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Ellen Tobin is an associate in Westerman Ball Ederer Miller Zucker & Sharfstein, LLP's litigation department, representing individuals and businesses in federal and state courts and arbitration. Tobin's practice focuses on complex commercial litigation, including contract and real estate disputes, accounting and securities fraud, bankruptcy litigation and antitrust, maritime and intellectual property matters.

While business divorce can be bitter, it is perhaps the most preventable type of dispute, Tobin said.

"Business partners need to plan ahead — just in case things go wrong down the road," she noted. "Partnerships and close corporations should have written agreements that include clearly defined roles and responsibilities for the principals and clear profit-sharing — and loss-sharing — arrangements."

"The written agreements should provide a roadmap in case of irreconcilable differences, including termination and dissolution provisions and mechanisms for valuing and dividing assets," she said. "Family businesses should also create succession plans long before they are needed."

"In any business relationship, consider discussing sensitive issues by phone or in person," Tobin advised. "Before you hit 'send' on an email, consider whether you would want it read out loud at a deposition."

Prior to joining the firm, Tobin worked in the Manhattan office of a prominent in-



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ternational law firm, where she represented clients in complex commercial cases, government investigations in federal and state courts, arbitrations and in matters before the Securities and Exchange Commission and the Public Company Accounting Oversight Board. She also served as a law clerk for the Honorable A. Kathleen Tomlinson of the U.S. District Court for the Eastern District of New York.

Tobin has done extensive pro bono work, including advocating for children and in-

igent parents in family court disputes on behalf of the Children's Law Center and the Brooklyn Family Defense Practice. She has also done pro bono work for the Queens County District Attorney's Office, authoring an appellate brief and successfully arguing a criminal appeal before the New York State Appellate Division, Second Department.

Tobin earned a juris doctor from the University of Pennsylvania and earned a bachelor's degree from the University of Pennsylvania, from which she graduated magna cum laude and with distinction in International Relations.

She is admitted to practice law in New York State, the United States Court of Appeals for the Second Circuit, and the United District Courts for the Southern and Eastern Districts of New York.

Westerman Ball Ederer Miller Zucker & Sharfstein, LLP is a full service commercial law firm with offices headquartered in Uniondale. The firm offers a wide range of legal services in the areas of corporate and partnership law; litigation and alternative dispute resolution; real estate leasing, acquisition, sale, development and finance; bankruptcy, restructuring and workouts, and all related practice areas.

The firm's clients include public and private companies, financial service firms, institutional and private lenders, governmental entities, foreign and domestic investors, retail and restaurant chains, and owners, developers and managers of real estate. Its attorneys are recognized for providing sophisticated legal advice, with personal attention and responsiveness.