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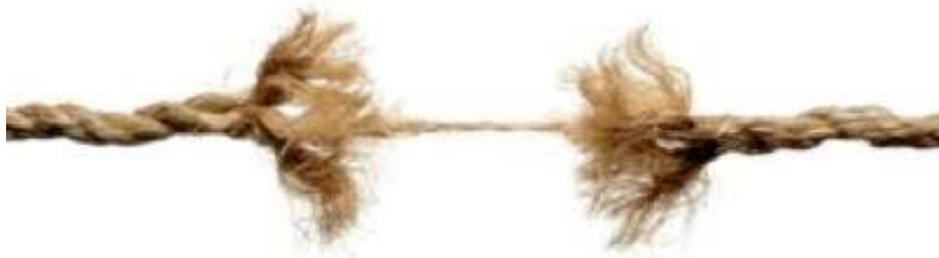
How to Break Up With a Business Partner

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Dawn Reiss

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Break-ups are always difficult. Some are more amicable than others. When it comes to the legalities

of a divorce, be it personal or a business relationship, most people run to an attorney and prepare for battle.

It may become necessary, but there's another route that should be tried first: mediation.

Before you groan and roll your eyes, consider this: if a separation can't be decided in court, a judge can send two people, already represented by lawyers, into mediation before they can settle in court. Why? Because at its core, mediation is about using counseling so you can break up and sever that relationship in the friendliest and fairest way -- or at least come to a mutual agreement that can then become a legal document.



John Hassey

“I don't think people realize money is the physical manifestation of emotion,” says John Hassey, 35, of Chicago-based **John Hassey Mediation**. Money represents the time, effort, hard work and the “I

deserve this monetary compensation factor” which is the emotional value of the relationship. “It’s healthy, even in a business divorce, to acknowledge those emotions in the process,” Hassey says. “Mediation isn’t removing the emotion from the process; it is acknowledging the emotion so you can come to a logical and fair agreement.”

That’s something that can be lost in the traditional legal process.



Nicole Brucker

“Most business people aren’t as comfortable with someone called a mediator and assume an attorney will have their best interest,” says Nicole Brucker, 32, a divorce mediator who runs **The Sapient Solution Advisor** and is a registered investment adviser with her Series 7 license. “But lawyers aren’t trained in the long-term emotional implications of that, which is where a skilled mediator can come in.”

For example, Brucker says she knows a CEO who retired after he was bought out by his business partner. Years later, when that former CEO became a client of Brucker’s, he still feels like he wasn’t given a fair deal; not because the financial compensation

wasn't correct or substantial, but because there wasn't any closure. He no longer talks to his former business partner of 15 years because he feels like the company was taken away from him, Brucker says. "When you are an entrepreneur, an owner, that company becomes a representative of you, an appendage, and when you hand it over, you have to grieve that loss, which can be very difficult for some people," Brucker says. "A lot of people just want to be heard or validated in how they feel. If you have these resentments they are going to lead to regret. Everyone still needs time to grieve that loss, because the process is hard and it's about finding a mutual solution that doesn't give anyone everything you want."

Here's How:

Recognize that like any divorce, usually one person wants to get things over with and the other person is a little further behind.

Forget Myth No. 1: Counseling is Only About Keeping the Relationship Together

That's just not true, says Hassey. "The goal of mediation is to help people get the most informed and fairest choices for them and their divorces," he says.

Forget Myth No. 2: Break-ups are Always Bad

Depending on what happens, it can end up being the most positive thing you do and give you a new lease on life, personally, financially and emotionally.

Say Any Idea

One of the most important things to do, says Hassey, is to discuss every possible idea, no matter how many times it has been discussed before, how ridiculous it sounds, because when you squash ideas, it wipes out the creative process rather than pulling pieces of every idea to create a viable solution.

List the Reasons for the Dissolution

Include both business-related issues as well as emotional ones, says Brucker.

Slow Down the Communication Process and Become an Active Listener

Simply put: shut up, listen, and then verbally repeat everything that was just said. “While one person is talking, the other is thinking about what they want to say next,” Hassey says. “It’s no wonder that the conflict is happening because they are just talking at each other.” Hassey only allows one client to talk and the other can’t respond; the only thing they can do is paraphrase what the other person just said. When they are done, the counterpart gets the chance to do the same. “I force my clients to do this and at first they get annoyed,” Hassey says. “But it slows down the communication process, to stop rapid-fire disagreements, where everyone is shooting. The beautiful bi-product is it creates empathy between people.”

Talk about the Taboo Topics

What are your biggest concerns? What are your fears? Discuss the topics everyone has been avoiding, that usually include infidelity. Just like a marriage, business infidelity can mean addressing the unethical behavior of one business partner who is using the partnership to benefit that person individually or hiding a business connection from the other partner, instead of sharing the resources to benefit the entire company.

Plan for the Future

Think about where you will be five years from now. Discuss non-compete, non-disclosure clauses, and think about how much or how little you each will interfere with each other’s businesses in the future.

***Dawn Reiss** is a Chicago-based journalist and a former St. Petersburg Times and Dallas Morning News staff writer who writes for a variety of outlets including: TIME magazine/Time.com and the Chicago Tribune.*