

PRESS RELEASE FOR IMMEDIATE RELEASE

Date: October 25, 2011
Re: **Firm Wins Fight Over Mom's Millions**
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A team of McCandlish & Lillard attorneys, led by Peyton Mahaffey, Lawrence McClafferty and Laura Liff, has won rescission of a settlement agreement that originally had obligated their client to pay more than \$9.5 million.

One of the client's daughters previously filed a lawsuit in Fairfax County Circuit Court seeking to have the client deemed incapacitated and unable to handle her personal and financial affairs. The client settled that case by agreeing to pay millions of dollars to the one daughter, the daughter's children, and one son, in exchange for dismissal of that case, with prejudice, and a comprehensive release from all future claims involving the client, her money, or her capacity.

Within six months of the settlement and dismissal of the capacity case, the daughter and her children filed a nearly identical case, as well as separate case alleging the client's breach of the settlement agreement. The client then retained McCandlish & Lillard to defend both cases vigorously. In the settlement agreement case, McCandlish & Lillard also filed a counterclaim for rescission of the settlement agreement, including a demand for repayment of the monies that the client had paid to the daughter and her children pursuant to the agreement's terms. Although the plaintiffs dismissed their claims prior to trial, the client's counterclaim proceeded to trial. After a three-day bench trial, the Circuit Court rescinded the settlement agreement. The daughter and her children were ordered to return all monies received under the settlement agreement and the client's current and future payment obligations to the daughter and grandchildren were voided. The rights of those of the client's children and grandchildren who did not sue her were left intact.

For more details of the case, you may read the article by Peter Vieth in Virginia Lawyer's Weekly that was published on October 6, 2011, or you are invited to contact one of the attorneys named above.

McCandlish & Lillard, P.C. has 25 attorneys, with offices in Fairfax and Leesburg. The law firm has been meeting the legal needs of businesses and individuals in Northern Virginia and throughout the Commonwealth for more than 100 years. For more information regarding McCandlish & Lillard, P.C., call the firm at 703-273-2288 or visit our website at <http://www.mccandlaw.com/>.