

The Honorable Harriet Derman

Harriet Derman, Esq., LLC
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T: 732-261-0501

Harriet Derman, Esq., LLC

April, 2022 to present

Provides alternative dispute resolution, case management and Special Master services

Of Counsel with DiFrancesco, Bateman,
Kunzman, Davis, Lehrer & Flaum, P.C.

July 2009 to April, 2022

Provided alternative dispute resolution services and special master services

Successfully mediated and/or arbitrated probate disputes; coverage disputes; personal injury; shareholder oppression; employment litigation, including sexual harassment and conscientious employee protection, and discrimination cases; medical and dental practice disputes; municipal services and prerogative writ actions; partnership, corporate and limited liability disputes; breach of fiduciary duty; undue influence; land disputes; contract actions; and professional malpractice matters

Lectured on mediation practice to attorneys for Continuing Legal Education (CLE) credits

PROFESSIONAL ACCOMPLISHMENTS

- Highest ranking of Martindale-Hubbell, Peer Review Rating (AV Preeminent)
- **Fellow of The American College of Trust and Estate Counsel**
- Member of the Editorial Board of the New Jersey Law Journal
- **LLM Taxation, New York University.**

APPOINTMENTS

- Appointed by Governor Chris Christie to Judicial Advisory Panel to review candidates for appointment to the Superior Court (2010 - 2017)
 - Appointed by Chief Justice Stuart Rabner to Supreme Court Committee on Dispute Resolution
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MEDIATION AND ARBITRATION CREDENTIALS

- Approved Federal Mediator
- Member of the National Academy of Distinguished Neutrals
- Approved American Arbitration Association Mediator and Arbitrator
- Certified Virtual Mediator (by Resolute Systems, LLC - 2020)
- Bridges Academy (**B**uilding **R**esolutions for **D**isputes **G**lobally with **E**-Learning **S**trategies) - *Certificate of Completion* - 2020

SPECIAL MASTER CREDENTIALS

- Multiple appointments in State and Federal Court as Special Master
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JUDICIAL EXPERIENCE

Chancellor and Presiding Judge of General Equity & Probate September 2006 to June 30, 2009

- Served as arbiter of corporate and securities law disputes
- Supervised and adjudicated many significant business and corporate Issues including
 - Shareholder derivative suits, claims of breach of the business judgment rule and breach of fiduciary duty by members of the Board of Directors
 - Allegations of misrepresentations in securities filings, including proxy documents
 - Trade secrets and confidential information
 - Restrictive covenants, including insurance businesses, medical and dental practices, brokers and engineers
 - Shareholder, partnership, and limited liability company matters and dissolutions
- Managed real estate matters, such as quiet title actions and reformation of recorded instruments
- Dealt with issues impacting intervivos trusts
- Served as foreclosure judge for three (3) counties
- Served as Probate Judge, trying and settling hundreds of will contests and matters dealing with estates of decedents and incompetents and testamentary trusts
- Member of Supreme Court Committee on Judicial Performance

Presiding Judge of Civil Division

September 2003 to September 2006

- Supervised civil trial judges of Somerset, Hunterdon and Warren Counties
- Managed and/or settled multimillion dollar EIFS/stucco construction defect cases; multi-party wrongful death actions; multi-party assault & battery and Dram Shop liability cases; multi-party insurance coverage matters; complex commercial litigation; wrongful death malpractice actions; and automobile, fall down and other personal injury matters
- Conducted trials, settlements hearings, and motions in such areas as contract

disputes, breach of fiduciary duty, employment discrimination, personal injury, products liability, malpractice, construction defect and injury and insurance coverage

- Settled thousands of cases of every variety on the Civil Docket

- Member of Supreme Court Committee on Civil Practice (Chairperson of Subcommittee on Employment Discrimination)
- Member of Supreme Court Committee on Voir Dire in the Courts

Judge of the Superior Court of New Jersey

February 1998 to September 2003

- Conducted civil trials, settlements, hearings, and motions as a civil judge
- Served as Replevin Judge
- Adjudicated family disputes (dissolution, equitable distribution, custody, visitation and relocation) as trial level judge
- Authored hundreds of opinions
- Member of Supreme Court Committee on Family Practice
- Member of Supreme Court Committee on Civil Practice

