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2018



Morris, Nichols, Arsht & Tunnell LLP

Morris, Nichols, Arsht & Tunnell LLP

is ranked in Chambers High Net Worth 2018 as follows:
DELAWARE

PRIVATE WEALTH

Private Wealth
Delaware
Leading Firms
Band 1
Morris, Nichols, Arsht & Tunnell LLP
Leading Individuals
Band 1
Flubacher Todd A Morris, Nichols, Arsht & Tunnell LLP
Pulsifer Thomas R Morris, Nichols, Arsht & Tunnell LLP
Band 2
Gill McKinnon Kimberly Morris, Nichols, Arsht & Tunnell LLP

Morris, Nichols, Arsht & Tunnell LLP

Morris Nichols is considered “*certainly one of the leading firms in Delaware.*” A local insider explains: “*We go to them all the time as my colleagues and I think they are amazing. They are our first point of reference.*”

The firm provides comprehensive trusts and estates advice to a range of clients, including wealthy families, trust companies and other financial institutions.

The team in Delaware is praised as “*extremely high-quality*” with “*good strength and depth.*” They are also noted for their experience handling fiduciary litigation and not-for-profit matters. A national expert reports: “*They really are our go-to Delaware firm. I would have no qualms about using them again.*”

Notable practitioners

Todd Flubacher is lauded as “*a wonderful lawyer and one of the best in the business.*” He is well-versed in Delaware trust law and acts for a range of domestic and international clients. “*He is a very prominent lawyer,*” enthuses a peer, who continues: “*He can advise on anything to do with Delaware structures.*” His legal skills are praised by one market insider, who observes that “*he is really responsive, practical and very knowledgeable about all developments and changes in Delaware law.*” Another local expert enthuses: “*He is the complete package. He has the combination of legal ability and public profile.*”

Thomas Pulsifer advises on a wide range of trust and estate matters for both institutional and individual clients. One legal insider reveals: “*He is a super bright guy and has very strong experience. He is technically proficient and very good at high-end multi-jurisdictional matters.*” Another local source notes that “*he is really creative and he comes up with new ideas all the time. He is a pioneer in this field.*” He is also acknowledged for his contribution to wider legal field and a regional expert notes that “*he has been instrumental in drafting legislation for this area in Delaware.*”

Kimberly Gill McKinnon is special counsel for the firm’s trusts, estates and tax group. “*She is fantastic and an excellent writer,*” remarks a peer, who continues: “*She is very clear in the way she expresses herself and has great attention to detail.*” She focuses her practice on Delaware trust administration and legacy planning for high net worth families. One wealth adviser notes: “*She is very thorough, smart and she’s a good attorney.*” Another local insider adds that “*she is a very talented young lawyer who is gaining some fantastic experience.*”

Leaders

FLUBACHER, Todd A.

Morris, Nichols, Arsht & Tunnell LLP,
Wilmington
+1 302 351 9374
tflubacher@mnat.com

*Featured in Private Wealth Law
(Delaware)*

Practice Areas: Trusts, estates and tax group. Represents trustees, beneficiaries, law firms and individuals on all matters involving Delaware trusts and estates and trusts and estates litigation.

Professional Memberships:

ABA (Business Law, Real Property, Probate & Taxation Sections); ACTEC (Fellow); Delaware Trust Conference Planning Committee; Estate Planning Council of Delaware (Past President, Board Member).

Publications: 'Build It and They Will Come: Why Delaware Trusts Lead the League' *Delaware Banker Journal* (Spring 2017). 'How To Deal With Repeal—Dynasty Trust Planning Will Be an Essential Tool' *Trusts & Estates Magazine* (March, 2017).

Personal: University of Maryland School of Law (J.D. 1999); Drexel University (B.S. 1992).

GILL MCKINNON, Kimberly

Morris, Nichols, Arsht & Tunnell LLP,
Wilmington
+1 302 351 9102
kmcinnon@mnat.com

*Featured in Private Wealth Law
(Delaware)*

Practice Areas: Trusts, estates and tax group. Represents institutional fiduciaries, privately-owned family companies, high net-worth individuals and families, and other attorneys regarding Delaware trust law and federal estate, gift and generation-skipping transfer taxation. Advises tax-exempt organisations on federal tax matters, formation and governance under Delaware law.

Professional Memberships:

ABA (Business Law, Real Property, Trust & Estate Law Sections); ACTEC (Fellow); DSBA (Elder Law Section; Past Chair, Estates & Trusts and Taxation Sections); Estate Planning Council of Delaware (President, Board Member); St. Thomas More Society; STEP.

Personal: Dickinson School of Law (J.D. 2003); Towson University (B.S. 2000).

PULSIFER, Thomas R

Morris, Nichols, Arsht & Tunnell LLP,
Wilmington
+1 302 575 7226
tpulsifer@mnat.com

*Featured in Private Wealth Law
(Delaware)*

Practice Areas: Trusts, estates and tax group. Focus on trust law, estate planning, state and federal income tax law, and taxation of exempt organisations. Practice includes advising institutional fiduciaries on matters of Delaware trust law, and individuals and institutions regarding Delaware trust law litigation and establishment and administration of Delaware trusts, public charities and private foundations.

Professional Memberships:

ABA; ACTEC (Fellow); DSBA (Estates & Trusts Section, Past Chair; Taxation Section); Estate Planning Council of Delaware.

Publications: 'Taking Advantage of the Delaware Advantage,' *Morris Nichols* publication.

