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Yankwitt LLP Successfully Opposes Motion to Dismiss 17 Causes of Action in Complex Family Business Dispute in Westchester Commercial Division

A litigation team led by Partner [Ross Morrison](#) successfully opposed a motion to dismiss 17 causes of action in a legal battle involving family members and their real estate business.

The case centers around a dispute among Yankwitt LLP's clients, their mother and other family members, including a brother and his family, over the management of a shared real estate business.

In 2023, the brother and his family filed a lawsuit, alleging our clients had mismanaged and misused business funds. In response, Yankwitt LLP filed a separate action on behalf of our clients in 2024, asserting 17 causes of action, including [breaches of fiduciary duty](#), violations of the bylaws governing the family business, and other improper conduct.

In August 2024, the court granted Yankwitt LLP's motion to dismiss most of the claims in the 2023 case, leaving only a single breach of contract and fiduciary duty claim. The plaintiffs in the 2023 case then moved to dismiss the 2024 action. The court denied that motion in full and also denied a motion by the 2023 plaintiffs to reconsider that decision.

Following these favorable rulings for Yankwitt LLP's clients, the parties entered into a settlement agreement that disposes of the lawsuits and enables our clients to pursue their real estate business interests without interference from the improper conduct of the opposing family members.