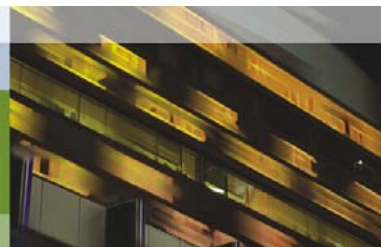


# Trust Litigation



## REPRESENTATIVE EXPERIENCE

[www.ulmer.com](http://www.ulmer.com)

Defeated class certification and secured dismissal on motion in lawsuit brought by IRA beneficiaries for fraud and breach of fiduciary duty against IRA trustee; affirmed on appeal.

Defending bank trustee/paying agent in putative class action by holders of German gold bonds issued in the 1920's and 1930's on fraud, breach of fiduciary duty and RICO claims relating to validation procedures for bonds.

Successfully represented indenture trustee in a class action brought by disgruntled debenture holders after the indenture terms were changed by vote in conjunction with the merger of the issuer; dismissed on motion.

Defeated class certification and secured dismissal on motion of defendant trust company on claims of participating in Ponzi scheme; affirmed on appeal.

Successfully litigated trust reformation action through trial and appeal for private school beneficiary of \$25 million testamentary trust, hotly contested by the residual beneficiary.

Represented Delaware trust company in a fraudulent transfer claim; dismissed on jurisdictional motion.

Represented sister trustee accused by brother trustee of mishandling trust assets; favorably settled for a fraction of the claim.

Secured appointment of successor trustee for inter vivos trust, and successfully resisted court's order for an accounting.

Successfully defended Delaware trust company in Illinois state court litigation from allegations of failure to prevent transfer of assets by individual trustee.

Successfully defended national bank as trustee in Ohio state court litigation arising from allegations by beneficiaries of failure to diversify trust assets.

Successfully defended arbitration against Ohio corporate trustee on charges of breach of fiduciary duty arising from investment decisions.

Successfully defended indenture trustee in Ohio federal and state court proceedings on allegations of breach of fiduciary duty stemming from fee paid to induce redemption of corporate debentures.

Successfully represented a class of over 3000-plus beneficiaries of a \$28 million testamentary trust established by the founder of a local company for its employees; settled by agreement with the charitable alternative beneficiary.



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ATTORNEYS