

Business Law

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Related Services

Business Law

Business Disputes and
Litigation

Business Dissolution

Business Formation

Overview

Every business decision carries legal consequences, whether the owner recognizes them at the time or not. The contracts signed during a growth phase, the entity structure chosen at formation, and the partner brought on without a written agreement: these choices compound. When they go well, they go unnoticed. When they go wrong, they define the trajectory of the company.

Cohen Cleary represents entrepreneurs, small businesses, established companies, and family enterprises across Massachusetts and Rhode Island, also serving clients throughout New England. Our business and corporate attorneys advise at every stage of the business lifecycle, from initial formation through daily operations, commercial disputes, and eventual succession or dissolution. The goal is not simply to react when problems arise, but to build legal structures that prevent them.

Business Formation, Contracts, and Dispute Resolution Services

Our business law practice covers the full range of transactional and litigation needs that companies encounter. The practice is organized around four core areas:

Business Formation

[Entity selection and structuring](#) (LLCs, corporations, partnerships, sole proprietorships), operating agreements, shareholder agreements, buy-sell agreements, and organizational filings with the Massachusetts Secretary of the Commonwealth.

Business Disputes and Litigation

Partnership and shareholder [disputes](#), breach of contract claims, fiduciary duty violations, non-compete enforcement, tortious interference, and emergency injunctive relief. We handle matters in Massachusetts state and federal courts and before [alternative dispute resolution](#) forums throughout New England.

Business Dissolution

[Voluntary wind-down](#) and asset distribution, involuntary dissolution proceedings, compliance with Massachusetts dissolution requirements, and creditor notification and liability management.

Ongoing Business Counsel

Contract drafting and review, entity governance and compliance, regulatory risk assessment, and strategic advisory for growth, acquisition, and ownership transitions. These services do not fall under a single subpage because they cut across every phase of a company's operations.

How We Help Businesses Operate with Confidence

The difference between a business that survives a dispute and one that does not often comes down to the quality of its foundational documents. We tell our clients that the best time to negotiate an operating agreement is when everyone still agrees, because by the time a partnership fractures, the absence of written terms transforms a manageable disagreement into an existential crisis.

Our transactional work focuses on getting the details right before they matter. That means drafting operating agreements that address capital contributions, profit allocation, management authority, and exit mechanisms with specificity. It means structuring buy-sell agreements with realistic valuation provisions that hold up under stress. For contract negotiations, it means identifying risk allocation terms that protect our clients without killing the deal.

When disputes do arise, our litigation team conducts an early case assessment that treats the matter as a business decision, not a personal one. We evaluate exposure, quantify costs, and present options that include both aggressive litigation positioning and structured resolution paths. In Bristol County Superior Court and across Massachusetts trial courts, matters often benefit from early motion practice and strategic discovery that pressures resolution without unnecessary expense.

Why Choose Cohen Cleary's Business Lawyers

At Cohen Cleary, our practice teams combine deep subject-matter experience with disciplined execution and responsive client service. We do not take a one-size-fits-all approach. Every matter is handled with careful preparation, clear communication, and a strategy tailored to the client's goals and the realities of the forum.

Clients choose Cohen Cleary because we deliver:

Practice-Focused Legal Experience

Our attorneys work in defined practice areas, allowing us to develop practical insight into the legal, procedural, and regulatory nuances that matter most in each case. This focus allows us to anticipate issues, avoid unnecessary delays, and position matters for efficient resolution.

Clear Guidance and Proactive Communication

We prioritize clarity at every stage. Clients receive straightforward explanations of their options, timely updates on developments, and practical advice grounded in real-world outcomes.

Strategic Advocacy with Trial Readiness

Whether a matter calls for negotiation, mediation, or litigation, our attorneys prepare every case with discipline and foresight. We pursue efficient resolution when possible and are fully prepared to advocate aggressively when necessary to protect our clients' interests.

