

**O v M and another [2021] IEHC 253 – High Court – O’Moore J. – 18<sup>th</sup> of March 2021**

*Section 117 case settled – Application to vary the terms of the trust contained in the will of the deceased in order to implement the settlement – section 24(1) of the Land and Conveyancing Law Reform Act 2009 – Whether settlement is of benefit to contingent beneficiaries of the will – Actuarial evidence used to assess the likely benefit – Court determined that the proposed arrangement was more advantageous to the contingent beneficiaries – Orders made approving the settlement and the proposed variation of the trust*

**E and F v G and H [2021] IECA 108 – Ct of Appeal – Whelan J – 13<sup>th</sup> of April 2021**

*Costs incurred in disputed application for the registration of an enduring power of attorney – Powers of Attorney Act 1996 – order made in the High Court permitting the registration of the EPA – order made that the respondents pay 6/7ths of the costs of the applicants following dismissal of objections to registration – appeal against order for costs – effect of invitation to mediation and “Calderbank” letter considered – whether general principles as to costs should apply to an application to register an EPA – Order 99 RSC and section 169 of LSRA 2015 – Vella v Morelli considered – held that the EPA application came within the scope of section 169 – appeal dismissed*