

SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING
100 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219
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Granted Appeal Summary

Case

TASOS A. GALIOTOS, CO-EXECUTOR OF THE ESTATE OF IRENE A. GALIOTOS v. STAVROS P. GALIOTOS, A/K/A STEVE P. GALIOTOS, CO-EXECUTOR OF THE ESTATE OF IRENE A. GALIOTOS, ET AL.
(Record Number 200667)

From

The Circuit Court of the City of Virginia Beach; T. Padrick, Judge.

Counsel

John C. Lynch and Megan E. Burns (Troutman Sanders) for appellant.

Monica T. Monday and David R. Berry (Gentry Locke LLP) for appellees.

Assignment of Error

1. The trial court erred in removing Tasos as Co-Executor of the Estate of Irene A. Galiotos when the evidence showed that Steve committed a breach of trust but Tasos did not.
 - a. The trial court erred in removing Tasos Galiotos as Co-Executor of his mother's estate on the basis that there was friction between the Co-Executors and "deadlock" in administering the Estate when the friction and deadlock were created by Steve Galiotos, in part by his refusal to distribute the assets of the Estate in accordance with Irene Galiotos' testamentary intent – instead seeking a non-pro-rata distribution without Tasos' knowledge or consent.
 - c. The trial court erred in finding that Tasos Galiotos acted in his own self-interest and/or improperly with respect to Executive Cove, LLC when Tasos relied on the advice of counsel and merely exercised a contractual right.
2. The trial court erred by refusing to exclude Paul Galiotos, who was not a party to the case, when one of the allegations at issue was that Steve and Paul abused their roles as executor and trustees in an attempt to gain majority control of many of the entity assets.
3. The trial court erred in denying Tasos Galiotos' request for reimbursement of legal fees and costs incurred in his capacity as fiduciary, including those incurred in prosecuting the action to remove Steve Galiotos as Co-Executor of the Estate of Irene A. Galiotos, and erred in refusing his request for fiduciary compensation.