

Carter Ledyard Client Prevails in New York State Supreme Court

April 06, 2018

Carter Ledyard client the Lanza Family Foundation prevailed in New York State Supreme Court, Westchester County, on its motion to dismiss a claim that the Foundation was responsible for fulfilling a charitable gift agreement that the late founder of the Foundation entered into in her individual capacity prior to her death. The Foundation also defeated the plaintiff's attempts to stay the motion to dismiss so it could depose a former Foundation executive on the theory that the gift agreement was ambiguous and that the plaintiff therefore should be allowed to present evidence about the parties' intent when they entered into the agreement. The Court agreed with the Foundation's position that the agreement was unambiguous and did not bind the Foundation, and it dismissed the action entirely without allowing the plaintiff to conduct discovery. The Foundation was represented by Litigation Partner Jeffrey Boxer, Trusts and Estates Partner Karen Schiele, and Litigation Counsel Karen Meara.

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