

# Katten

Katten Muchin Rosenman LLP

## FIDUCIARY LITIGATION

### Our Clients

Katten's Fiduciary Litigation team represents corporate and individual executors, trustees, personal representatives, guardians, and other fiduciaries, as well as beneficiaries and other interested parties. We counsel clients on litigation arising out of estate, tax and business planning, the performance of fiduciary duties, and estate, trust, business, personal and tax disputes. Our attorneys work with fiduciaries and beneficiaries in all types of suits, government inquiries and proceedings.

### Our Services

We proactively guard against litigation in the planning and administration of estates, trusts and other entities with knowledge of the highly specialized laws of estates, trusts and other fiduciary entities. When disputes arise, we look for innovative opportunities to provide win-win solutions through the understanding and use of the applicable income, estate, gift and generation-skipping transfer tax laws. Our attorneys resolve intra-family disagreements of all kinds.

When litigation becomes necessary between beneficiaries and fiduciaries, we provide representation in all forms of will and trust construction and in reformation proceedings and will and trust contests. We resolve creditors' claims and beneficiary-trustee disputes that arise in the post-death administration of assets in an efficient, tax-sensitive manner. Our attorneys work to acquire a decedent's assets from others who claim title to those assets, and represent both fiduciaries and beneficiaries in fiduciary removal and surcharge proceedings and in contested accounting proceedings.

### RECOGNIZED BY

- *Chambers High Net Worth*
  - Private Wealth Law (USA, Illinois, New York, Southern California) 2018, 2017
  - Private Wealth Disputes (New York) 2018
- *U.S. News – Best Lawyers®* “Best Law Firms”
  - Litigation – Trusts and Estates (Los Angeles) 2019, 2018
  - Trusts and Estates Law (National, Chicago, Los Angeles, New York) 2019, 2018
  - "Law Firm of the Year" in Trusts & Estates Law 2019
- *Citywealth* "Magic Circle Awards"
  - International Law firm of the year – Large 2019, 2018
  - Law Firm of the Year – USA 2019



We also represent clients before the Internal Revenue Service and other federal, state and local agencies. We advise on tax litigation arising from the audit of federal estate, gift or generation-skipping tax returns. Our team represents corporate fiduciaries in class action, derivative, strike and other similar suits. With years of practical experience, Katten's Fiduciary Litigation team guides clients through all compliance, regulatory and related issues.

## Our Experience

- Representation of a trustee in connection with contentious intra-family issues in multiple states.
- Representation of beneficiaries of a series of trusts who allege that their trust funds were diverted to the personal use of the family trustees.
- Defense of the executors of the estate of a prominent New York real estate developer against claims brought by essentially disinherited children.
- Representation of an individual in litigation in multiple states in connection with her interests in the estate of an insurance executive and investor.
- Defense of a financial institution as trustee of a trust that held development real estate against alleged wrongs, primarily selling too soon and missing a run-up in the market.
- Representation of one of multiple executors of the estate of a famous real estate developer in a decades-long litigation involving assets in multiple countries.
- Expert witness regarding the largest individual deficiency assessed by the IRS in US history stemming from a family's use of offshore trusts/subsidiary entities in a case closely watched by the entire international estate planning bar.
- Defense of the will of an environmentalist who donated hundreds of millions of dollars to create national parks in South America in contests being waged in New York, California, Argentina and Chile.
- Court-appointed guardian *ad litem* in Switzerland and Bermuda representing the interests of minors/unborns in restructuring extensive overseas offshore trust holdings of one of America's wealthiest families involving highly complex tax/nontax issues and bitter litigation. Courts in both countries approved the settlement Katten reached.