

Sheppard Mullin's Adam Streisand Defeats Trust Suit Against Gore Vidal Estate

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The court case attacking Gore Vidal's estate by his half-sister, Nina Straight, has been dismissed. Partner Adam Streisand of the law firm of Sheppard Mullin Richter & Hampton LLP scored a stunning victory in the case for his client, Andrew Auchincloss, as the trustee of Gore Vidal's trust and Mr. Vidal's intended beneficiaries, the Huntington Library and Harvard University.

Gore Vidal, the great American author, playwright, screenwriter and political commentator, died in July 2012. Shortly afterward, Nina Straight filed a lawsuit in the Los Angeles County Superior Court contesting the validity of Mr. Vidal's trust documents going back as far as 1995. She claimed Mr. Vidal lacked the mental capacity to execute his trust documents and that he was unduly influenced by advisors to benefit charity. After depositions of key witnesses, Mr. Streisand filed a motion to have the case dismissed on the grounds that Ms. Straight could produce no evidence to establish her claims. Unable to respond to that motion, or to produce any evidence of her claims, Ms. Straight was forced to file in court a Request for Dismissal of the case on June 5, 2015.

Mr. Streisand reacted to the victory, "Shortly after this case was filed, I told the court that while Ms. Straight had every right to try and prove it, I would be back to show that her case was as fictional as some of Mr. Vidal's most colorful characters. I'm content I've done just that and especially that students and scholars will be able to enjoy the fruits of Mr. Vidal's unique talents and career."

In 1995, Mr. Vidal was in London to deliver a speech at Oxford at the time he executed his original trust. His 1995 trust provided that his estate would pass to his lifelong partner, Howard Auster, or if he predeceased Mr. Vidal, to charities selected by his trustee. After Mr. Auster died in 2003, Mr. Vidal amended his trust in 2011 to choose for himself the charities he wished to benefit. Mr. Vidal selected the Huntington to receive artworks and Harvard to receive the balance of the estate. Mr. Vidal had previously entered into an agreement with Harvard's Houghton Library to house and maintain Mr. Vidal's literary works, manuscripts and papers for scholarly research and education.

Still pending is a separate lawsuit filed by Ms. Straight's son, Burr Steers, seeking to give effect to a 2002 amendment to Mr. Vidal's trust that would have given his Los Angeles home to Howard Auster, or if he died before Mr. Vidal, to Mr. Steers. The amendment was superseded by later amendments in which Mr. Vidal decided to give his entire estate to charity. Last week, Mr. Steers also filed a second lawsuit seeking to remove

Mr. Auchincloss as trustee alleging the court should do so because that 2002 amendment was misfiled by Mr. Auchincloss's prior law firm and was not remembered by Mr. Auchincloss 10 years later. Mr. Streisand said, "This is our next target. Both of these lawsuits are as frivolous as the lawsuit by his mother, and this business about the misfiled amendment is much about nothing. Mr. Auchincloss was the one who asked his prior law firm to make a further search for files and when he found the misfiled and superseded amendment, Mr. Auchincloss provided it to Mr. Steers."

Attorneys

Adam F. Streisand

Practice Areas

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Private Wealth and Fiduciary Litigation

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