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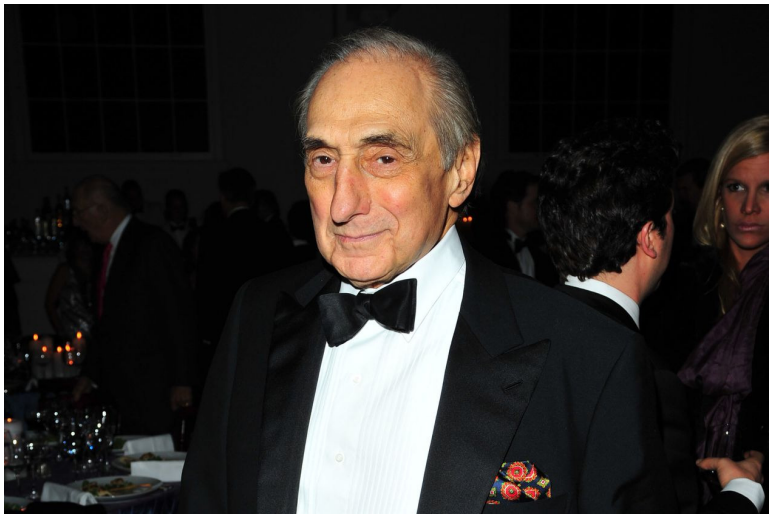
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U.S. | NEW YORK

Battle Rages Over Real-Estate Titan's $500 Million Estate and Legacy

Shortly before his death, George Kaufman removed his lawyer of more than 25 years as executor and trustee



George Kaufman, who died in February 2018, is known for redeveloping a production space in Queens that helped revitalize the surrounding neighborhood. **PHOTO:** PATRICK MCMULLAN/GETTY IMAGES

By Corinne Ramey

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Two months before his death, the real-estate magnate and philanthropist George Kaufman amended his will to change who would manage his more than $500 million estate.

Now, a battle over the New Yorker's assets is playing out in court, threatening to push into public view the family drama that consumed the last year of his life and hold up the creation of his charitable foundation. The dispute, which hasn't been previously

reported, has pitted Mr. Kaufman's longtime lawyer against his third wife, whom the lawyer has accused of elder abuse. Mr. Kaufman's widow has denied this and argued her late husband lost faith in what she viewed as his self-interested lawyer.

The case is unusual because it appears to be less about money than about control of Mr. Kaufman's legacy, said William LaPiana, a professor at New York Law School who specializes in wills, trusts and estates. The main difference between the documents is who is in charge of Mr. Kaufman's affairs.

"It's all about families," said Mr. LaPiana. "This may be more an instance of control—who gets to be in control of the legacy—and how the family is seen."

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How can an estate dispute be resolved effectively and amicably? Join the conversation below.

On Feb. 20, 2018, Mr. Kaufman died at the age of 89. He is known for redeveloping Kaufman Astoria Studios, a space in Queens where shows including "Orange Is the New Black," "Nurse Jackie" and "Sesame Street" have been made. The studio helped revitalize its neighborhood and bring film production to New York.

When he died, Mr. Kaufman left a will, created in 2006 and updated two years later. His estate plan designated some assets go to specific people and the remainder to create a charitable foundation. During his life, Mr. Kaufman supported arts and education causes.

In late December 2017, two months before his death, he updated his estate plan again, removing Thomas Kearns, his lawyer of more than 25 years, as executor and trustee. "I have lost confidence in Thomas D. Kearns and wish to remove him from any and all benefits and fiduciary positions that he may hold in my Will," that document read.

His new documents gave control of his estate to Bessemer Trust, a private wealth-management firm.

In court documents, a lawyer for Mr. Kearns describes what he views as months of isolation and abuse of Mr. Kaufman by Mariana Zoullas Kaufman, the philanthropist's wife, and her sons. In 2017, Mr. Kearns's lawyer wrote, Mrs. Kaufman told Mr. Kearns that her husband wished to increase her share of the estate. Lawyers for Mrs. Kaufman also attempted to fire Mr. Kearns, Mr. Kearns's lawyer said.

In the ensuing months, Mrs. Kaufman prevented the philanthropist from communicating with employees and advisers, and from going to the office that he loved, according to Mr. Kearns's lawyer. Another longtime adviser to Mr. Kaufman in court documents said Mrs. Kaufman disconnected phones and prevented her husband

from taking calls. Robert Giuffra, a lawyer for Mrs. Kaufman, called these allegations false.

As the result of a guardianship proceeding initiated by Mr. Kearns and another adviser in August 2017, a state Supreme Court judge appointed a temporary guardian and court-appointed counsel for Mr. Kaufman. Mr. Kaufman was confused, had impaired short-term memory and lacked the capacity to make a will, an evaluator appointed by the court that month said.

Mr. Giuffra, the lawyer for Mrs. Kaufman, noted that a judge in the guardianship proceeding ruled Mr. Kaufman knowingly retained lawyers to get documents from Mr. Kearns.

Bessemer's lawyers have argued Mr. Kearns is acting out of self interest, since he would receive fees for managing the estate and the reputational benefits of heading up a major charity. The office of New York's attorney general, which supervises charities in the state, has supported Bessemer, calling it a "disinterested, neutral corporate fiduciary." The attorney general's office accused Mr. Kearns of being motivated by his own financial interest and holding up the creation of the charity.

Mr. Kearns has disputed that he is financially motivated, noting that his payment was capped at $250,000 in the original documents, and that the amendment naming Bessemer removes the commission cap.

In court documents, a lawyer for Mrs. Kaufman called Mr. Kearns's allegations baseless attacks on his widow and her sons. In the last few years of his life, Mrs. Kaufman cared for her husband, both personally and by hiring a team of staff to look after him, the lawyer said.

"They remained radiantly in love until Mr. Kaufman's passing," Mrs. Kaufman's lawyer wrote. During a hearing in the guardianship proceeding, Mr. Kaufman called Mrs. Kaufman "the best wife on the East Side."

A spokeswoman for the New York attorney general's office and a lawyer for Bessemer declined to comment.

A lawyer for Mr. Kearns said his client was committed to carrying out Mr. Kaufman's vision. "Mr. Kearns tried to protect Mr. Kaufman and he believes that he preserved Mr. Kaufman's charitable bequest by taking the actions that he did," the lawyer said.

In the legal proceedings,which began shortly after Mr. Kaufman's death, Mr. Kearns has asked a judge's permission to take a preliminary step in challenging the estate documents. In court papers, Mr. Kearns's lawyer calls the case a war that could play out for years.

Mr. Giuffra, the lawyer for Mrs. Kaufman, said the proceedings could conclude sooner if the judge rules against Mr. Kearns.

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