



## Probate, Estate, Trust & Guardianship Litigation

Attorney Thomas is the "AV"-rated, managing partner of an nine-attorney boutique law firm concentrating its practice in probate, estate, trust and guardianship litigation. The law firm has represented more than 800 clients in estate-related disputes, both prosecuting and defending, with a wide variety of causes of action. After many years and hundreds of cases, we have learned that the facts are always the same in a general sense, but have infinite variety as to the particulars. There is always an elderly person, usually alone, and a predatory relative, friend, or caretaker who takes advantage of the loneliness and dependency of old age. We understand that while clients are best served by first attempting to negotiate an honest, fair and prompt resolution to a dispute, it often becomes necessary for an estate attorney to litigate in order to preserve and protect a family member's personal rights and assets or a client's inheritance.



Adrian P. Thomas, LL.M., J.D.

Selected 2008-2011 Florida  
Trend's Legal Elite

AV rated by Martindale-Hubbell

## Attorney Referrals

Estate, guardianship, and trust litigation are developing areas of the law in Florida. The large elderly population has created a hotbed for abuse and subsequent litigation. Because probate, guardianship, and trust work generally do not involve litigation, most practitioners in those areas are reluctant – and wisely so -- to litigate an issue themselves. Litigation is full of pitfalls that make it a hazard for attorneys who do not specialize. Our most frequent attorney referrals come from estate planning and probate practitioners who correctly identify an issue while planning or administering an estate and realize that litigation is necessary.

If you are an attorney and have identified an issue and would like to discuss it further before recommending litigation to your client, please call our firm to discuss the matter. We co-counsel cases throughout the State of Florida and pay fees to co-counsel in accordance with the Division of Fees rules promulgated by The Florida Bar.

## The Firm

Our law firm is located in downtown Fort Lauderdale, Florida on Las Olas Boulevard, which is one block from the Broward County Courthouse where probate and trust disputes in Broward County are litigated. While a considerable percentage of our cases are in the Tri-County area (Miami-Dade, Broward and Palm Beach), we have cases across the state and our firm represents clients from all over the world.

## Areas of Practice

Undue Influence  
Lack of Capacity (testamentary capacity)  
Tortious Interference with an Expectancy  
Will & Trust Construction and Contests  
Trust Reformation/Modification/Termination  
Removal of Fiduciary  
Breach of Fiduciary Duty  
Surcharge Actions  
Demand for Accountings  
Elective Share Litigation  
Determination of Heirs  
Abuse of the Elderly (exploitation)  
Abuse of Power (power of attorney)  
Guardianship/Probate

## Attorneys

Adrian P. Thomas, LL.M., J.D.  
Michele M. Thomas, J.D.

Robert M. Trinkler, Esq.  
Daniel A. McGowan, Esq.\*  
Merrilee A. Jobs, Esq.  
Sean G. Perkins, Esq.\*\*  
Christopher P. Taylor, Esq.  
Jeffrey S. Bunin, Esq.  
Victor D. Orihuela, Esq.

\* Also admitted in Ohio and Pennsylvania

\*\* Also admitted in Georgia

## Paralegals & Legal Assistants

Ruth Broder  
Michele M. Carbone  
Carey Gibson  
Ruthy Green  
Jennifer Habeggar  
Beverly J. Warren  
Phyllis D. Weiner