

## Andrew C. Egan

Principal

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Andrew Egan is one of New Jersey's premier fiduciary litigators. He focuses his practice on navigating emotionally-charged, high stakes probate, trust and guardianship litigation. Andy is an experienced trial attorney with a history of success in guiding clients to the most efficient business result in contentious disputes.

Andy has significant experience representing individual and charitable beneficiaries; fiduciaries including executors, trustees, guardians, and persons acting under powers of attorney, and is frequently appointed by courts to handle difficult or contentious matters. He handles disputes involving challenges to wills and trusts or TOD beneficiary designations; contested guardianship involving millions of dollars in assets; accounting proceedings and other challenges to fiduciaries' management of the assets in their care; and "corporate divorce" disputes among partners or owners of closely-held or family businesses. Andy also has significant experience detecting, preventing and remedying fraud and financial abuse of elderly or otherwise vulnerable people.

Andy is a member of Bressler's Senior Issues: Counseling and Litigation Defense group. The lawyers in this group have a shared interest in providing counsel to corporate clients who confront issues affecting seniors.

Andy is able to leverage strong persuasive skills and level-headed tactical decision-making to navigate the financial as well as the emotional contours of a dispute, to secure optimal results for his clients. He also excels at developing creative or "outside the box" approaches to litigation.

Andy is active in the local and state bar, serving as a co-chair of the Essex County Bar Association Chancery Committee, a member of the New Jersey State Bar Association Select Committee on Equity Jurisprudence and a member of the American Bar Association Probate and Fiduciary Litigation Committee. Andy is also a member of the Trial Attorneys of New Jersey, and

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### AREAS OF PRACTICE

Appellate

Business & Commercial  
Litigation

Corporate Fiduciaries

Franchise Law

General Litigation

Private Client

Trust and Estate Litigation

### EDUCATION

- University of Pennsylvania, J.D., 2010
- Rutgers University, B.A., 2007

### ADMISSIONS

New Jersey

New York

Pennsylvania

U.S. District Court, District of  
New Jersey

U.S. District Court, Southern  
District of New York

the Estate Planning Council of Northern New Jersey. Andy is a 2014 graduate of the American Board of Trial Advocate's National Trial Lawyer's College at Harvard Law School.

Before joining Bressler Amery & Ross, Andy was a litigation associate at an AmLaw 100 law firm in New Jersey, and served as law clerk to the Honorable Walter Koprowski, Jr., P.J.Ch., a Probate and Chancery judge sitting in Essex County, New Jersey.

## **Experience**

### **Probate/Fiduciary Litigation**

- Defended a client against sibling seeking guardianship of their incapacitated mother and control of her \$3 million estate. Served as first-chair trial and successfully obtained appointment of a neutral third party as guardian, and claw-back of all transactions benefiting client's sister.
- Sued an estate in federal court to enforce a divorce property settlement agreement on behalf of the decedent's widow, ultimately recovering more than one million dollars when our adversary's initial offer was well below \$100,000.
- Represented beneficiary in accounting proceeding against executor and attorney-in-fact, and uncovered nearly \$1 million in previously undisclosed assets and tax savings the fiduciaries failed to claim, resulting in a very favorable settlement for the beneficiary and surcharge against the fiduciaries.
- Defended corporate and individual fiduciary against undue influence claims and achieved a settlement with disgruntled beneficiary resulting in no additional assets passing to him, and relatively modest additional payments to charitable beneficiary.
- Petitioned court for removal and replacement of a guardian because guardian had a conflict of interest, and refused to allow the incapacitated person to file for divorce from his other parent, despite separation of more than five years.
- Represented corporate executor in challenge by Decedent's sister and (later her estate) opposing executor's accounting and seeking to overturn will and trust in complicated case involving more than 300 valuable antiques and pieces of art, spanning two states and four separate litigations.
- Defended executor against claim by decedent's longtime companion, securing a judgment that executor had acted properly by following TOD beneficiary designation and disregarding conflicting instructions in the decedent's Will.
- Opposed application by putative beneficiaries to probate a purported will, which decedent had neither reviewed nor signed before her death, resulting in significant distributions to charitable beneficiaries.
- Represented elderly resident and her power of attorney in class action lawsuit against nursing home/assisted living facility and facility's business manager, after business manager perpetrated identity theft against resident and convinced her to sign every check in her checkbook before going on a criminal spending spree totaling nearly \$300,000.

### **Commercial Litigation**

- Opposed infringement of franchise auto-dealer client's sales territory by manufacturer and rival dealer, resulting in significant settlement to dealer client.
- Represented a former owner and employee of fitness business against former employer, and defeated employer's efforts to enforce restrictive covenants including non-compete and non-solicitation provisions, resulting in settlement that allowed the client to open and operate a new business venture.
- Petitioned for specific performance of a lease in which the tenant missed an option to renew the lease on favorable terms, ultimately allowing the landlord to settle by buying out the last seven years of a disadvantageous ten-year lease extension at minimal cost.
- Served as trial counsel for an industrial services company against an equipment repair company and secured a verdict recovering 100% of the client's compensatory damages, plus its legal fees and expert costs.
- Conducted an internal investigation of a public housing authority after a whistleblower's allegations of corruption in the contractor-hiring process, including a dozen interviews of the whistleblower and other witnesses, and identified significant employee theft of time and materials, resulting in termination.
- Defended a hotel group against allegations of price-gouging following Hurricane Sandy, and demonstrated to the Attorney General's Office that its allegations were deeply flawed, resulting in a very favorable settlement for the client at minimal cost and without the need for extensive litigation.
- Represented a telecommunications company in numerous litigations and arbitrations, involving extensive discovery, motion practice, and ultimately settlement on favorable terms.
- Defended a national media company in a putative class action alleging widespread violations of the federal Telephone Consumer Protection Act with potential liability exceeding \$100 million.
- Compelled plaintiff to withdraw all class action claims against a national retailer under the Americans with Disabilities Act (ADA) by persuasively demonstrating that claims were moot.

## News & Alerts

52 Bressler Attorneys Recognized by Best Lawyers in America 2024, Including 2 "Lawyer of the Year" and 16 "Ones to Watch"

Firm News, 08.17.2023

10 Bressler Attorneys Selected to the 2023 New Jersey Super Lawyers and Rising Stars Lists

Firm News, 05.12.2023

## Speaking Engagements & Events

Andrew Egan to speak at NJICLE's 1st Annual Ultra-High Net Worth Planning Forum

Speaking Engagement, New Jersey Law Center and Online, 10.11.2023

## Articles & Publications

Principal Andy Egan quoted in recent New York Times Best Seller Media Mention, *You Will Own Nothing*, 08.02.2023

## Professional Affiliations

- American Bar Association
- New Jersey State Bar Association
- Essex County Bar Association
- Trial Attorneys of New Jersey
- Estate Planning Council of Northern New Jersey
- National Academy of Elder Law Attorneys

## Awards & Honors

- Recognized on the New Jersey Super Lawyers "Rising Stars" List, 2014-2023

*New Jersey Super Lawyers Rising Stars is conferred by Thomson Reuters. A description of the selection methodology is available [here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*

- Selected to the list of the Best Lawyers in America®, 2023, 2024

*This award is conferred by Best Lawyers. A description of the selection methodology is available [here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*