



Hon. Marianne Espinosa (ret.), Esq.

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Profession

Attorney, Discovery Master, Fact-Finding, Retired Judge

Work History

Appellate Division, Superior Court of New Jersey, 2009-2017; Union County (Civil and Criminal Divisions), Superior Court of New Jersey, 2005 – 2009; Morris County (Civil, Criminal and Family Divisions), Superior Court of New Jersey, 1986 – 1993; Partner, Tompkins, McGuire, Wachenfeld & Barry, LLP, 1994 – 2005; Assistant United States Attorney, District of New Jersey, 1978 – 1986; Assistant Counsel (Bond and Commercial Loan Department), Prudential Insurance Company, 1977-1978; Deputy Attorney General, New Jersey Department of Law and Public Safety, Criminal Division, Appellate Section, 1975 – 1977; Law Clerk to Hon. Richard J. Hughes, Chief Justice, Supreme Court of New Jersey, 1974 – 1975.

Experience

As an appellate judge, wrote approximately 100 opinions per year. Published opinions addressing broad spectrum of issues, including employment discrimination, whistleblower actions, administrative law, land use, civil procedure, professional malpractice, claims under Consumer Fraud Act and Truth-in-Consumer Contract, Warranty and Notice Act, Open Public Records Act.

As a trial judge handled trials, case management and motions in Civil, Criminal and Family divisions; Mt. Laurel judge for vicinage. Heard a bench trial concerning over \$100 million in asbestos-related claims. Civil matters included business disputes, condemnation, professional malpractice, commercial and residential construction, insurance coverage and consumer fraud claims.

In private practice handled motions, trial and appellate practice with concentration in professional malpractice, employment matters and insurance coverage. Acted as a discovery master in federal criminal matter.

As Assistant U.S. Attorney, supervised criminal investigations and tried cases to conclusion, including as member of Organized Crime and Drug Enforcement Task Force.

As deputy attorney general, represented the State in criminal appeals before Supreme Court of New Jersey and Appellate Division; prepared position paper for Attorney General on death penalty.

Law Clerk to Chief Justice Hughes: prepared memoranda for Court, provided legal support for preparation of opinions.

Mediator Experience

United States District Court: mediation of employment claims against the United States. Chancery Divisions of Union and Morris County: mediation of business and property disputes.

As trial judge, mediated the settlement of broad spectrum of matters, including multi-party cases, that included medical malpractice and other professional negligence matters, commercial disputes, insurance coverage matters, and personal injury cases.

Representative Issues Handled as a Mediator	Employment claims, including discrimination and sexual harassment, commercial and contract disputes, intellectual property, insurance coverage, personal injury
Mediator Style & Process Preferences	To obtain maximum benefit from mediation, it is helpful for the parties to have a good understanding of the issues – legal, factual, and, in some cases, emotional, that shape both their controversy and the possible resolution of their dispute. It is important for the mediator to instill confidence in the litigants and their counsel that their positions have been heard and understood. This is accomplished through preparation prior to the mediation session and actively listening at the mediation session. With such a foundation, the mediator may make use of legal insights and experience to assist a party to recognize a resolution of the dispute that is acceptable, always appreciating that a settlement represents the parties’ success in resolving their differences.
Education	Rutgers University School of Law (JD – 1974); New York University (BA – 1971).
Professional Licenses	Admitted to the Bar: New Jersey, 1974; U.S. District Court: District of New Jersey, 1974; U.S. Court of Appeals, Third Circuit; U.S. Supreme Court.
Professional Associations	American Bar Association; New Jersey State Bar Association; Union County Bar Association.
Recent Publications & Speaking Engagements	Faculty, New Jersey Judicial College, Updates in Civil Law (2014-2016). Panelist, New Jersey Institute for Continuing Legal Education, Appellate Practice (2015). Published opinions as Appellate Division Judge (list available upon request).
Locations Where Parties Will Not be Charged for Travel Expenses	Charge of \$500.00 per hour for travel outside New Jersey, Philadelphia or New York City
Mediation Rate	\$500 Per Hour
Languages	English
Citizenship	United States of America
Locale	Springfield, 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.