

In Significant Appellate Victory, Carter Ledyard Client Radio Drama Network Allowed Broad Discovery in Its Challenge to The Diversion of the \$100 Million Legacy of Radio Pioneer Himan Brown

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A Carter Ledyard trial team, consisting of Judith Wallace, Pamela Mann, Gary Sesser, and Alex Malyshev, secured a significant appellate victory for Radio Drama Network (RDN) in its long-running litigation against Richard L. Kay. RDN sued Kay in 2015, challenging will and trust revisions that diverted Himan Brown's \$100 million estate away from RDN, the charity Mr. Brown founded, to a new charitable trust that Kay controlled, and increasing Kay's commission by \$1.7 million, through will and trust revisions that Kay or his associates at Pryor Cashman drafted.

Kay sought to block disclosure of the trust's operations after Mr. Brown's death, including Kay's hiring of his former personal trainer as employee and consultant of the new trust, and benefits to Kay and his family members.

In its March 9, 2023, decision the Appellate Division, First Department, held that the Surrogate's Court erred in limiting discovery, and held that RDN was entitled to the discovery it sought and that Kay lacked standing to object.

The decision is available [here](#).

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