



DANIEL E. SHAPIRO / PARTNER

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EDUCATION

- Maurice A. Deane School of Law at Hofstra University; Hempstead, NY (J.D., 2008) (Dean's List)
- Johns Hopkins University; Baltimore, MD (B.A., 2005) – Political Science

PRACTICE AREAS

- Commercial Litigation
- Insurance & Reinsurance Litigation, Dispute Resolution, Transactions, and Regulatory Problem Solving
- Blockchain Technology and Digital Asset

Dan Shapiro is a partner at Ruskin Moscou Faltischek, P.C. and a member of the firm's Commercial Litigation Department, Insurance & Reinsurance Litigation, Dispute Resolution, Transactions, and Regulatory Problem Solving practice group, and the Blockchain Technology and Digital Asset practice group.

Dan 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 is a member of the Grievance Committee for the 10th Judicial District of the State of New York, which covers both Nassau and Suffolk Counties. He has served on the Committee since 2020 when he was appointed by the Administrative Judge of the NYS Supreme Court, Appellate Division for the Second Department. Dan is able to utilize the knowledge and experience he has gained from presiding over attorney grievance matters and law firm management issues to provide counsel to clients that are either defending against or pursuing professional liability claims in various forums.

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.

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.

Prior to joining Ruskin Moscou Faltischek, P.C., Dan was a partner at a prominent Long Island law firm. While there, he also served as a member of that firm's management committee.

Notable Publications and Presentations

- Cryptocurrency/Blockchain/Cybersecurity, Institute of Management Accountants (NY Chapter), January 31, 2023 (Panelist)
- Artificial Intelligence: Basics, Ethics and Pitfalls, Nassau County Bar Association, June 8, 2023, Speaking Panelist
- 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, Nassau Lawyer (June 2014 print ed.)
- Best Practices for Winning Your Case Before Trial, NYSBA Annual Meeting, Jan. 24, 2017, Speaking Panelist
- How to Survive and Thrive as a Litigation Associate, NYSBA Young Lawyers, Feb. 21, 2018, Speaking Panelist

Notable Representations

- Represented well-known real estate developer/property manager in the latter portion of a 20 year litigation, which culminated in an 80 day bench trial in the NYS Supreme Court, Commercial Division. Trial verdict (affirmed on appeal) resulted in monetary and declaratory relief in favor of client at a value exceeding \$130 Million.
- Represented health care professional in a contractual earn-out breach of contract dispute brought against a nationally recognized health care conglomerate. Won summary judgment and a monetary award for client exceeding \$11 Million.
- Represented CEO and one of the largest specialty finance companies in U.S. in defense of a litigation commenced by certain company equity holders against the CEO, and other officers, over issues of corporate governance. Case was ultimately settled after defeating plaintiffs' injunction application, paving the path for the sale of the company to a private equity firm for a substantial (confidential) sum.
- Represented medical practice in defense of a shareholder derivative suit which culminated in a 30 day bench trial in the NYS Supreme Court, Commercial Division.
- Represented the largest U.S. independent manufacturer of corrugated boxes in defense of an employment claim, successfully disposing of all claims against client on appeal. The Appellate Division, Second Department issued a decision affirming summary judgment in favor of client on those claims that were dismissed by the trial court, reversing that portion of the trial court's order which upheld certain of plaintiff's claims.
- Represented town attorney in a 1983 case commenced by prominent developer who alleged that client and other village officials conspired to violate developer's constitutional due process and property rights. Successfully achieved dismissal of claims asserted against client.
- Represented village in defense of a class-action lawsuit brought by landlords over the constitutionality of village's rental permit law.

- Represented individual client in N.Y. Fair Claims Act/Qui Tam action brought by client's former business partner. Successfully negotiated disposition of the action resulting in no monetary losses to the client.
- Represented leading eyecare benefits administrator and preferred provider organization (PPO) in a breach of contract the client case brought against a nationally recognized eyewear and lens retail chain. Settled case after the completion of depositions on terms that were favorable to client.
- Represented client shareholder and director of company, which powers and administers online and digital course materials for schools across the country, in a litigated corporate dispute. Case settled on terms favorable to the client after holding depositions.
- Represented individual physician in a turnover proceeding to enforce a \$500,000 post-trial judgment that awarded to his business partner and against client's medical practice. Successfully dismissed claims asserted against individual client, which dismissal was affirmed on appeal.
- Member of team that represented village in an Article 78 action filed by village officers and elected officials alleging that village improperly withdrew its indemnification of those parties in a separate federal action where those parties were named as individual defendants. Individual parties alleged that village wrongfully withdrew indemnification because they would not settle on terms dictated by village. Case was argued before N.Y. Court of Appeals, which decided in favor of village.
- Represented leading NYC-based real estate development and investment company in defense of a lawsuit commenced by an alleged interest holder in client's project at the renowned Shore Club Hotel in Miami, Florida. After oral argument, Appellate Court reversed the trial court's denial of client's motion for summary judgment and dismissed the case in its entirety.

Publications

- SCOTUS Ruling: Employee Reverse Discrimination Claims Must Be Adjudicated the Same as Standard Employee Discrimination Claims (Commercial Litigation, Law Alert)
- Thirty-One Ruskin Moscou Faltischek Attorneys Named As New York Metropolitan Area Super Lawyers For 2023 (Press Release)
- Ruskin Moscou Faltischek Forms Blockchain Technology and Digital Asset Practice Group (Press Releases)
- Thirty-One Ruskin Moscou Faltischek Attorneys Named As New York Metropolitan Area Super Lawyers For 2022 (Press Releases)
- Ruskin Moscou Faltischek, P.C. Welcomes Daniel E. Shapiro to the Firm (Press Releases)

