

JERSEY / JUDGMENT

In re E Trust v [2008] JLR 360 (11 September 2008)

[2008] JLR 360

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retirement of trustees-conflict of interest-trustee of two trusts has conflict of interest if
beneficiaries in dispute concerning trust assets, complex negotiations in which interests
conflict and real prospect of litigation (in which trustee may be both claimant and
defendant)-on request to retire from one trust, trustee not to consider interests of
beneficiaries of other trust-if obvious conflict of interest, trustee to retire without
directions of court, even if no criticism of trusteeship; substantial trust assets; and
instruction in letter of wishes to consider opinion of non-beneficiary, who opposes
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