

## 3rd Circ. Revives Suit Over \$2.5M Bond Investment, *Law360*, ft. Christopher Nucifora

Christopher Nucifora, managing partner of KD's New Jersey office, was featured in a Law360 article by Emma Cueto published April 20, 2018.

— In a precedential decision on Thursday, the Third Circuit revived a suit over an investment opportunity turned sour that was dismissed after a \$3.5 million settlement had already been reached, after new counsel argued that the federal courts did not have jurisdiction over the case.

Looking at the 2016 U.S. Supreme Court ruling in *Americold Realty Trust v. Conagra Foods Inc.*, the panel concluded that the high court meant for traditional trusts and business trusts to be treated differently when determining citizenship and therefore the court did not have enough information to determine whether there was diversity of citizenship in family trust GBForefront LP's suit against investment adviser Forefront Management Group LLC and related entities.

Christopher Nucifora of Kaufman Dolowich & Voluck LLP, an attorney for GBF, said he is looking forward to addressing the factual questions the court raised back at the district court. "We believe there's no question these trusts are traditional and the jurisdiction issue will be settled very quickly."

He also said, "This was a very well-prepared court and a very well-thought out decision."

The case is GBForefront LP v. Forefront Management Group LLC et al., case number 16-3905, in the U.S. Court of Appeals for the Third Circuit.