Regional Knowledge and Local Presence

With offices throughout Massachusetts and experience across New England courts and agencies, we bring local insight and regional reach to every matter.

Client-Centered Service

We treat every matter with urgency and respect. Our clients rely on us for responsive service, sound judgment, and steady counsel through complex legal challenges.

In our Business Law work, this approach helps clients navigate formation, growth, disputes, and transitions with clarity, efficiency, and confidence.

Our Approach to Business Counsel

A handshake agreement between partners works perfectly until it doesn't. And by the time it doesn't, the damage is usually irreversible without a written operating agreement to fall back on.

That reality shapes how we counsel businesses. We do not treat legal work as an afterthought to business strategy. We integrate it. [Our attorneys](#) think about what the agreement needs to say when the relationship deteriorates, what the entity structure needs to withstand if a partner leaves, and what the contract needs to provide when the other side stops performing. Preparation is not overhead. It is the structure that holds.

Serving Businesses Across Massachusetts, Rhode Island, and New England

Cohen Cleary's business law practice is anchored in Massachusetts and Rhode Island, with offices in [Taunton](#) and [Plymouth](#) serving clients throughout southeastern Massachusetts, the South Shore, Greater Boston, and Bristol and Plymouth Counties. Our attorneys regularly appear in the Massachusetts Superior Court, including the Business Litigation Session in Suffolk County, and in Rhode Island state courts.

The firm also represents business clients throughout New England, handling commercial disputes, contract matters, and general business counsel across the region. This active regional practice allows us to advise companies operating in multiple New England jurisdictions with a consistent strategy and coordinated execution.

Discuss Your Business Legal Needs With a Trusted Massachusetts Business Lawyer

Business legal issues do not improve with time. Whether you are forming a new venture, negotiating a critical contract, or responding to a dispute, early counsel produces better outcomes. [Contact](#) Cohen Cleary to schedule a consultation with a business attorney at our [Taunton](#) or [Plymouth](#) office.

Frequently Asked Questions About Business Law

What type of business entity should I form in Massachusetts?

The right entity structure depends on factors including liability protection, tax treatment, management flexibility, and the number of owners. LLCs offer flexibility and liability protection for most small businesses. Corporations may be preferable for companies planning to seek

outside investment. A sole proprietorship is the simplest structure, but it provides no personal liability protection. We evaluate your specific situation and recommend the structure that aligns with your operational and financial goals.

Do I need a lawyer for an LLC operating agreement in Massachusetts?

Massachusetts does not legally require an operating agreement for LLCs, but operating without one is one of the most common and costly mistakes we see. Without a written agreement, disputes over profit sharing, management authority, and exit terms are governed by default statutory provisions that rarely reflect what the partners actually intended. The cost of a properly drafted operating agreement is a fraction of the cost of litigating the disputes that arise without one.

When should a business owner hire a business attorney?

Ideally, before a problem develops. Business attorneys add the most value during formation, when entering contracts, when bringing on partners or investors, and during periods of growth or transition. If you are already facing a dispute, contract issue, or regulatory concern, early legal involvement typically reduces both cost and exposure compared to waiting until the situation escalates.

How does Cohen Cleary handle business disputes and shareholder conflicts?

We begin with an early case assessment that evaluates the legal merits, quantifies potential exposure, and identifies resolution paths. Depending on the circumstances, we may recommend negotiation, mediation, or litigation. Our approach treats every dispute as a business decision: we weigh the cost of each option against the likely outcome and present a clear recommendation. When litigation is necessary, we prepare aggressively and pursue resolution through strategic motion practice and focused discovery.

Can a corporate attorney at Cohen Cleary help with a business outside of Massachusetts?

Yes. While our offices are in Massachusetts, our business attorneys actively represent clients throughout New England. For commercial disputes, contract matters, and general business counsel, we handle matters in multiple jurisdictions across the region. For entity formation, each state has its own requirements, and we advise clients on the filing and compliance obligations specific to their jurisdiction.