

GILBERT WALKER

## Trust litigation



### What we do

- Our team advises and acts on contentious trust and estate matters. We are experienced in acting on family trust disputes as well as large-scale, complex and international trust disputes.

### How we help

- We help clients to resolve sensitive disputes privately through alternative dispute resolution such as mediations, negotiations and settlement conferences. Where necessary, we represent clients at all levels of the New Zealand court system.

### Experience

- acting for certain trustees of Ngāti Whātua o Kaipara's Post-Settlement Governance Entity in High Court proceedings seeking orders for removal of trustees and orders about holding elections for trustees
- acting for the trustees of the Marlborough Electric Power Trust in proceedings testing the scope of the beneficiary information provisions of the Trusts Act 2019 and trustees' rights to claim privilege as against a trust beneficiary
- acting for a beneficiary of high value family trusts in proceedings raising complex issues of capacity and undue influence in the context of testamentary dispositions
- acting for trustees in complex family trust dispute related to trust arrangements and the distribution of wealth
- advising the trustees of a public trust on claims threatened by beneficiaries in relation to investments made by trust-owned companies
- acting for overseas-based beneficiaries of a multi-million dollar trust in relation to removal and retirement of a trustee and the trustee's security over foreign trust assets

- acting for the beneficiary of a high-value family trust in proceedings that raised issues of paternity and involved claims under the Family Protection Act and for breach of trust
- acting for an executor of a deceased estate seeking to set aside a transfer of an insurance policy, involving issues of capacity, undue influence and broker liability

## Key Contacts

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