

Even the New Jersey Supreme Court can't stop Somerset Superior Court Judge Thomas Miller from Meddling a Case

Judge Miller pressured Judge Reed and made him reverse a million dollar decision and the Supreme Court Committee on Judicial Conduct can do nothing about it.

SOMERSET, NJ, UNITED STATES, January 24, 2021 /EINPresswire.com/ -- How far would a judge go to influence another judge? [New Jersey Somerset Superior Court Assignment Judge Thomas Miller](#) has set the best example. He has reportedly pressured Judge Robert Reed and made him reverse a million dollar decision in the case titled "Central Jersey College Prep Charter School vs. New Jersey Chinese Community Center", Docket# SOM-L-1305-16. It was widely believed that Judge Miller of the New Jersey Somerset Superior Court has problems with Asian litigants and particularly with Chinese.

Even though Judge Miller did not try the case nothing could stop him from meddling the outcomes of the case. The case was ultimately tried before Judge Robert Reed without a jury even though the community center had requested a jury trial. The trial took place without a jury over the course of 16 days from September 2019 to January 2020. Judge Reed took copious notes and wrote a 53-page opinion.

In his final decision of April 22, 2020, Judge Reed found in favor of the Chinese Community Center, holding that the plaintiff was not constructively evicted and was liable for damages for breach of contract. The court held that the plaintiff left the premises because its attempt to purchase the defendant's building fell through and must accept the consequences of its actions. The decision seemed solid, untouchable, supported by 53 pages of detailed findings of fact and credibility determinations made by Judge Reed.

On 4/30/20, the defendant landlord filed a motion for reconsideration on the sole issue that the court had miscalculated the rent due to the defendant as the plaintiff tenant had two leases with the landlord totaling \$2,230,074 but the court had only awarded rent due under one of the lease agreements.

The parties had a teleconference with Judge Reed who agreed that defendant's claim for additional rent due under the lease agreement fell within the parameters of a 4:49-2 motion for reconsideration and said he would recalculate the rent. He further stated he left all his trial notes in New Jersey after the trial had ended and moved down to Florida and needed counsel to

refresh his recollection during the teleconference on what had happened at trial, and then for no apparent reason, invited counsel to submit any additional comments about anything else they would like to say to the judge.

These resulted in further post-trial submissions by the plaintiff and defendant more than half year after the trial had ended. The plaintiff had never filed a motion for a new trial or to reopen the trial record or to make any threshold showings required on a R. 4:49-2 motion for reconsideration in order for the Court to consider its post-trial arguments.

On 8/3/20, more than three months after making his final decision and more than seven months after the trial had concluded, the trial court judge entered a revised decision and judgment completely reversing himself from his 4/22/2020 final decision, holding that plaintiff was constructively evicted and that defendant was entitled to no damages.

Interestingly enough, Judge Miller was also back in the picture. The court took almost four months to revise its decision following the post-8/3/20 decision submissions. Afterwards, Judge Miller was copied on the revised decision, even though he technically had nothing to do with the case, and has continued to be copied on all correspondence concerning the appeal of this case.

Ever since Judge Reed did an about-face and reversed himself in the Second Decision, Judge Miller has been keeping tabs and maintaining a close watch on how Judge Reed is handling this case. Judge Miller has sent his law clerk to attend every discussion concerning this case, whether it is a motion hearing, oral argument, case management or teleconference.

Most recently, in an oral argument via Zoom on 11/17/2020, in addition to Judge Reed's own law clerk, Judge Miller's law clerk was again included in the hearing. Also included was an mysterious participant under the User ID "Polycom" whose camera was turned off so that the defense attorney was not able to see who the person might be.

When the defense counsel questioned who the mysterious participant was, Judge Miller's law clerk jumped in and defended the "Polycom" as a "recording device". However, according to the company, Zoom has full built-in audio and video recording functionality and the "Polycom" is not a "recording device".

Under the watchful eyes of Judge Miller's law clerk and the mysterious participant and the influence of their presence, Judge Reed not only quickly denied all relief requested by the defense attorney but also entered an order requiring the Chinese Community Center to pay more than \$40,000 plaintiff's counsel fees even though his last decision awards no such counsel fees.

As the assignment judge of the Somerset County Superior Court, Judge Miler amasses such a tremendous power of meddling even the Supreme Court Advisory Committee on Judicial Conduct can do nothing about it.

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