EXECUTIVE EXPERIENCE

Chief of Staff to Governor Christine Todd Whitman

July 1996 to January 1998

- Primary gatekeeper and adviser to Governor Christine Todd Whitman of New Jersey
- Oversaw implementation of Governor's policy initiatives and agenda

Chief Counsel to Governor Christine Todd Whitman

May 1996 to July 1996

- Served as chief lawyer to Governor Christine Todd Whitman on all legal and legislative issues
- Advised the Governor on such issues as securing passage of state budget and Governor's legislative initiatives
- Interacted with Legislature to reach consensus on legislation
- Recommended gubernatorial approval or vetoing of bills of Legislature
- Served as solicitor to Governor with respect to formulation and implementation of highest ethical standards for the Governor and her staff
- Facilitated all gubernatorial appointments, including members of the judiciary

Commissioner of Department of Community Affairs

February 1994 to May 1996

- Oversaw, as Cabinet level officer, multiple divisions, including Local Government Services (responsible for all municipal and local authority budgets and dispensing

millions of dollars in municipal aid), Codes and Standards, Fire Safety, Housing, Hispanic Center, and Aging and Senior Services

- Managed more than 1,000 employees and greater than one billion dollar annual budget
- Served as Chairperson of New Jersey Housing and Mortgage Finance Agency, annual issuer of approximately \$300 million dollars in bonds, whose portfolio exceeded \$3 billion in mortgage loan assets
- Served as Chairperson of Hackensack Meadowlands Development Commission, which oversees reclamation, planning, and development of 21,000 acres in the Hackensack River Meadowlands
- Served as Chairperson of Council on Affordable Housing
- Served as Board Member of the New Jersey Sports and Exhibition Authority

LEGISLATIVE EXPERIENCE

Member, New Jersey General Assembly, 18th District

January 1992 to January 1994

- Elected in 1992 and 1994 to represent New Jersey's 18th District as Assemblywoman
- Served as Majority Whip in 1994 and Assistant Majority Whip from 1992 to 1994
- Member of Judiciary Law and Public Safety Committee
- Vice-Chairwoman of Joint Legislative Committee on Economic Recovery
- Sponsor of tax and business legislation recognizing S Corporation status for New Jersey businesses, authorizing Limited Liability Companies and authorizing tax credits for the creation of jobs
- Sponsor of additional legislation, including rape shield law, mandatory seat belts on school buses, reformation of construction lien law, and campaign finance reform
- Reached consensus on legislation with different constituencies

LEGAL EXPERIENCE

Partner, Weiner, Hendler & Derman, P.A.

1982 to 1994

- Practiced as name partner in boutique law firm specializing in tax, securities, corporate operations and governance, contract drafting and negotiation, real estate, estate planning and administration, and commercial litigation
- Oversaw financial reporting for clients, including security filings with Securities and Exchange Commission and New Jersey Division of Securities
- Counseled clients with respect to disclosures and corporate governance and process

- Counseled clients on legally minimizing and deferring payment of federal and state taxes, including the use of off-shore tax entities
 - Advised privately and publicly held corporations on transactions, meetings, process, and planning
 - Significant legal experience in:
 - Deferred compensation, pension and profit sharing plans and stock option plans and recommending and implementing appropriate employee benefit plans for clients
 - Real estate law including preparation and implementation of Planned Real Estate Development projects
 - Tax and securities law, oil and gas partnerships and medical equipment partnerships
 - Estate planning and succession planning for family businesses and estate administration
 - Operation and termination of medical and dental practices
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CORPORATE BOARD EXPERIENCE

1989-1994

- Member of Board of Directors of publicly traded New Brunswick Scientific, Edison, New Jersey
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NON-PROFIT BOARD

- Member of Board of Directors of Opportunity Project, Inc., 80 East Willow Street, Millburn, New Jersey 07041
A clubhouse program empowering people with brain injury
 - Member, of Board of Directors of New Jersey Women Lawyers
 - Member Board of Trustees Retired Judges Association
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FACULTY PRESENTATIONS & LECTURES

