neutralizer. Serve on the Dispute Resolution Committee of the Bergen Bar Association and the American Bar Association's Litigation and Dispute Resolution Sections, and Co-Chair of Mid-Atlantic Region for Women in Dispute Resolution Section. Mediator Mentor for State of New Jersey Civil Roster Applicants, Vice President of the New Jersey Association of Professional Mediators, judge for the Vincent J. Apruzzese High School Mock Trial Competitions, and serve on the "Legal Eagle" Editorial Advisory Board for the New Jersey State Bar Foundation.

Lecturer, moderator and presenter for programs on negotiation, mediation, arbitration and conflict resolution for: the American Bar Association, the New York State Bar Association, New York Law School, New Jersey Institute of Continuing Legal Education, the New Jersey Office of Dispute Settlement, the New Jersey State Bar Association, the Justice Marie L. Garibaldi American Inn of Court for ADR, the New Jersey Association of Professional Mediators, William Paterson University, New Jersey City University School of Business and the Bergen Bar Association. Developed and taught Advanced Civil Mediation Training classes for mediators, attorneys, and retired judges.

Representative Issues Handled as a Mediator

Automobile: Liability, Damages, PIP, UM/UIM, Consumer Fraud Act.

Business/Commercial: Breach of Contract, Delay, Unjust Enrichment, Quantum Meruit, Detrimental Reliance, Breach of Contract Implied in Fact, Misappropriation of Image and Likeness, Indemnification, Shareholder Oppression, Breach of Fiduciary Duty, Breach of Implied Covenant of Good Faith and Fair Dealing, Conversion, Misappropriation of Funds, Consumer Fraud Act, Fraud in the Inducement, Filing False Overstated Lien Claim, Intellectual Property Agreement, Tortious Interference.

Condo/Co-op/Homeowners Associations: Property Damage, Water Infiltration, Flooding, Nuisance, Noise, Pets, Smoking, Guests, Parking, Exterior Grading, Subletting, Security, Decorations, Special Assessments, Deed Restrictions, Deed Violations, Neglect, Maintenance, Repairs, Owner Disputes, Management Disputes, Contractor Disputes.

Construction – Residential & Commercial: Faulty Construction, Architectural Errors and/or Omissions. Engineering Design Errors and Omissions, Scope of Contract, Defective Materials, Defective Workmanship, Breach of Express Warranties, Breach of Implied Warranties, Change Order Disputes, Over-billing, Delay, Acts of God, Contract Scope Interpretation, Interference and Acceleration Claims, Accidents, Code Violations, Fraudulent Misrepresentation, Negligent Misrepresentation, Fraudulent Non-Disclosure, Breach of Contract, Liquidated Damages, Refusal to Repair, Improper Lien Claim, Breach of Covenant of Good Faith and Fair Dealing, Unjust Enrichment, Enforcement of Construction Liens, Consumer Fraud Act.

Employment: Workplace disputes involving Hostile/Discriminatory Work Environment, Sexual Harassment, Sexual Orientation, Age Discrimination, Race/Ethnicity/Country of Origin Discrimination, Disability Discrimination, Wrongful Termination, Pregnancy Discrimination, Sexual Assault, Constructive Discharge, Overtime Compensation, CEPA, NJ LAD, NJ FLA, FMLA, ADA, Consumer Fraud Act, Breach of Express Contract, Breach of Implied Contract, Breach of Fiduciary Duty, Breach of Covenant of Good Faith and Fair Dealing, Aiding and Abetting, At-Will Employment, Retaliation, Non-Disparagement, Non-Disclosure, Defamation, Intentional Infliction of Emotional Distress, Fee Shifting, Punitive Damages, Violation of Rights under Workers' Compensation Act, Unjust Enrichment.

Family: Pre- and Post-Judgment Divorce Issues regarding Alimony, Child Support, Child Custody, Equitable Distribution, Special Needs Children, College, Grandparents' Rights, Pet Custody, Business Valuations, QDROs, Relocation, Remarriage, Loss of Income, Prenuptial Agreements, Gifts, Complex Assets, Hidden Assets, Pensions, Retirement.

Insurance: Coverage Disputes, Property Damage, PIP, UM/UIM, Casualty, Excess Coverage, Indemnification, Subrogated Insurers, Reservation of Rights, Bailment, Loss of Goods, Environmental Contamination.

Mortgage/Foreclosure: Residential and Commercial--Contested Foreclosures, Uncontested Foreclosures, Construction Liens, Homeowner Association Liens, Tax Liens, Divorce, Bankruptcy, Unemployment, Mortgage Loan Modifications, Denial of Mortgage Loan Modifications, Appeals, Reverse Mortgages, Lien Priority Disputes.

