SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-5345-15T2

IN THE MATTER OF
SAMUEL DANTONI and
MARILYN DANTONI.

Submitted October 12, 2017 – Decided December 12, 2017

Before Judges Rothstadt and Gooden Brown.

On appeal from Superior Court of New Jersey, Chancery Division, Probate Part, Burlington County, Docket No. CP-2010-1960.

Mark J. Dantoni, appellant pro se.

J. Llewellyn Mathews, Current Trustee of the Samuel J. Dantoni and Marilyn H. Dantoni Trust, respondent pro se.

PER CURIAM

We previously considered appeals in this matter and set forth the history of this "acrimonious" and "longstanding family feud" in our earlier opinions. See In re Dantoni, No. A-1550-12 (App. Div. Aug. 15, 2014) (slip op. at 1, 5-14); see also In re Dantoni, No. A-6087-12 (App. Div. Jan. 29, 2015) (slip op. at 1-7).

Subsequent to our last remand, J. Llewellyn Matthews, Esq., the successor trustee of the "Samuel J. Dantoni and Marilyn H. Dantoni Trust" (Trust), filed a motion for various relief directed at finalizing the administration of the Trust. Three of the four adult children of the late Samuel and Marilyn Dantoni filed opposition to the application. After considering the matter, Judge Paula T. Dow entered an order on July 1, 2016, addressing each parties' claims, supported by a comprehensive written statement of reasons.

One of the children, Mark Dantoni, appeals from the portions of the July 1, 2016 order that dismissed certain claims he had against the Trust, and allowed some of his sister, Joan Harris' claims for attorney's fees and other expenses. He also challenges the court's award of fees and expenses to Matthews and to Harris' attorney, Richard Cohen.

On appeal, Mark[1] contends Judge Dow erred by determining that certain claims he made were previously disallowed pursuant to a July 3, 2013 order and by failing to recognize that other claims he made were allowed by the same order. He also argues the judge failed to reconsider earlier determinations "based on new

[1] We use the party's first name to avoid confusion.

information not previously before the court" and to properly consider his claims in accordance with earlier remands as directed in our prior opinions and orders.[2] Finally, he avers that the judge failed to consider additional claims for expenses and erred in her award of attorney's fees and costs to others.

We apply a deferential standard of review to determinations made by trial judges sitting without a jury, see Seidman v. Clifton Sav. Bank, S.L.A., 205 N.J. 150, 169 (2011), including those relating to their award of counsel fees and costs. See Litton Indus., Inc. v. IMO Indus., Inc., 200 N.J. 372, 386 (2009). Applying that standard, we conclude that there was substantial credible evidence to support Judge Dow's findings, her award of fees and costs were not an abuse of her discretion, and Mark's arguments to the contrary "are without sufficient merit to warrant discussion in a written opinion." R. 2:11-3(e)(1)(E). We affirm substantially for the reasons expressed in Judge Dow's thorough written statement of reasons that accompanied the July 1, 2016 order.

Affirmed.

[2] Mark relies, in part, on our March 3, 2015 order in A-6087-12 that we entered in response to the successor trustee's motion for fees incurred on appeal. In that order, we remanded the issue to the trial court for consideration. Mark's reliance on that order is misplaced as he never filed a motion for appellate counsel fees in accordance with Rule 2:11-4.