SHARTSIS FRIESE

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Frank A. Cialone

PARTNER

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Frank represents clients in trust and estate disputes, fiduciary litigation, and professional liability matters. His clients include trustees and beneficiaries of trusts and estates and co-owners of partnerships and other closely-held businesses. He regularly advises lawyers and law firms in matters concerning the departure of law firm partners.

Frank represents clients at all stages of disputes, from pre-filing negotiations to litigation through arbitration or trial and appeals.

Trust and Estate Litigation

In addition, Frank 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, disputes over trust administration and management of assets, and creditor claims against estate and trust assets. He is listed in Best Lawyers in America in the area of Trust & Estate Litigation. Among other matters, Frank 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.

AREAS OF EXPERTISE

Litigation

Contract Disputes

Trust & Estate Disputes

Fiduciary Duty, Shareholder & Partnership Disputes

EDUCATION

University of California – Berkeley, School of Law; J.D., 1994

Brown University; B.A., history, 1987

BAR ADMISSIONS

California

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

FRANK CIALONE 2027 RECOGNIZED BY Best Lawyers

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Partnership Disputes

Frank frequently represents investors and partners in business divorces, as well as in claims of fraud, breach of contract or fiduciary failures. Keeping his clients' business goals in mind, he has successfully represented entities and individuals when both assets and reputations are on the line.

Experience

- Representation of trustees and co-owners of real estate business in disputes regarding management of entities and assets.
- Arbitration of buy/sell agreement arising from real estate partnership dispute.
- Successful defense through arbitration of lawyers following departure from law firm, against claims including breach of fiduciary duty and trade secret misappropriation.
- Seven-figure arbitration award and judgment confirming award on behalf of minority members of an LLC against the managing member for self-dealing, interested transactions, and excessive compensation.
- Successful defense of a partnership and its general partner and prosecution of cross-claims, including trial and appeals, resulting in the limited partner relinquishing all claims and entire partnership interest.
- Representation of a majority LLC member in the termination of an LLC agreement, in which a terminated minority member sought an enhanced buyout payment and damages, resulting in the 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 an ERISA fiduciary, resulting in jury verdict for the plaintiff on all claims and for full amounts sought.
- Defense of attorneys in federal sanctions proceeding in the Qualcomm patent litigation in the Southern District of California, resulting in dismissal of all sanctions proceedings.
- Successful appeal of a ruling on an 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).

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Activities

- East Bay Community Law Center
- ProVisors

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