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Attorneys Glod and Loeb Obtain Jury Verdict in Real Estate Partnership Dispute

By: Rich May

On Wednesday, August 17, 2022, a Suffolk County jury handed down a verdict in favor of Rich May's client Dan Botwinik, in a dispute with Botwinik's partner in a real estate venture. The case, *Jeffrey S. Baker v. Dan Botwinik*, was filed three years earlier, arising from the parties' settlement of previous litigation. Each party claimed that the other had breached the settlement agreement, which had required the parties to market and sell a piece of real estate they jointly own. Baker brought additional claims relating to Botwinik's operation of the partnership.

Botwinik was represented by Rich May attorney David Glod, with attorney Jon Loeb assisting during the trial. Three of Baker's five claims were dismissed before the case went to the jury. As to the remaining claims, the jury found that Botwinik did not breach the settlement agreement or his fiduciary duty to Baker. Rather, the jury found that Baker had breached the agreement, and awarded Botwinik damages representing the losses he had sustained as a result.

"I believe in the judicial process and am glad that justice was served," said Botwinik of the verdict. "Mr. Baker's effort to avoid his obligations was not only unjust but could also have put our tenants at risk. In any property I own, that is unacceptable, and I think the jury agreed."

Botwinik is the owner and principal of Cougar Capital Management, a vertically integrated real estate company that focuses on acquiring underutilized properties and maximizing their potential through permitting, development, and property management.

Related Attorneys

David Glod

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