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# Trusts & Estates Disputes

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## OVERVIEW

Fiercely competent, our trust and estate attorneys honed their litigation skills helping clients accomplish their tax, estate and business planning goals with trusts and related structures. Well-versed in the intricacies of wealth planning, our group stands poised to litigate the most contentious trust and estate disputes.

### Knowledge-Based Victories

Our courtroom successes draw on our deep understanding of trust and estate administration, with a focus on fiduciary and trust litigation. We have substantial experience in contested trusts and estates and in federal and state tax controversies. Representing fiduciaries and beneficiaries in wide-ranging disputes, we are known for structuring effective settlements and achieving tax-related savings.

### A Winning Reputation

We prevailed on behalf of the executor/trustee in long-running estate controversies involving the decedent's family and family businesses. In another dispute, we represented the trustee of multi-billion-dollar family trusts in negotiations with beneficiaries about business and trust restructurings. In several case we defended trustees against attempts by the beneficiaries' estranged spouses to include trust assets in the marital estate. We represented international charities in multiple cases to protect gifts under wills and trusts.

### Recognition and Accolades

The firm's Trust and Estate practice is nationally ranked by *U.S. News – Best Lawyers "Best Law Firms"* for 2018; the chair of our Trust and Estates Litigation practice has earned recognition in *The Best Lawyers in America* each year since 2010.

## EXPERIENCE

In helping clients achieve their tax, estate and business planning goals through the use of trusts and related structures, we have developed litigation proficiency in these areas. Our attorneys' knowledge, skill and creativity in planning and drafting have equipped them to successfully litigate cases involving estate plans and documents.

We have successfully represented both fiduciaries and beneficiaries in many types of disputes. In addition to our courtroom successes, we are known for structuring effective settlements and achieving tax savings in connection with those settlements.

## Recent representative matters include:

- Represented the successor executor of the estate of a well-known member of the Chicago sports community. The administration of the estate was prolonged and contested, and our attorneys were successful in actions against the prior executor and his attorneys, as well as in contested proceedings seeking authorization to sell the estate's minority interest in a sports franchise.
- On the eve of trial, negotiated a favorable settlement with the Internal Revenue Service (IRS) in a case involving an estate tax deficiency. In the settlement, the IRS stipulated to certain facts that not only greatly limited the deficiency to be paid by the decedent's estate, but also effectively precluded the IRS from pursuing far more substantial income tax deficiency claims against members of the decedent's family.
- Defended an action against a professional trustee that had been accused by beneficiaries of allowing trust investment portfolios to remain undiversified. After narrowing the scope of the action through motions that asserted novel applications of statutes of limitation, and by demonstrating that the plaintiffs' damages calculation had ignored crucial tax considerations, the case was settled for a small fraction of the plaintiffs' demand.