

Sample of Family Law and Family Business Cases Successfully Mediated and Arbitrated
by Caroline Vincent

- **FAMILY BUSINESS DISPUTE: MEDIATION** between father and son involving enforcement of refinancing agreement involving depressed real property; issues involved acknowledgement of personal vs. business relationships; economic workout of \$1,000,000 claim to satisfy party's respective positions and needs.
- **FAMILY BUSINESS DISPUTE: MEDIATION** between father and son involving restructure of \$2,000,000 long term buyout of shares and long term employment agreement which was terminated due to economic downturn in business.
- **CONSERVATORSHIP DISPUTE: MEDIATION** of dispute between sisters over care of mother with Alzheimer's disease and management of several hundred thousands of dollars of assets. Issues involved acknowledgement of differing opinions on home care vs. nursing home, appropriate expenditures for sister caring for mother in home, mistrust due to lack of communications and lack of accounting and other information. Mediation resulted in appointment of children of sisters as "Family Mediators" to help sisters implement agreements reached in mediation.
- **SUCCESSION PLANNING: FACILITATED** meetings between family members over proposed disposition of estate, focusing primarily on wishes and concerns of children over proposed distribution of father's business to both children; meeting revealed differing management and life style goals of children which resulted in a plan that satisfied the needs of all family members.
- **LIVING TOGETHER AGREEMENTS: FACILITATED** meetings between friends and couples who plan to live together in a non-marital situation. Issues have included management and control of assets, joint checking accounts, and disposition of assets on death or termination of relationship.
- **PREMARITAL AGREEMENTS: FACILITATED** meetings between couples planning a marriage, discussing the "default" community property rules and engaging parties in conversations about community and separate property, separate and co-mingled assets, how to have conversations about marriage and property, caring for step-children, and other issues.
- **PROBATE DISPUTES: MEDIATION** of several probate disputes, involving family and other persons in will contest situations, disagreements about the deceased's intent, resulting in creative problem solving and mutually satisfactory resolutions minimizing adversarial court litigation.