



## Louise Maidment

### Consultant Solicitor

Jurisdiction: England & Wales

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## Overview

City-trained Louise is a consultant in Keystone's Dispute Resolution team and advises on a range of contentious trust and probate matters including Inheritance Act claims and trust litigation. In addition, her extensive commercial expertise means that she is often called upon to deal with professional negligence issues arising out of contentious trust and probate matters.

Louise often advises beneficiaries on claims brought by surviving spouses and co-habitees, adult and minor children, and other dependants and has acted for executors facing such claims. She has also advised testators at the will-drafting stage on considerations to avoid a potential claim in the future, and has advised clients as to whether a will is invalid as a result of the deceased's lack of testamentary capacity, their lack of knowledge and approval, undue influence exerted by third parties, fraud, lack of due execution, and revocation.

In addition to advising private clients, Louise also advises commercial clients on a wide range of contractual disputes including breach of agency agreements, shareholder agreements and partnership disputes, and has extensive experience in professional negligence claims against surveyors, financial advisors, solicitors and professional trustees.

Louise is a member of the Association of Contentious Trust and Probate Specialists (ACTAPS).

## Expertise

- Contentious trust and probate
- Commercial litigation
- Civil litigation
- Alternative Dispute Resolution (ADR)
- Professional negligence relating to will drafting, trusts and general estate planning
- Claims under the Inheritance (Provision for Family and Dependents) Act 1975
- Will validity disputes
- Disputes in estate administration

- Disputes arising in relation to enduring and Lasting Powers of Attorney
- Court of protection proceedings
- Removal or substitution of personal representatives/will trustees and Beddoe proceedings
- Breach of trust, actions for an account, disclosure of trust documents
- Proprietary and promissory estoppel
- Constructive trusts

## Cases

- Acted for a major university dealing with a range of claims and disputes arising including allegations of negligent teaching and defamation.
- Acted as part of the team successfully representing the claimants in *Hart and Samways v Burbidge* (2013) which related to presumed undue influence in respect of lifetime gifts.
- Advised a client on a claim as to the true construction of the deceased's will and the application of the *cy près* doctrine. Successfully resolved the matter in the client's favour following protracted negotiations with all interested parties including the Attorney General's office.
- Advised a national charity in respect of a claim against the deceased's estate and associated professional negligence issues.
- Advised pension trustees on a claim against former solicitors for professional negligence in respect of their failure to register a first charge as security against a loan made by the pension fund.
- Advised charity trustees on a range of issues relating to grants made by the charity and claims threatened by beneficiaries in the midst of press interest due to the nature of the charity's work.
- Acted for a major university dealing with a range of claims and disputes that arose, including allegations of negligent teaching and defamation.

## Career

- 2015**            **Keystone Law** | *Consultant Solicitor*
- 2012-2015**    **Wilsons Solicitors LLP** | *Associate*
- 2007-2012**    **Steele Raymond LLP** | *Assistant Solicitor*
- 2004-2007**    **Nabarro** | *Trainee Solicitor*
- 2003-2004**    *Qualified as a Solicitor*