

## Representative Cases for Honorable Eli Chernow

### **Real Property — Partnership**

Dispute among participants LLP or limited partnership as to allocation of profits, probably coupled with issues of fiduciary duty by manager(s) and propriety of payment of certain items of expense to or for the benefit of the manager(s).

### **Probate – Real Property**

Dispute between siblings as to whether certain parcels were transferred to one sibling before the death of the testator, together with issues of the propriety of payment from business or probate accounts to or for the benefit of one sibling.

### **Entertainment**

Dispute over the accuracy of royalty accountings rendered to a profit participant, and the propriety of deductions taken for payments to or for the benefit of the entity that pays the royalties, or a closely related entity.

### **Probate**

Dispute between widow of decedent and decedent's children by a former marriage as to whether certain items of property are community property of the last marriage, and perhaps as to certain inter vivos transfers made shortly before the death of decedent.

### **Employment**

Dispute over whether employment agreement for high level executive creates entitlement to substantial phantom stock option benefits or other contingent benefits to employee upon his termination from the company. This dispute may or may not also include an issue of whether termination was for cause.

### **Contract**

Dispute whether a general release was a waiver of claims that arose after the date of the release as to contracts that were in existence at the time of the release.

### **Entertainment**

Dispute as to whether a creative participant who had been substantially compensated for his rights in one capacity was entitled to further substantial compensation for rights in arising from a different capacity.

### **Dissolution of Medical Partnership**

Partners in a small (3-7 member) medical or dental practice partnership come to a parting of the ways. The wife of one or more may also be an employee or business manager of the practice. The parties need to resolve their respective rights and obligations.

### **Dissolution of Law Firm**

The partners in a small law firm (3-7 partners) come to a parting of the ways, or expel one or two partners. The law firm dissolution involves rights of all partners in the unfinished work of the law firm, and perhaps the allocation of costs and profits from contingent fee matters. The law applicable to law firm dissolutions presents unpleasant surprises for the participants.

### **Business Contract**

Dispute over whether a certain contract where one contracting party had been acquired by a business that in some respects was in competition with the other contracting party. In particular was the contract a “requirements” contract that could result in no transactions after the acquisition of a contracting party, or did it provide a guaranteed minimum level of activity.