Personal: New York University School of Law (LL.M. 1985; J.D. 1983); Middlebury College (B.A. 1980).

Morris, Nichols, Arsht & Tunnell LLP

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

www.mnat.com tel: +1 302 658 9200 fax: +1 302 658 3989

Trusts, Estates & Tax Partners: Todd A Flubacher, Thomas R Pulsifer

Firm Overview:

Morris, Nichols, Arsht & Tunnell LLP combines a broad national practice of corporate, intellectual property, business reorganisation and restructuring, commercial law and litigation with a general business, trust, tax, estate planning and real estate practice within the State of Delaware. The firm acts as lead counsel or co-counsel in matters of national and international significance as well as those affecting its immediate community. Morris Nichols is the Delaware representative of TerraLex, a global network of 155 independent law firms and 17,000 attorneys in 100 countries.

Main Areas of Practice:

Trusts, Estates & Tax Overview:

Morris Nichols has a national reputation representing settlors, beneficiaries, attorneys, banks and trust companies in the specialised area of Delaware trust law. The firm regularly works as Delaware trust counsel with attorneys at AmLaw 200 firms around the world and many of the largest financial institutions who have Delaware trust offices, advising through the process of creating Delaware trusts, migrating trusts to Delaware, and modifying, administering and terminating trusts. Firm attorneys routinely work with clients on matters involving petitioning the Delaware Court of Chancery, decanting, trust mergers, legal opinions, releases, and all areas of trust administration.

Delaware Trust Counsel:

Delaware is widely regarded as one of the most advantageous jurisdictions in the world in which to create a trust. For more than 50 years, the Morris Nichols trusts, estates and tax group has acted as Delaware trust counsel to settlors, beneficiaries, attorneys, banks and trust companies. Firm attorneys regularly advise clients on issues pertaining to Delaware trust law and trust administration, moving existing trusts to Delaware, modifying trusts, drafting and reviewing trust agreements, legal opinions and tax and asset protection planning. Attorneys also routinely petition the Delaware Court of Chancery in trust matters. The team has unique knowledge and experience that comes from decades of working on complex matters involving large trusts on behalf of trustees, beneficiaries, advisors and wealthy families.

Estate Planning & Administration:

Firm attorneys work with Delaware clients to help implement estate planning goals ranging from straight-forward to very complex. With many years of experience implementing tax and wealth transfer strategies for its clients, the team has served as personal representatives of Delaware estates, helping

them navigate the Delaware probate process and related tax and administrative issues.

The Morris Nichols trusts, estates and tax group advises wealthy individuals and families on all matters of estate planning, wealth transfer, business succession planning, and estate, gift and generation skipping transfer tax issues. Attorneys prepare estate plans utilising complex gift and estate planning techniques and regularly assist clients with complex planning strategies such as grantor retained annuity trusts (GRATs), instalment sales to intentionally defective grantor trusts, dynasty trust planning, charitable gifts, qualified personal residence trusts, qualified domestic trusts, special needs trusts, and sophisticated life insurance planning techniques. The group also represents executors of Delaware estates, assisting them through the complicated probate process and related accounting, tax and administrative issues.

Non-Profit:

The Morris Nichols trusts, estates and tax group represents all forms of non-profit companies. With experience working with public charities, foundations and other non-profit entities, the group has handled the process of forming charitable entities and qualifying them as tax-exempt organisations. The group also has advised non-profit boards on regulatory and compliance issues.

Opinions:

Morris Nichols attorneys are often called upon to provide third-party legal opinions on a wide array of Delaware law issues. Leveraging the firm's experienced opinion practice with deep knowledge of Delaware law, Morris Nichols is able to provide various opinions on complicated transactions, including Delaware trust law and transactions involving Delaware trusts.

PRACTICE AREAS

Trusts, Estates & Tax
Delaware Trust Counsel
Estate Planning & Administration
Non-Profit
Opinions
Trusts & Estates Litigation

OFFICES

USA

DELAWARE: 1201 North Market Street,
PO Box 1347, Wilmington DE 19899
Tel: +1 302 658 9200
Fax: +1 302 658 3989

Trusts & Estates Litigation:

The Morris Nichols trusts and estates litigation practice is comprised of a team of nationally-recognised fiduciary litigators and trust and estates attorneys that have a deep understanding of Delaware's highly-specialised trust laws. The group has represented individual and corporate trustees, as well as beneficiaries, charitable organisations and executors in all types of trusts and estates litigation including, for example: defense of directed trusts, choice of law issues, breach of trust, capacity, undue influence and validity challenges, construction of governing instruments, removal of trustees, creditor claims, and trustee compensation. With extensive experience in both Chancery Court and Delaware Supreme Court cases, the team is well-equipped to handle every stage of litigation from pre-litigation fact review and counselling to settlement negotiations, trial, and appellate proceedings.

Key Clients:

BNY Mellon Trust of Delaware, Brown Brothers Harriman Trust Company of Delaware, N.A., Citicorp Trust Delaware, N.A., Commonwealth Trust Company, Deutsche Bank Trust Company Delaware, Fiduciary Trust International of Delaware, The Goldman Sachs Trust Company of Delaware, J.P. Morgan Trust Company of Delaware, Northern Trust Company of Delaware, PNC Delaware Trust Company, The Rockefeller Trust Company (Delaware), Tiedemann Trust Company, US Trust Company of Delaware, Wilmington Trust Company.

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