Trust & Estate Disputes

Though adept at representing clients in connection with smaller estates, Shartsis Friese has represented clients in connection with estates worth hundreds of millions or billions of dollars and has served as lead counsel in some of the largest charitable trust litigations in United States history.

Our Trust and Estate Litigation Practice is comprised of seasoned litigators with deep experience in an array of trust, estate and probate disputes, including trust administration disputes, will and trust contests, breach of trust and fiduciary duty actions, creditor's claims and elder abuse actions.

Drawing on their formidable knowledge of the substantive law and the unique procedures involved, our trust and estate litigators represent professional and non-professional fiduciaries (including trustees, executors, administrators and conservators), will and trust beneficiaries, and interested third parties in all phases of litigation. Though Shartsis Friese's trust and estate litigators welcome the opportunity to represent clients in trials, appeals and alternative dispute resolution proceedings, they also provide robust pre-litigation representation, including advising clients how to decrease the risk of litigation and/or helping clients achieve favorable settlements of disputes before a lawsuit is filed.

Trust and estate litigation often raises issues beyond the litigation itself. Our clients benefit from the expertise of Shartsis Friese's Family Wealth Planning, Real Estate, Tax and Corporate departments, among others. The firm's diverse practice strengths allow trust and estate litigation clients to enjoy a broad representation capable of addressing the variety of issues that arise in the context of trust and estate disputes.

RELATED ATTORNEYS

Frank A. Cialone, Partner

Lydia Davenport, Associate

W. Brookes S. Degen, Associate

Diego B. Flores, Counsel

Alexander Morrow, Associate

Annie T. Nguyen, Associate

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Experience

- ***Estate of Lydia Kalmanovitz*** – Serving as lead counsel during a 10-week trial, we defeated a will contest that would have redirected $500 million in assets from the decedent's estate. Separately, again serving as lead counsel during a six-week trial, we also defeated a $100 million oral trust claim, thereby preserving the estate plan in place.
- ***Robertson, et al., v. Princeton University, et. al.*** – Served as lead counsel for the Robertson family in their closely followed lawsuit against Princeton University, which sought to recover funds that were gifted to the school but spent in violation of the terms of the gift. Ultimately, the litigation settled with Princeton University agreeing to pay more than $90 million.
- **Defended Against Attempts to Invalidate Will and Recover More Than $16 Million in Creditor's Claims**. We represented the named executors and various beneficiaries against a will contest and creditor's claims initiated by a decedent's surviving spouse. The surviving spouse's claims failed to progress beyond the pleading stage, her attempts to invalidate the decedent's will were abandoned, and her creditor's claims were resolved through a minimal distribution of assets.
- **Compelled Trustees to Transfer Millions in Trust Assets to Client**. We represented a Bay Area family foundation, the charitable remainder beneficiary of a trust, in an action to compel two individuals to acknowledge their removal as trustees and transfer all trust assets to the foundation. Despite being initially intransigent, the former trustees acceded to the relief sought by the foundation shortly after a lawsuit was filed.

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