

Kim Jackson and Jared Heald Defend \$400,000 Abusive Litigation Claim Against Their Clients

By Jared W. Heald August 28, 2015

Kim M. Jackson and **Jared W. Heald** successfully defended claims against their clients, which included the co-administrator of an Estate and her attorneys, for attorney fees and expenses of litigation arising out of a contentious estate litigation between co-administrators. The two co-administrators had litigated disputes over the proper recipient of certain high value assets and the handlings and funding of a testamentary trust. The parties eventually settled their disputes before the Probate Court, but as part of the settlement they left open certain issues including claims for attorney fees, to be decided by a Senior Judge. The opposing co-administrator filed claims for abusive litigation (OCGA § 9-15-14) and breach of fiduciary duty (OCGA § 53-7-54(a)(1)) seeking over \$426,000 in fees and litigation expenses. Mr. Jackson was retained to defend the claims. Mr. Jackson and Mr. Heald defended against the motions in the one day bench trial held before the Senior Judge. The Judge issued his order finding in favor of our clients and denying the motions in full.