

Peter B. Allport

CONTACT

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Peter is a skillful and conscientious trial lawyer who assists his clients successfully navigate complicated and, often, emotionally fraught trust, estate, and closely held business disputes. He approaches each matter by working with his clients to develop a legal strategy that is designed to achieve their legal, financial, and personal goals. Peter then executes that strategy by employing a combination of vigorous advocacy and common sense to obtain successful results for his clients in this complex practice area.

Peter regularly represents fiduciaries, individuals, families, and charitable entities in actions involving claims for breach of fiduciary duty, trust and will contests, contested accountings, trust construction suits, actions involving the enforcement of in terrorem provisions, and contested probate claims. Peter also has extensive experience in litigating family and closely held business disputes, including succession disputes, appraisal litigation, breach of fiduciary duty actions, derivative claims, and accounting actions.

In addition, Peter has considerable experience representing the fiduciaries of Employee Stock Ownership Plans (ESOPs), as well as other employee benefit, health and welfare, and retirement plans, in actions brought under ERISA.

In defending fiduciary clients, Peter has defeated claims for breach of fiduciary duty early in the proceedings, at summary judgment, and after trial. He has also assisted many beneficiaries vindicate their rights and obtain just recompense for breaches of duty by their fiduciaries.

Peter is also regularly invited to speak and write about topics relating to fiduciary litigation and other legal issues that arise in the administration of trusts and estates.

Prior to joining Levin Schreder & Carey, Peter was a partner with an AmLaw 100 firm and served as a co-head of its Private Client Litigation Team.

Education & Admissions

EDUCATION

J.D., Northwestern University School of Law, 2008

MA., Tulane University, 2004

B.A., Tulane University, 2003

ADMISSIONS

Illinois, 2008

United States District Court – Northern District of Illinois (Trial bar member)

United States District Court – Central District of Illinois

United States Court of Appeals for the Seventh Circuit

United States Court of Appeals for the Fifth Circuit

CLERKSHIP

Law Clerk, the Honorable Virginia M. Kendall, United States Court for the Northern District of Illinois, 2012- 2013

Presentations / Publications

“Minimizing Board Liability During the Life of an ESOP,” The ESOP Association’s Employee Owned Conference, Las Vegas, NV, Nov. 2024

“Leadership and HR’s Role in Cybersecurity & Electronic Records Management: the Convergence of Cybersecurity and ERISA’s Fiduciary Duties,” The ESOP Association’s National Conference, Washington, D.C., May 2024

“Turning Red Flags Green: Views on How to Spot and Address Potential Estate Planning Issues to Avoid Future Contests,” Chicago Bar Association Live Webcast, Chicago, IL, Feb. 2024

“Leadership, Fiduciary, and HR Roles in Cybersecurity and Electronic Records Management”: The ESOP Association’s Employee Owned Conference, Las Vegas, NV, Nov. 2023

“Oral Contracts To Make Wills: Joint and Mutual Wills,” co-author of Chapter 2 of Litigating Disputed Estates, Trusts, Guardianships and Charitable Bequests practice guide for the Illinois Institute of Continuing Legal Education (IICLE), 2023

“Construing and Modifying Wills and Irrevocable Trusts,” co-author of Chapter 7 of Litigating Disputed Estates, Trusts, Guardianships and Charitable Bequests practice guide for the Illinois Institute of Continuing Legal Education (IICLE), 2023

“Liability for ESOP Fiduciaries – Know the Risks!,” The ESOP Association’s Employee Owned Conference, Las Vegas, NV, Nov. 2022

“Navigating into the Eye of the Fiduciary Storm,” ABA Real Property, Trust and Estate law eCLE program, July 2022

“Charting a Course in Complex Trust Litigation: Safe Harbors from In Terrorem Storms,” Estate Planning, Aug. 2021 (with R. Maher). [Click to read the article.](#)

“Planning for Post-Death Litigation,” Estate Planning, Sept. 2020 (with N. Mann).

“Divergence Among States In Enforcement of In Terrorem Clauses in Wills and Trusts,” available in Wealth Strategies Journal and the National Law Review, Aug. 4, 2020

“Trust Administration in Volatile Markets,” McDermott Will & Emery Webinar, June 18, 2020

“Trust Administration in Volatile Markets: How Should a Fiduciary React to the COVID-19 Crisis,” available in the National Law Review, June 17, 2020

“Recent Developments in Trusts & Estates Controversy,” McDermott Will & Emery Trusts & Estates Controversy Forum, Chicago, IL, Sept. 2019

“Arbitration Clauses in Wills and Trusts,” McDermott Will & Emery Trusts & Estates Controversy Forum, Chicago, IL, Sept. 2019

“Illinois Enacts New Trust Code: What Fiduciaries Need to Know,” available in the National Law Review, Sept. 16, 2019

“Are Claims Concerning a Trust’s Validity Arbitrable? Another Court Says No,” available in the National Law Review, July 15, 2019

“Illinois Estate Guardians Receive a New Job: Guardianship Estate Planning No Longer Optional?,” available in the National Law Review, June 2019

“Trustees Duty to Disclose in the US,” Transcontinental Trusts: International Forum, Hamilton, Bermuda, June 2019

“Recent Developments in Trusts & Estates Controversy,” McDermott Will & Emery Trusts & Estates Controversy Forum, Chicago, IL, Sept. 2018

“Investment Disputes: Trustee Obligations and Beneficiary Claims When Things Don’t Go as Planned,” McDermott Will & Emery Trust & Estates Controversy Forum, Chicago, IL, Sept. 2018

“Fiduciary Liability of Non-Profit Directors: The Fundamentals,” A Governance Institute White Paper, Spring 2010, (with M. Peregrine, J. Schwartz, R. Schreck and R. Louthian).

Professional Activities

- American Bar Association – Section of Real Property, Trust and Estate Law
- Chicago Bar Association – Trust Law Committee
- ESOP Association Fiduciary Litigation Committee
- Greater North Shore Estate & Financial Planning Council