Public Sector Grievances: Grievant/Union/Employer Disputes, Contract Interpretations, Lack of Due Process, Discipline, Wrongful Discharge, Discrimination, Overtime, Full and Fair Investigation, Privacy Rights, Procedures, Enforcement.

Tort/Personal Injury: Medical Malpractice, Negligence, Automobile, Premises, Construction Site Accidents, Defective Products, Trespass, Assault, Battery, Sexual Assault, Negligent Assault and Battery, Intentional and Negligent Infliction of Emotional Distress, Punitive Damages, Respondeat Superior, Negligent Hiring, Negligent Supervision.

Wills & Trusts: Will & Trust Contests, Testamentary Capacity, Undue Influence, Fraud.

Mediator Style & Process Preferences

My goal as a mediator is to satisfy the core interests of each party. I adapt my mediation style and approach to the needs of the parties and the nature of the conflict. Mediation itself is a flexible process, and I use this flexibility to customize each mediation session into one that best suits the unique individuals in the room and the specific circumstances of their dispute.

I foster a safe, open mediation environment where parties and attorneys are encouraged to be active participants and to freely express themselves, without pressure. Generally, parties in disputes have stopped communicating and need to get back on the path of collaboration. By leading parties to work together and engage in constructive dialogue, mediation helps to clear up misunderstandings, fill in missing information, air grievances, answer questions, and focus on underlying interests.

Recognizing that some parties are not comfortable sitting in the same room with their adversaries, I will always take heed of the preferences of the parties and their attorneys in determining whether to conduct mediations jointly, in caucus, or via a combination of the two. I strive to conduct productive mediation sessions that are respectful of the parties' concerns, comfort level, time, costs, and risks.

As confidentiality is the cornerstone of mediation, I will never disclose confidential information to the other side(s). Acting as a facilitator, I work closely with parties and attorneys to generate new ways of viewing problems and exploring settlement options in order to find a mutually acceptable outcome. I aim to give parties a sense of empowerment and voice in the mediation process, which leads to positive shifts in attitudes and more favorable results.

Parties' participation in the creation of an agreement is indispensable since we're seeking a solution to the parties' dispute in a way that best solves their problems and makes the most sense to them. Any type of negotiated settlement has to be fair and reasonable to the parties and satisfy the interests of all sides.

There is no downside to mediation, only benefits. I encourage parties and attorneys to use mediation as an opportunity to learn, evaluate the other side's case, reevaluate their own case, and gain new insights. As a mediator, I am there to serve the parties, and I will always maintain my neutrality and be non-judgmental. No matter what type of matter, I pride myself on being thoroughly prepared with full knowledge of the substance of the dispute as well as the relevant law.

Education

Benjamin N. Cardozo School of Law (JD -1990); Tufts University School of Engineering (BSEE - 1986); University of Sussex, Brighton, England, (Spring 1985).

Professional Licenses

Admitted to the Bar: New York (1991), New Jersey (1991); U.S. District Court: Eastern District of New York (1991), District of New Jersey (1991).

Professional Associations

The National Academy of Distinguished Neutrals
International Institute for Conflict Prevention & Resolution (CPR)
United States District Court for the Eastern District of New York - ADR Advisory Council
American Bar Association (Litigation Section, Dispute Resolution Section, Women in Dispute Resolution - Chair Mid-Atlantic Region);
New Jersey Supreme Court Committee on Complementary Dispute Resolution & Arbitration Advisory Committee; Supreme Court Advisory Committee on Mediator Standards;
New Jersey City University Institute for Dispute Resolution - Chair of the Steering Committee for Programs and Thought Leadership Experiences
New York State Bar Association (Labor & Employment Section; Dispute Resolution Section, New Jersey State Bar Association (Executive Committee Labor & Employment Section, Trustee Women In The Profession Section, Past Chair Dispute Resolution Section, 2016-2017; Chair-Elect, 2015-2016; Vice Chair, 2014-2015; Director, 2013-2016; Chair, Legislative Committee 2014-2018; Membership Committee Chair, Nominating Committee, 2014-2021); Business Law, Solo and Small Firm, Family Law, and Animal Law Sections; New Jersey State Bar Association General Counsel (2016-2019); Nominating Committee (2014-2015);
New York City Bar Association (1990 - Present);
New Jersey Association of Professional Mediators (Vice President, Secretary, Coach/Trainer, Public Grievance Mediator, Annual and Spring Conference Co-Chair, Moderator, Panelist; Webinar Trainer, Presenter);
Bergen County Bar Association (Construction, Dispute Resolution Committees);
Bergen County Mediators Peer Consultation Groups (Civil and Family);
Women Lawyers in Bergen (Bylaws Committee);
The Justice Marie L. Garibaldi American Inn of Court for Alternative Dispute Resolution - Executive Committee
The Sidney Reitman Employment Law American Inn of Court (Member)