- “A View From the Bench” - March 2021 – NJICLE
- “19th Amendment Panel” - February 2020 - NJICLE

- “Virtual Mediation and Arbitration” - July 2020 - NJICLE
- “Virtual Mediation and Arbitration” - July 2020 - NJICLE
- “The Limits of Presidential Power in a Crisis” - May 2020 - NJICLE
- “Labor Employment Forum - Where are we going?” - January 2019 - NJICLE
- “Injunctions from Cape May to Via Condotti” - November 2018 - NJICLE
- “Arbitration Advice from Rome to Red Bank: - November 2018 - NJICLE
- “Annual Labor Forum” - March 2017 - NJICLE
- “Anatomy and Ethics of a Construction Arbitration” - September 2016 - H. B. Litigation Conferences
- “Injunctions: Bourbon Street to Broad Street” - November 2015
- “Civil Mediation - Process, Perspectives and Plaintiff/Defense/Mediator Tips for Success” - October 2015 - Somerset County Bar Association
- “The Art of Mediation” - 2015
- “Collecting Your Legal Fees in Federal and State Court” - 2015
- “Getting to ‘Yes’ in Mediation--And Staying There” - May 2015 – NJICLE
- Webinar - “Mediation in Business Litigation” - March 2015 - NJICLE
- “Viva La Difference: French and New Jersey Employment Law” - 2014 - NJSBA
- “Contested Guardianships” - 2011 - NJICLE
- “Mediation and Settlement Techniques of a Business Dispute” - 2011 - NJICLE
- Summary Judgment Practice for Employment Discrimination” - 2011 - The Sidney Reitman Labor & Employment Inn of Court
- “Chancery Practice” - 2008 - New Jersey State Bar Association, Equity Section
- “Medicine for Judges - 2006 - Judicial College
- “Hot Topics in Civil Trials - 2000 - New Jersey Institute for Continuing Legal Education

PUBLICATIONS

- “The Utility of a Special Master” - New Jersey Lawyer - June 2018 Issue
 - “Avoiding Problems in Calculating Hours for a Lodestar” - June 25, 2014 - New Jersey Law Journal
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PAST ACTIVITIES

- President, Middlesex County Bar Association
 - First Vice President, Tax Section of the New Jersey State Bar Association
 - Member, Board of Directors, New Jersey Lawyer, weekly newspaper sponsored by State Bar Association
 - Member, Supreme Court of New Jersey Ethics Committee for Middlesex County
 - Secretary, Fee Arbitration, Middlesex County
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MEMBERSHIPS

- **American College of Estate and Trust Counsel**
 - New Jersey State Bar Association
 - Dispute Resolution, Labor and Employment Law, Real Property, Trust and Estate Law, and Taxation Sections
 - Equity Jurisprudence, Construction Law, Business & Commercial Litigation Committees
 - The Marie Garibaldi Alternative Dispute Resolution Inn of Court
 - Somerset County Bar Association
 - Middlesex County Bar Association
 - Retired Judges Association of New Jersey (Trustee)
 - Member of the Board of New Jersey Women Lawyers Association
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HONORS AND AWARDS

- Honoree of New Jersey Women Lawyers 2016
- Arthur H. Miller Lawyer Achievement Award of Middlesex County Bar Association 2021
- Retail Merchants Association Legislator of the Year
- Association for Retarded Citizens Legislator of the Year
- New Jersey Women of Achievement Award, Douglass College
- Delaware Raritan Girl Scouts Women of Distinction Award
- Honoree of the Year American Heart Association

- Hands of Humanity Award by Jewish Family and Vocational Services
- La Tribuna Distinguished Woman
- First Recipient of New Jersey League of Municipalities Cabinet Member Award
- Woman Lawyer of Achievement Award by Women Lawyers of Monmouth County
- Outstanding Woman Award, Executive Women of New Jersey

EDUCATION

- **New York University School of Law, Graduate Division, L.L.M. in Taxation**
 - Seton Hall Law Center, J.D., *cum laude*
 - New York University, B.A.
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