

Roundtable Discussion of NJ LLC Issues

New Jersey Law Center, New Brunswick
November 4, 2019

Event Sponsor: New Jersey State Bar Association Business Law Section

The Hon. Donald A. Kessler (Ret.) will participate in a “Roundtable Discussion of NJ LLC Issues” at the November 4, 2019 meeting of the New Jersey State Bar Association Business Law Section’s Board of Directors. Judge Kessler, Of Counsel in the firm’s Litigation and Family Law Departments, is a member of the Section.

The discussion agenda is as follows:

- Significant programs that arise from the lack of an operating agreement and default provisions to which attention in drafting agreements should be directed
- Enforcement of operating agreements as written and difficulty of amending agreements by course of conduct which is not clear
- Other programs that arise from drafting issues, including:
 - Oppression and dissolution
 - Fair value vs. no articulated standard and no case law
 - Nuclear option when operating agreement mandates dissolution and lawyer does not understand its meaning under NJ-RULLCA
 - How to address in an operating agreement

Judge Kessler focuses his practice on resolving commercial and family law disputes through mediation and arbitration as an alternative to traditional litigation. His experience as a judge of the equity court enables him to deal with business disputes encompassing a broad range of matters, including those related to contracts, real property, construction, employment, unfair competition, intellectual property, corporate and LLC issues, and consumer fraud.

Attorneys

Donald A. Kessler