StradleyRonon

Russell J. Ressler

Partner

rressler@stradley.com

Malvern, PA: 484.323.1346

Philadelphia, PA

Russell (Rusty) Ressler represents high-net-worth individuals and families, individual and corporate fiduciaries, owners of closely held businesses, and financial and nonprofit/charitable organizations in all aspects of estate and trust administration and tax planning services. He is the past chair of the firm's trusts, estates and personal planning practice.

With well-rounded capabilities and deep knowledge of his practice area, Rusty represents clients in connection with their estate, tax, business succession and asset protection planning; complex, multijurisdictional trust and estate administration; planned charitable giving; litigation involving trusts, estates, powers of attorney, guardianships and other fiduciary matters; as well as federal and state tax controversies at both the administrative and judicial levels.

Rusty also advises on the formation and governance of private foundations and other nonprofit organizations. He negotiates and drafts consignment and private sale agreements for artwork and assists clients with negotiating, drafting and enforcing prenuptial, postnuptial and cohabitation agreements.

Rusty also serves in a number of fiduciary roles for clients, including as executor, trustee and agent under power of attorney.

Featured Representative Matters

- Secured an appellate victory on behalf of the Pennsylvania Department of Revenue in the Commonwealth Court of Pennsylvania related to the denial of a $26 million tax refund claim brought by the estate of a Pittsburgh billionaire and Mellon family heir.
- Represented the owner of a large closely held business in connection with the creation of rolling grantor retained annuity trusts (GRATs) resulting in the gift-tax-free transfer of several million dollars in appreciated stock to dynasty trusts for descendants.
- Represented the owner of a closely held business and various private equity interests in connection with the creation of an intentionally defective grantor trust for "selling" appreciated company stock income tax-free to the long-term trusts to freeze the value of the stock and remove all future appreciation from the owner's estate.
- Represented the owner of various closely held businesses in the formation of a

Services

- Trusts, Estates & Private Client
- Religious, Educational & Nonprofit Organizations

Education

- Georgetown University Law Center (LL.M. in Taxation)
- Cooley Law School (J.D., *cum laude*)
- Pennsylvania State University (B.S.)

Admissions

- Pennsylvania
- New Jersey
- U.S. Tax Court
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the District of New Jersey
- Pennsylvania Supreme Court
- New Jersey Supreme Court

family limited partnership for asset management and enabling the discounting of significant gifts of limited partnership interests to long-term trusts for descendants.

- Advised the owner of oil and gas interests in the tax-efficient transfer of those interests to descendants.
- Represented a client in the creation and funding of an irrevocable life insurance trust holding very large life insurance policies, the funding of which was leveraged through the creation and administration of numerous GRATs.
- Advised various clients in the creation, funding and administration of a supplemental needs trust for individuals with special needs.
- Advised a client in negotiating multiple aircraft agreements.
- Advised a client in negotiating artwork consignment agreements.
- Represented a client in the successful resolution and conclusion of IRS audits involving exposure to significant gift tax liability relating to valuation methodology in connection with certain family limited partnership transactions.
- Represented clients in various foreign bank account reporting infractions and IRS voluntary disclosure programs.
- Represented beneficiaries in the surcharge and removal action of an individual trustee who misappropriated funds.
- Represented executors of a decedent's estate in the surcharge of an individual who served as agent under power of attorney during the decedent's lifetime.
- Represented a beneficiary in a surcharge of a corporate trustee and the successful change of corporate trust.
- Represented a life estate beneficiary in litigation resulting in the breaking and dissolution of the family trust with charitable remaindermen.
- Represented a corporate fiduciary in the successful out-of-state transfer of hundreds of deferred compensation plans held in trust form.

Community Impact

Rusty is on the board of directors of the Chester County Chamber of Business & Industry. He also serves on the boards of and represents various other nonprofit entities, grant-making foundations and scholarship foundations.

Memberships

- Member, Board of Directors, Chester County Chamber of Business & Industry
- Member, Chester County Bar Association
- Member, Montgomery Bar Association
- Member, Pennsylvania Bar Association
- Member, Philadelphia Bar Association
- Member, Philadelphia Estate Planning Council

Recognitions

- *The Best Lawyers in America* (Litigation – Trust and Estates; Trust and Estates) (2020-26)
- Pennsylvania *Super Lawyers* (2017-19)

Featured Speaking Engagements

- Presenter, "Tips for Making a Strong Impact with Your Philanthropic Dollars," Impact100 Philadelphia's Fall Education Program

- Presenter, "Planning for a Successful Business Transition," AssetMark Family Business Succession Retreat
- Presenter, "Best Practices for Preparing the Next Generation for Governance & Wealth," Stradley Ronon

Experience

Stradley Ronon Secures Appellate Win in Denial of $26M Tax Refund by Billionaire's Estate

Stradley Ronon obtained a victory on behalf of the Pennsylvania Department of Revenue in a matter involving a $29 million inheritance tax refund claim brought by the estate of an heir of the Mellon family. In *Estate of Richard M. Scaife v. Pennsylvania*, Pittsburgh billionaire Richard Scaife's estate claimed a $29 million deduction from the Commonwealth based on a prior $200 million settlement with Scaife's children (and certain legal fees and other administrative expenses). The estate argued that the trustee indemnification agreements executed in conjunction with Scaife's receipt of more than $400 million in trust fund distributions were "bona fide" agreements and therefore the settlement amount was an estate expense that was tax-deductible.

A three-judge panel of the Commonwealth Court ruled the conflicts of interest regarding Scaife's lawyer — who was also his personal friend, an executive of his media companies, an executor of his estate, and a trustee of multiple trusts, including the trust holding a vast majority of the estate's assets — meant the indemnification agreements were not "bona fide" and the settlement payment was not tax-deductible. The court affirmed the lower court's ruling denying the tax-deductible status of the $200 million settlement and $1.6 million in attorney fees, but remanded to the lower court claims regarding the deduction of other administrative expenses.