PALEY ROTHMAN
ATTORNEYS AT LAW

Representative Matters: Litigation: Individual

Estate Litigation

- Prosecuted and defended actions to remove the fiduciary of a family trust and for accounting and recovery of misappropriation of assets involving shopping center by former fiduciary.
- Prosecuted and defended will and trust contests challenging the validity of decedents' wills and trusts by family members for estates up to $30 million.
- Represented surviving spouse in landmark decisions on amount and timing of distributions of electing spouse's statutory share of $40 million estate.
- Counseling, prosecution and defense of elder financial abuse lawsuits involving prevention, recovery of assets wrongfully procured or misappropriated by relatives or caregivers, and assistance and protection of assets from Internet scams and others, through undue influence.
- Represented Trustee of Trust in recovering in excess of $1 million on behalf of Trust from former Trustee who misappropriated the assets.
- Represented Personal Representative of Estate in recovering assets on behalf of the Estate that were previously taken by former careprovider.
- Represented Trustee of Trust in successful interpretation of Trust documents by Court in favor of client's reading and application of the documents.
- Representation of numerous Personal Representatives/Executors of Estates in defending claims by creditors against Estate assets.
- Represented co-Trustees in litigation regarding the validity of a beneficiary designation and other related issues in an estate valued in excess of $10 million.
- Represented and counseled a personal representative regarding multiple allegations of misconduct by a dissatisfied heir. Handled both allegations of inappropriate conduct and counseled client on how to avoid further potential allegations of misconduct.
- Represented Special Administrator in highly contested issue estate against allegations of undue influence and fraud in an estate valued in excess of $30 million.
- Successfully represented unmarried partner of decedent with regard to entitlement to portion of estate left to that partner.

Domestic Litigation

- Secured a judgment for $807,500 in back alimony payments and a $275,000 attorney's fees award for his client after a nine day trial wherein he was able to prove, including through the use of extensive forensic electronic evidence secured from the opposing party's digital devices, as well as global positioning satellite systems surveillance, that the opposing party had cohabitated in violation of an alimony termination provision contained in the parties' agreement.
- Achieved a custody award for a father whose infant daughter was secreted and absconded by the family of his deceased fiancé after she died in the Fort Totten Washington, D.C. Metro train crash in an effort to control the infant's wrongful death claim against WMATA. After three days of trial, Carlos successfully defeated the decedent's family's attempts to assassinate his client's character and reputation despite their hiring three separate law firms to prosecute their claims. Thereafter, he successfully removed the attorney selected as guardian by the extended family's personal injury lawyers and initially appointed by the Court to oversee the infant's money.
- Acquired a $16,000 per month alimony award, a $2.4 million monetary award, and an award of attorney's fees of $350,000 after a 13 day trial.
- Achieved a relocation of custody order permitting his client to move cross-county after his client's daughter's father refused to permit his client to take a job outside the state of Maryland. Over three days of trial, presented career and job placement and educational expert testimony on the significance of his client's unique career opportunity and the comparative quality of the schools in each competing locale.
- Collected liquidated damages ($60,000) for harm to his client's credit as a result of his former spouse

failing to make payments on the former marital home and her car payment.
- Representation of several clients in retaining inherited/trust assets as non-marital property against claims of former spouse that such assets were marital property subject to division by the court.
- Representation of client securing an award of indefinite alimony following appeal, after trial court awarded three years of alimony.
- Successful representation of several clients involving dispute as to the valuation of client's business interests where the court found the values of the interest to be those pursued on behalf of the client/business owner.
- Representation of parent seeking modification of custodial arrangements and ability to move with the children from Maryland to Midwestern State.

General Litigation

- Defense and prosecution of partition actions between joint tenants and tenants in common as owners of multimillion dollar commercial properties and residential real estate.
- Representation of widow of equity partner in multimillion dollar claim against national law firm for retirement benefits, death buyout of partner-husband and accounting of partnership interest.
- Workout and restructuring representation of borrower of national and regional financial institutions bold in excess of $50 million on multiple office building complexes in mid-Atlantic area including bankruptcy analysis and litigation representation.

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