WIGGIN

WIGGIN AND DANA



Steven B. Malech

PARTNER

smalech@wiggin.com
New York: +1 212 551 2633

As a Partner in the firm's Litigation Department, Chair of the Fiduciary and Probate Litigation Practice Group and Chair of the Israel Practice Group, Steve's practice primarily focuses on disputes over the ownership and/or administration of family wealth, including closely held businesses and other substantial assets. While his work typically involves matters arising in the context of disputes involving trusts and/or estates, Steve also handles a variety of business and other commercial litigation matters. His cases frequently involve underlying assets valued in the tens and hundreds of millions of dollars, including assets held in multiple jurisdictions in the United States and/or abroad. For example, Steve is currently responsible for several matters in which the claims or assets at issue are worth between $10 million and $100 million and several matters in which the claims or assets at issue are worth in excess of $100 million. He is responsible for cases pending in courts throughout the United States, including Connecticut, Delaware, Florida, Nevada and New York. A number of these matters involve ancillary proceedings in other countries.

Steve is a relationship-builder and trusted adviser. He provides business-based advocacy designed to achieve his clients' personal, practical, and financial objectives. As a result, he often represents many clients in connection with a wide range of their business and personal matters.

Steve typically represents beneficiaries, fiduciaries, and creditors in disputes involving alleged breaches of fiduciary duty; disputed accountings; will contests; and alleged violations of the Prudent Investor Act and its predecessors. Steve also represents businesses and individuals in a variety of litigation and regulatory matters involving contract, consumer protection, employment, non-compete, and other regulatory disputes.

For example, Steve has represented:

- Fiduciaries in a Connecticut Probate Court matter involving the defense of their accountings for an estate and a trust with combined assets worth approximately $250 million.

- Trust beneficiaries in a New York Surrogate's Court matter challenging the management of a family trust with more than $200 million in assets.
- A widow in a Delaware Chancery Court proceeding involving the alleged wrongful conversion of her husband's single-member LLC with a single asset valued at approximately $30 million.
- The co-attorneys-in-fact for, and co-trustees of two trusts established by, an alleged incapacitated person in connection with a guardianship proceeding in the New York Supreme Court.
- Fiduciaries and/or heirs in trust-and-estate disputes involving will contests, trust contests and/or the disposition of assets located in different states and countries, including Israel and parts of Europe.
- A fiduciary accused in a New York Surrogate's Court proceeding of mismanaging trust-owned real estate valued at more than $100 million.
- The nominated executor of a New York will in a contested proceeding in the New York Surrogate's Court involving allegations of undue influence, fraud, and the decedent's lack of capacity, as well as claims related to a prior will executed by the decedent in Spain.
- The co-trustees of a family trust and the personal representatives of an estate in a New York Supreme Court proceeding arising from the Decedent's alleged breach of a purported multi-million dollar pledge agreement.
- The heirs-at-law in a Mississippi Chancery Court in a will contest proceeding.
- The nominated executor of a will challenged in the Circuit Court for Palm Beach County, Florida.
- A New York-based trustee seeking to protect financial information from disclosure in a Connecticut divorce proceeding to which one of the trust's beneficiaries was a party.
- A leading medical center in defense of claims that it breached a commercial lease agreement for durable medical equipment.
- A food distribution company in a New Jersey federal court matter involving the defense of claims that the breach a merger and acquisition agreement.
- A dentist in a New York Supreme Court proceeding involving claims for damages and the dissolution of an LLC due to alleged breaches of fiduciary duty and other misconduct by the other members of the LLC.
- A hedge fund founder in a Beit Din (Jewish religious court) proceeding involving claims arising from the failure of the fund.
- Two owners of real property in separate Beit Din (Jewish religious court) proceedings involving landlord/tenant disputes.

Steve co-founded Wiggin and Dana's Israel practice group. In that role, he represents a broad range of Israel-based businesses and individuals, collaborates with Israeli attorneys and intellectual property firms, and travels to the country regularly on business.

Steve is ranked Band 1 in Private Wealth Disputes (New York) by Chambers High Net Worth, the guide's highest tier. Since 2015, Steve has been listed in *Super Lawyers* as a top-rated estate and trust litigation attorney in New York City. He has also received the highest rating from Martindale Hubbel for many years. His numerous presentations about strategies for avoiding disputed accounting proceedings have been delivered to leading trust companies and

financial institutions, as well as at The Heckerling Institute. His presentations for continuing legal education providers on will contests, dispute resolution, fiduciary litigation, trust assets in divorce, and conservatorship and other litigation issues have also been reviewed by lawyers throughout the country.

He received his J.D. with honors from the University of Connecticut School of Law, where he served as an associate editor at the *Insurance Law Journal*. Steve received his B.A. with special honors in psychology from the University of Texas at Austin. He is admitted to practice in Connecticut, the District of Columbia, and New York.

Education

- University of Connecticut School of Law (J.D., 1995)
  - with honors
- The University of Texas at Austin (B.A., 1988)
  - Special Honors in Psychology

Bar Admissions

- Connecticut
- District of Columbia
- New York

Court Admissions

- US Court of Appeals for the Second Circuit
- US District Court (District of Connecticut)
- US District Court (Eastern District of New York)
- US District Court (Southern District of New York)

Memberships and Affiliations

- International Bar Association
  - Mediation Committee
  - Litigation Committee
  - Private Client Tax Committee
  - North American Regional Forum
- New York State Bar Association
  - Trusts and Estates Law Section
- New York City Bar Association
- District of Columbia Bar Association

Publications

December 16, 2025
Private Client Services 2025 Year-End Advisory

September 26, 2025
Partner Steven Malech Co-Authors Article in The International Family Offices Journal

2022
New Guidance on No Contest Clauses in Connecticut

April 29, 2019
E-Visas Available for Israeli Nationals Beginning May 2019

September 9, 2013
New Transfer of Assets and Applied Income Law Provides Boost for Nursing Home Debt Collection

August 27, 2012
Separate Entity Rule

January 14, 2011
Antitrust and Consumer Protection Newsletter

April 1, 2010
What is Superiority?
The Antitrust Source

June 22, 2005
Government Action and the Superiority Requirement: A Potential Bar to Private Class Action Lawsuits
The Georgetown Journal of Legal Ethics, Volume XVIII, Number 4, Fall 2005

December 13, 2004
The Voluntary Payment Doctrine: A Potential Bar to Restitution Claims
Newsletter of the ABA Section of Antitrust Law's Consumer Protection Committee, Fall 2004

November 7, 2003
A new lawsuit, an old claim
The Jewish Ledger, November 7, 2003

May 26, 2000
School employees and child abuse: Obligations and risks
Connecticut Jewish Ledger, May 26, 2000

April 21, 2000
Someone’s reading your email at work – your boss
Connecticut Jewish Ledger, April 21, 2000

January 2, 2000
Failure to grant a religious divorce can cost more than you think!
Connecitcut Jewish Ledger, January 2000

November 16, 1999
Settle Now
The Daily Deal, November 16, 1999