



Frank A. Cialone

PARTNER

fcialone@sflaw.com | 415-773-7298

AREAS OF EXPERTISE

Litigation, Fiduciary Duty/Shareholder & Partnership Disputes, Trusts and Estates, Professional Liability

Overview

Frank Cialone represents clients in fiduciary litigation matters, including disputes among partners and other co-owners of closely-held businesses, trust and estate matters, and litigation involving the duties of directors and officers. He represents clients at all stages of disputes, from pre-filing negotiations to litigation through arbitration or trial. Representative matters include:

- Successful defense of partnership and general partner and prosecution of cross-claims, including trial and appeals, resulting in limited partner relinquishing all claims and entire partnership interest.
- Representation of majority LLC member in termination of LLC agreement, in which terminated minority member sought enhanced buyout payment and damages, resulting in terminated member settling, after arbitration, for less than the guaranteed payments due, in order to avoid negative public findings.
- Federal jury trial of claims against ERISA fiduciary, resulting in jury verdict for plaintiff on all claims and for full amounts sought.
- Defense of attorneys in federal sanctions proceeding in the *Qualcomm* patent litigation, Southern District of California, resulting in dismissal of all sanctions proceedings.
- Successful appeal of ruling on anti-SLAPP motion, including award of all attorney's fees. See *Haight Ashbury Free Clinics, Inc. v. Happening House Ventures*, 184 Cal. App. 4th 1539 (2010).

In addition, Mr. Cialone has represented clients in trust and estate litigation involving estates ranging from \$5 million to well over \$1 billion in value. These matters have included will contests, creditor claims against estate and trust assets, claims against trust for mismanagement or misappropriation of funds, and disputes regarding the control and disposition of trust assets. Among other matters, Mr. Cialone played a central role in the *Robertson v. Princeton University* litigation, considered among the largest and most significant cases involving donor intent and the use of charitable funds.

Professional Activities

East Bay Community Law Center, Board Member and past Board Chair

Member of ProVisors

Education

Brown University
B.A. in History, 1987

University of California,
Boalt Hall (Berkeley) School of Law
J.D., 1994

Admissions

California State Bar

All California State Courts

U.S. District Court for the Northern, Eastern, Central and Southern Districts of California

Ninth Circuit Court of Appeals

California Supreme Court

Accolades

One of the Shartsis Friese Attorneys named "Super Lawyers" for 2015, 2016, and 2017

One of the Shartsis Friese Attorneys named "Best Lawyers" for 2016