



Bette Epstein, Esq.

Representative Cases

Trust Administration Disputes

- Handled case involving family member trustee in trust administration dispute involving multiple pieces of real property and claims by sibling beneficiary of breach of fiduciary duty, self-dealing and failure to account; resolved through mediation with non pro-rata distribution and no surcharge against beneficiary
- Dispute involving adult children as co-administrators of their father's probate estate against claims by their decedent's second wife for family allowance and intestate share despite dissolution proceedings pending at time of decedent's sudden death
- Dispute involving trustee in the administration of a trust with \$1 billion in assets and involved multiple creditor claims by third parties and family member beneficiaries
- Handled case regarding petition for instructions by trustee to retain reserve of \$12 million in the event of an IRS audit after a closing letter had already been issued; court trial resulted in order that trustee retain \$20,000 in reserve to complete trust administration
- Numerous disputes among family members regarding the disposition of the family home including issues of interpretation of estate planning instruments, valuation relative to buying out the interests of other family members and terms under which the home would be listed for sale
- Trust administration dispute involving multiple pieces of real property and claim of violation of the no-contest clause in the trust instrument

- Trust administration involving an art collection that had been maintained in storage for many years with no agreement as to its disposition
- Dispute related to the administration of Exemption and Marital Trusts for the benefit of the surviving spouse and issues related to discretionary distributions of principal
- Trust administration matter involving a ranch property held in an LLC with multiple members who were unable to agree on the management of it and/or disposition
- Trust administration involving the use of the family vacation home in the Sierras by three generations of family members
- Dispute involving the administration of a special needs trust
- Numerous disputes based on Probate Code Section 850 involving claims that 3rd party or family member was withholding trust assets, including claims for Section 859 damages and attorneys' fees
- Dispute involving a professional fiduciary serving as trustee of court-supervised trust that involved sales of multi-million dollar properties
- Dispute involving a professional fiduciary serving as administrator of an estate that included assets held off shore by a foreign corporation, claims of theft by family members and the sale of a multi-million dollar property
- Matter involving trustee of a \$12 million trust against claims of breach of fiduciary duty, self-dealing, removal and multiple accounting disputes