

Pamela R. Esterman
Sive, Paget & Riesel, P.C.

In addition to offering clients a full range of litigation services, Sive, Paget & Riesel, P.C. (“SPR”) assists clients in avoiding and resolving disputes by employing various forms of alternative dispute resolution (“ADR”). SPR lawyers have utilized ADR procedures to resolve a broad range of disputes. SPR lawyers have also designed ADR processes that were utilized to resolve large scale multi-party environmental disputes. SPR is committed to employing ADR to bring about cost effective resolutions for clients whenever it is feasible to do so.

One of our partners, Pamela Esterman, has extensive experience mediating various kinds of disputes including environmental, land use, breach of contract, insurance coverage, construction, personal injury, and toxic tort, product liability, banking, professional negligence, energy, real estate, and labor and employment claims. Ms. Esterman serves as a trained and certified court appointed mediator for the United States District Court-Eastern and Southern Districts, the New York Commercial Division (New York and Westchester Counties), as well as the state courts in the District of New Jersey. Ms. Esterman has over 100 hours of mediation and arbitration training. She has served as a mediator or arbitrator in over 80 cases.

During her 28 years of practice, Ms. Esterman has gained broad experience in environmental and land use law. Her extensive background enables her to quickly understand environmental and land use issues and to manage the mediation process efficiently. She is a frequent lecturer and trainer on the use of dispute resolution in environmental and land use matters. She has considerable experience in resolving CERCLA as well as other types of cases involving the contamination of land and water. More recently, she has been particularly active in promoting the use of dispute resolution to address the many issues associated with climate change and sea level rise.

Ms. Esterman has written and published numerous articles and a book chapter on the use of ADR in environmental disputes. She is also an adjunct Professor at Pace University Law School where she teaches Environmental Dispute Resolution. Ms. Esterman is also Co-Chair of the Advisory Board for The Kheel Center for the Resolution of Environmental Interest Disputes at Pace University School of Law. She is the first recipient of the Founder’s Award granted by The Kheel Center. The Center’s work focuses on training students, lawyers, and municipal officials in the dispute resolution skills needed to address environmental issues including climate change and sea level rise.

Ms. Esterman has handled numerous disputes including disputes concerning:

Environment: environmental assessments and cleanups, CERCLA/Superfund, oil spills, ground water pollution, asbestos, lead and mold contamination, and climate change.

Land Use: easements, eminent domain, and the extent of authority of a zoning board.

Construction: delay damages, asbestos and lead, architect malpractice, allegations of work defects, design defects, unauthorized change orders, and breach of contract.

Real Estate: real estate development project failure, developer/landlord and tenant disputes, breaches of contract for sale, and brokerage commissions

Insurance: disputes relating to property and casualty policy coverage.

Business/Commercial: numerous and varied disputes arising out of a broad range of commercial contracts including partnership disputes and dissolutions, failure to pay for goods or services, and delivery of defective goods or deficient services.

Partnership: breach of fiduciary duties, breach of non-compete clause, misappropriation, and request for an accounting.

Finance and banking: bank/customer loan obligations, defaults on note payment, failure to provide promised funding.

Representative Matters

- Successfully resolved a multi-party lawsuit concerning a large New York City housing project. The dispute was related to asbestos abatement, lead paint removal, and debris removal. The issues included: breach of contract claims, suspension and delay claims, and contractual indemnification issues.
- Successfully mediated a dispute involving the jurisdiction of a zoning board of appeals.
- Successfully mediated a dispute arising out of a large public works project. Issues included breach of contract claims, waiver, suspension and delay claims, “extra work” claims, and allegations of defective design.
- Successfully mediated a dispute involving the repair and modification of the gas piping in a major New York City apartment building.
- Mediated multi-party (owner, prime contractor, subcontractors, design professionals, and insurance carriers) dispute involving alleged design defects, construction defects, and delay claims on a brownstone building.
- Mediated multi-party (owner, prime contractor, subcontractors, design professionals, and insurance carriers) dispute involving alleged design defects, construction defects, on a multi-family housing complex in New Jersey.
- Successfully mediated disputes among owners and contractors and contractors and subcontractors involving multiple commercial and residential projects.
- Successfully mediated multi-party case involving contractual claims and prospective damages.
- Successfully mediated several cases involving insurance coverage for property losses.

For more information, please contact Ms. Esterman at 212-421-2150 or pesterman@sprlaw.com.