Recent Publications & Speaking Engagements

Publications:

"Becoming A Culturally Competent Neutral," New York State Bar Association Dispute Resolution Lawyer, Vol. 14, No. 2 (2021)
"Gender Equity in 2020," Progress But Still a Long Way To Go," Women in the Profession Section Newsletter, Vol. 2, No. 1 (Fall 2020)
"Mediating Sexual Harassment and Discrimination Disputes," New Jersey Lawyer Magazine (April 2020)
"Gender Equity in 2019," Women Lawyers in Bergen Newsletter, Vol. 10 (Fall 2019)
"Harassment in an Online World," New Jersey Lawyer Magazine (October 2019)
Editor of "The Neutralizer," New Jersey State Bar Association Dispute Resolution Section blog (2014-2020)
Editorial Advisory Board for "The Legal Eagle," New Jersey State Bar Foundation (2017-present)
"10 Tips for Foreclosure Mediators," Mediation News, New Jersey Association of Professional Mediators (Spring 2012)
"Top 10 Reasons to Mediate v. Litigate," Women Lawyers in Bergen Newsletter (Fall 2011).

Speaking Engagements:

Mediation and Arbitration Skills and Techniques, Guest Lecturer, Rutgers University School of Law, Camden (Nov 2022, Feb 2023)
Ethics in Mediation, NJAPM Annual Conference, Panelist (Nov 2021)
ADR DAY Conference: Civil Arbitration & Mediation, Moderator, New Jersey Institute of Continuing Legal Education (NJICLE) (Sep 2021)
Mediating Emotionally-Charged Cases, Speaker, Union County Superior Court (Aug 2021)
Developing Cultural Competency in ADR, Speaker, Garibaldi American Inn of Court for Dispute Resolution (Jul 2021)
Cyber Dangers & Consequences, Speaker, New Jersey State Bar Foundation (Apr 2021)
Diversity in ADR, Speaker, Association of Corporate Counsel–New Jersey (Mar 2021)
Negotiating From A Position of Strength, Speaker, New Jersey Association of Professional Mediators (NJAPM) (Feb 2021)
Employment Arbitration Agreements in NJ: The Evolution Continues, Panelist, NJICLE (Nov 2020)
NJAPM Annual Conference-Managing Virtual Mediations, Moderator/Panelist (Nov 2020)
Effective Arbitrator & Mediator Strategies in a Remote World, Panelist, NJICLE (Sep 2020)
Hot Tips in Labor & Employment Law, Panelist, NJICLE (Jun 2020)
Ethics in ADR: The Ultimate Guide for New Jersey Attorneys, Panelist, NJICLE (Dec 2019)
Ethics Plenary Session, Program Creator & Panelist, NJAPM Annual Conference (Nov 2019)
Legal Consequences of Sexting, Cyberbullying & Cyber-Harassment, Speaker, Montclair State University (Nov 2019)
Mediating Emotionally Charged Disputes, Speaker, New York Law School (Oct 2019)
What Attorneys & Parties Want From Their Mediators, Moderator/Co-Chair, NJAPM Annual Civil & Divorce Seminar (Jun 2019);
Mediating Sexual Harassment Cases, Guest Speaker, ABA Dispute Resolution Section Employment Committee Quarterly Meeting (May 2019);
19th Annual Continuing Education Mediation Seminar, Panelist, Superior Court of NJ, Union County (May 2019);
Ethical Concerns in ADR: Getting to Yes without Getting into Trouble, Creator/Panelist, NJSBA Annual Conference (May 2019);
Women, Business & Conflict, Moderator/Co-Chair, NJ City University School of Business (Dec 2018)
Common Mediation Mistakes of Attorneys & Mediators, Creator/Presenter, NJAPM Annual Conference (Nov 2018)
Ethics Challenge Game Show, Creator/Presenter, New York State Bar Association Fall Conference (Oct 2018)
Legal Aspects of Sexting & Cyberbullying, Presenter, Rutgers New Jersey Medical School (Oct 2018)
Mediate That! Rule 1:40 Primer for Employment Lawyers, Panelist, NJICLE (Jan 2018)
Ethical Traps Attorneys, Arbitrators & Mediators Need to Avoid in ADR, Moderator/Panelist, Wilson Elser Moskowitz Edelman & Dicker (Sep 2018)
Ethics For All, Presenter/Moderator, NJAPM Annual Conference (Nov 2017)
Advanced Civil Mediation Training, Instructor, New Jersey Office of Dispute Settlement (2015 to 2018)

How to Handle Animal Issues in ADR, Moderator, NJICLE (Nov 2016)
Civil Mediation Training, Coach/Trainer, NJAPM (Oct 2016 to Present)
Mediator

Mediation Rate	\$490 Per Hour
Languages	English
Citizenship	United States of America
Locale	Wayne, 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.