



## Michael J. Giusto

Partner

### Contact

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### Education

Benjamin N. Cardozo School of Law, J.D.

Law Review Editorial Board

Cornell University's School of Industrial Labor Relations, B.S.

### Bar Admissions

State of New York

Second Circuit Court of Appeals

Eastern and Southern Districts of New York

Estate and trust matters focus on questions that literally concern life and death. Michael Giusto has spent fifteen-plus years developing the skills, experience and temperament to help guide individuals through the process. His practice spans all areas of estate and trust matters, from estate planning through administration and estate and trust litigation. He can help you answer these and many other questions.

Trusts and estate practice can also touch on many other related areas, where Michael and other attorneys at Neufeld, O'Leary & Giusto can assist, including continuing business operations; business litigation; and real estate.

- *Estate Planning:* In helping clients in estate planning matters, Michael works with everyone from new parents drafting their first wills to those with significant

assets. This work often involves collaborating with clients' other advisors, including accountants and financial professionals. Michael's estate planning focus covers asset protection, estate and income tax considerations, as well as helping clients ensure their assets pass to their intended beneficiaries.

- *Estate Administration:* Michael has represented estate representatives in a variety of matters, from obtaining letters of appointment, resolving creditor claims, overseeing business transitions, preparing necessary tax filings, resolving tax audit issues, and forming non-for-profit organizations. He has helped executors and trustees address such wide-ranging matters as transitioning a State liquor license to Trust ownership and overseeing business collections matters.
- *Estate Litigation:* Michael's knowledge of estate matters and litigation experience have enabled him to successfully represent both estate representatives and beneficiaries in Surrogate's Court litigation matters, including contested accounting proceedings, discovery proceedings, and will contests. He has also protected estate assets and revenue streams in litigation matters in the New York Supreme Court, arbitrations, and in other jurisdictions.

Michael's experience in general business litigation matters equips him to represent executors and trustees regardless of the nature of the Estate assets. He has represented estate clients, as well as other clients in sports law disputes, insurance coverage disputes, bankruptcy court adversary proceedings, conflicts between business partners and landlord/tenant matters throughout New York and in other jurisdictions, including Virginia and Arizona.

In recent years, Michael has been quoted by ESPN for his successful representation of the Estate of a prominent NFL agent, and has represented estate beneficiaries in proceedings reported in the New York Law Journal.

In addition to representing those in trusts and estates issues, he has litigated and arbitrated sports law matters including on behalf of professional NFL and MLB athletes challenging league discipline; and has assisted a commercial tenant to obtain and

collect a significant judgment as a result of breaches of lease by its landlord, in a decision covered by the New York Law Journal. He has also represented owners of new and existing businesses in a variety of transactional matters.

In 2005, Michael graduated magna cum laude from the Benjamin N. Cardozo School of Law where he was an editor of the Law Review. He is the author of “Defining Security Impairment: Mortgage Foreclosures for Secondary Breaches,” 26 Cardozo L. Rev. 2563. Prior to attending Cardozo, Michael graduated from Cornell University’s School of Industrial Labor Relations where he was a member of the Sigma Alpha Mu fraternity and a staff writer and editor of the *Cornell Daily Sun*.

He currently lives in Rockville Centre, New York with his wife and two sons. He is an avid music lover, and long-suffering fan of the New York Mets and Chicago Bears.

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