

LOS ANGELES, CA – The trusts and estates litigation firm, Sacks Glazier Franklin & Lodise LLP, announced that attorneys, partner Terrence Franklin and Of Counsel Matthew McMurtrey, successfully defended an appeal brought against the firm’s client on the important issue of when ambiguous language contained in a trust document may be reformed without violating the trust’s no contest clai sions are no

The Court of Appeal acknowledged that the lack of verbal symmetry between the methods of exercising the power of appointment was at the "heart of the dispute," with Cynthia Giammarrusco, Sacks' client and daughter of the deceased trustor, taking the position that, with standing the conclusive presumption provisions, the ambiguous language of the power of appointment may be reformed or interpreted to give effect to the acknowledged instrument. She applied for a judicial declaration that her position would not violate the trust's contest clause.