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From: Michael Ferrara, Jr., Esquire <mferrara@ferraralawfirm.com>
Sent: Tuesday, December 15, 2020 3:57 PM
To: Comments Mailbox
Subject: [External]CIVIL –PROPOSAL FOR VIRTUAL CIVIL JURY TRIALS –PUBLICATION FOR COMMENT

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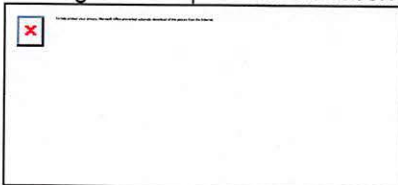
Dear Judge Grant. Thank you for all the hard work you are doing during these extraordinary times. I am a past president of the New Jersey Association for Justice (NJAJ) but write to express my personal view on this important matter. It is my experience that insurance carriers are using this pandemic as an excuse not to settle cases. They know that without the imminent threat of a jury trial, there is no impetus for them to settle cases for fair value. They are making some offers, but they are not realistic. A recent example was a case that was arbitrated by an insurance company house counsel for \$125,000. I had filed an Offer of Judgment for \$65,000. Pre-COVID, this case would have settled, but NJM offered \$7,500 and raised it to \$10,000 after a settlement conference with a judge. They know my only remedy is to settle cheaply or wait forever until the case is tried. That is unfair and constitutes bad faith by NJM. Unfortunately, I have no remedy and the client and I will wait until the case is reached for trial. Many of my colleagues have similar stories to share. The only solution I propose is to make all virtual trials mandatory. This will get the carrier's attention and help settle cases and reduce the backlog. I understand others do not like the mandatory requirement, but if you think about it, that is the only practical way to get these cases moving. Thank you for all you do for us. Very respectfully, Michael A. Ferrara, Jr. Cherry Hill, NJ.

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Those of us at The Ferrara Law Firm hope and pray that you, your family, and your loved ones are well and staying safe. We are all working full time from home and having daily Zoom conferences to review our cases. Because we are not going into the office, any mail, Fedex, UPS, or Lawyer's Service documents sent to the office may not be seen in a timely fashion. Please send everything via email or fax so we can respond. The best email address is mferrara@ferraralawfirm.com and the fax number is (856) 282-4287. Our phones are being answered 24/7 by a service and in case you must contact us, you can call me directly on my cellphone at (856) 495-3021. Thanks for being so flexible in these unusual times.

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Certified Civil Trial Attorney

The highest compliments we receive are referrals from family, friends, clients, and fellow attorneys.



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