

# Frank T. Santoro

Partner

New York City · Uniondale

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Frank T. Santoro is a trusts and estates counselor and litigator. He concentrates his practice in trusts & estates litigation and Article 81 guardianships, representing clients in a variety of proceedings in Surrogate's Court and Supreme Court, including will contests, discovery proceedings, contested accountings, and guardianship proceedings. Frank's extensive experience in sophisticated and complex trust and estate disputes informs his advice when guiding clients through contentious business and personal matters. He applies a keen understanding of the applicable law, taxation, and challenges clients face in managing closely-held businesses, real estate, and diverse asset portfolios. Frank provides sophisticated pre-litigation advice aimed at coming to resolution outside of court, however, should litigation be unavoidable, he is a zealous advocate in Surrogate's Court, New York State Supreme Court, and Federal Court.

With a superb reputation and depth of knowledge, Frank is a frequent lecturer on trusts and estates law, and has presented to the New York State Bar Association, the Surrogate's Association of New York, the New York County Lawyer's Association, the Nassau County Bar Association, the Suffolk County Bar Association, and the Queens County Bar Association. Frank has authored numerous articles on current topics in trusts and estates law and is a contributor to Farrell Fritz's New York Trusts & Estates Litigation blog.

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## Experience

### PRACTICE AREAS

Estate Litigation

Trusts & Estates

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### EDUCATION

Brooklyn Law School, J.D.

Binghamton University - State University of New York, B.A.

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### AFFILIATIONS AND APPOINTMENTS

New York State Bar Association

Nassau County Bar Association

### ADMISSIONS

#### Bar Admissions

New York

#### Court Admissions

United States District Court, Eastern District of New York

United States District Court, Southern District of New York

United States District Court, Western District of New York

- Successfully probated Decedent's will over vigorous objection on a motion for summary judgment following multi-year litigation. *Matter of Lublin*, 015 WL 3884941, 2015 N.Y. Slip Op. 31038(U) (Surrogate's Court, Nassau County, 2015)
- Successfully advocated for appellate affirmance of trial court order removing a court appointed Article 81 Guardian for cause. *Matter of Edgar V.L.*, 214 A.D.3d 501, 2023 N.Y. Slip Op. 01360 (Appellate Division, 1<sup>st</sup> Department, 2023)
- Secured dismissal of claims of breach of fiduciary duty against a testamentary trustee based on the probate exception to federal jurisdiction. *Woitovich v. Schoenfeld*, 2022 WL 17979571 (SDNY 2022)
- Secured multi-million dollar judgment against trustees of a testamentary trust for breach of fiduciary duty. *Matter of Terranova*, 59 A.D.3d 453, 2009 N.Y. Slip Op. 00697 (Appellate Division, 2<sup>nd</sup> Department, 2009)
- Secured declaratory judgment enforcing a decedent's rights in property. *Matter of Judelson*, 2019 WL 2396812, 2021 N.Y. Slip Op. 32038(U) (Surrogate's Court, New York County, 2019)
- Achieved appellate vacatur of substantial judgment against an incapacitated person's attorney-in-fact based on the trial court's errors of law. *Matter of Milton R.*, 197 AD3d 1174, 2021 N.Y. Slip. Op. 04975 (Appellate Division, 2<sup>nd</sup> Department, 2021)

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## Community Work

- Queens Botanical Garden, Advisory Council

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## Recognition

- Super Lawyers New York Metro, Estate & Trust Litigation, 2018-present
- The Best Lawyers in America, Litigation, Trusts & Estates, 2023-present