

# Shareholder and Partnership Disputes

## Shareholder and Partnership Dispute

More often than not, corporate law is carried out in the High Court. It is our goal to reduce the chances of expensive court cases that also take up your valuable time, and in some cases, your brand's good name. We provide legal advice and representation for all forms of shareholder disputes and have an impressive track record of assisting in mediation and negotiation that may resolve your shareholder dispute case settling out of court. If, however, your case does go to court, we will advise and represent you to achieve the result you require.

### Shareholder Disputes

Shareholder disputes can be highly damaging, both for the business and the individuals involved. That is why it is better to resolve any internal conflict straightaway. There are ways to settle the matter outside of court, limiting legal costs and maintaining the organisation's reputation. However, if a resolution is not possible, litigation through the courts is the next step.

At Peter Boyle & Co. Solicitors, we act on behalf of both shareholders and directors. Whatever side of the argument you are on, we can help you reach a resolution that meets the needs of both you and the Company. We are dedicated to achieving an amicable settlement through negotiation, mediation, and arbitration. If litigation is required, we provide robust representation, fighting to get the outcome you desire.

Shareholder Disputes we can assist you with include:

- Disputes between shareholders and the company/director
- Disputes between shareholders
- Minority shareholder disputes
- Disputes about non-compliance with Shareholder Agreements/ the Company's Constitution

### Disputes between shareholders

Disputes may also occur between the shareholders themselves. This can happen in companies of any size. In small, family-run businesses, personal relationships can add fuel to the fire. Even in large organisations, minority shareholders may feel disregarded. Or there could be concerns about how a particular shareholder is acting.

For example, it could be that a shareholder is:


- Not acting openly and honestly
- Withholding financial information
- Freezing out minority shareholders

### Minority shareholder disputes

Issues surrounding minority shareholders are especially prevalent. There may be a 'freezeout', whereby majority shareholders withhold important information from minority shareholders. Or, there could be a 'squeeze out', whereby majority shareholders try to force minority shareholders to sell their interest at an unreasonable price.

The Companies Act provides protection for minority shareholders. If you are being oppressed as a minority shareholder, or your interests and rights are being disregarded, there are remedies available. We can help you make a claim for oppression and/or unfair prejudice, obtaining compensation on your behalf.

  
**Peter Boyle & Co. Solicitors**

 +353 (01) 771 80 12

 [info@peterboyle.ie](mailto:info@peterboyle.ie)

 [www.peterboyle.ie](http://www.peterboyle.ie)

Peter Boyle & Co. Solicitors, Level 4, The Glass House, 11 Coke Lane, Smithfield, Dublin 7, D07 WNP2

Principal: Peter Louis Boyle, BCL AITI TEP Solicitor, Tax Consultant, Trust & Estate Practitioner

*Synonymous with legal expertise professionalism and integrity*



# Shareholder and Partnership Disputes

## Partnership Dispute

A partnership dispute is very similar in the eyes of the law, but some of the differences are very important to understand. If you are in business with a business Partner or Partners, and you do not set up a company, the law will presume that you are a partnership. As a Partnership, you do not have a legal identity as a limited company would have. You are responsible personally, and therefore you must receive solid legal advice at the earliest stage of any partnership dispute. In some cases, the dispute can be more complicated because there is no Partnership Agreement in place.

Typical issues that become Partnership Disputes include:

- Company ownership
- Remuneration
- Company voting Rights
- Financial Rights
- Liability
- Dissolution of the business or Partnership
- Termination of the business or Partnership

Your Partnership must develop a detailed Partnership Agreement at the earliest possible stage of your business set up. If you do not have a Partnership Agreement, one should be put into place before you have a potential dispute. We can assist you with the development of a Partnership Agreement that will ensure any future differences are resolved with minimum cost and stress.

## Specialist Shareholder dispute Solicitor


Whether you are a shareholder or the director of a company, we will advise and assist you to resolve your shareholder dispute. We will develop a legal strategy to ensure your unique set of circumstances and challenges are addressed.

If alternative dispute resolution is not possible or fails, we will represent you for your court proceedings. Shareholder disputes can be stressful, time consuming and costly, but we work hard to achieve the desired outcome, limiting any adverse consequences you or your business may suffer.

## Book a consultation

If you would like to organise a legal consultation, call or email our customer support team. They will discuss how long a consultation will take, what the costs will be, time and date, and of course, if we are suitable to assist you with your whistleblowing and protected disclosure legal requirements.

**Peter Boyle & Co. Solicitors**

 +353 (01) 771 80 12

 [info@peterboyle.ie](mailto:info@peterboyle.ie)

 [www.peterboyle.ie](http://www.peterboyle.ie)

Peter Boyle & Co. Solicitors, Level 4, The Glass House, 11 Coke Lane, Smithfield, Dublin 7, D07 WNP2

Principal: Peter Louis Boyle, BCL AITI TEP Solicitor, Tax Consultant, Trust & Estate Practitioner

*Synonymous with legal expertise professionalism and integrity*

