



Daniel E. Shapiro

Partner

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Dan Shapiro focuses his practice on complex commercial litigation, with specific attention to partnership-related business disputes. The matters he handles regularly involve disputes between feuding business partners, shareholders, limited liability members and other contracting parties. He has handled several commercial cases from inception up through and including trial, as well as on appeal. Dan also advises corporate clients on employment matters, financial matters and issues of corporate governance.

Dan prides himself on finding creative ways to resolve disputes for his clients before litigation proves inevitable but when a lawsuit cannot be avoided, that creativity translates into effective advocacy both inside and outside the courtroom.

In addition to representing clients who operate in the private sphere, Dan has represented municipalities in both federal and state court litigation. There, he has successfully defended local laws facing constitutional challenge and has helped dispose of several cases brought against municipal employees and public officers.

Education

Maurice A. Deane School of Law at Hofstra University

Johns Hopkins University

Recent Experience

Spodek v. Neiss, Supreme Court, Nassau County and Appellate Division, 2d Dep't: Represented plaintiffs in a corporate shareholder action involving dispute over the ownership of seven multi-unit apartment buildings in Brooklyn. After 80 day trial, the court awarded our clients ownership interests in six of the properties by way of a declaratory judgment and also awarded our clients a \$14.5M judgment representing two decades worth of damages.

Rubin v. Cohen, Supreme Court, New York County: Represented a preeminent litigation funding company and its majority members in an action involving two minority member plaintiffs who were seeking to, among other things, remove our client from management and dilute his equity interest in the company. The client had built the company from scratch 10 years prior and developed it into one of the most successful litigation funding companies in the country within that span. During the pendency of the litigation, our team was separately involved in the negotiation of the clients' sale of the company to a third-party private equity firm. After months of litigation and protracted negotiations, our team worked to successfully broker a settlement of the litigation that shored up the sale of the company for a substantial undisclosed sum to a private equity firm.

Dual Purpose Corp. v. Unique Mechanical Corp., Supreme Court, Nassau County: Represented two former employees in an action brought by their former employer alleging breach of fiduciary duty and tortious interference with contracts. Successfully disposed of the action on summary judgment wherein the court found that the employer's claim that the clients had breached their fiduciary duty by paying personal expenses from the corporate checkbook without authorization was unsustainable as a matter of law, because the employer had taken deductions on its corporate tax returns for those very same expenditures. The court further held, in only the second known decision to address the issue, that the employer's filing of amended tax returns that reclassified the expenditures did not change that result.

Angiolino v. Hyland, Supreme Court, Suffolk County and Appellate Division, 2d Dep't.: Represented respondent/defendant in a dispute arising out of plaintiff/petitioner's claims that defendant defrauded him into transferring his shares of corporate stock in their jointly owned corporations for substantially less than fair market value.

Admissions

New York

U.S.D.C., Eastern District of New York

U.S.D.C., Southern District of New York

Affiliations & Appointments

Grievance Committee for the Tenth Judicial District

News & Publications

“The Tension between the Affordable Care Act and EMTALA and Its Potential Legal Implications,” *NYSBA Health Law Journal*, Spring/Summer 2015 ed., Vol. 20, No. 2.

“Defending Against Hostile Work Environment Claims in the Digital Age,” *NY Law Journal*, May 6, 2015 print ed.

“Lawyers’ Obligations Under HIPAA,” *The Nassau Lawyer*, June 2014 print ed.

Speaking Engagements

Best Practices for Winning Your Case Before Trial, NYSBA Young Lawyers Section CLE, NYSBA Annual Meeting, January 24, 2017, Speaking Panelist

How to Survive and Thrive as a Litigation Associate, NYSBA Young Lawyers Section CLE, February 21, 2018, Speaking Panelist