



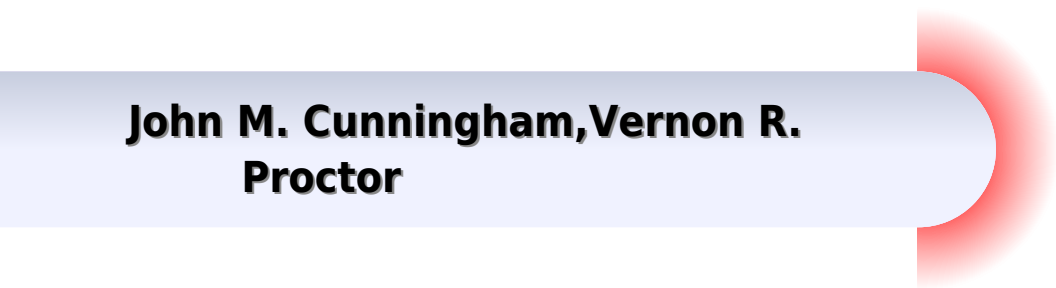
New Jersey Limited Liability Company: Forms and Practice Manual

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New Jersey Limited Liability Company Forms And Practice Manual

**John M. Cunningham, Vernon R.
Proctor**



New Jersey Limited Liability Company Forms And Practice Manual:

New Jersey Limited Liability Company Lawrence A. Goldman, Alyce C. Halchak, Steven H. Sholk, 1994 Legal Looseleaves in Print , 2005 **Law Books Published** , 1999 **New York Limited Liability Company Forms and Practice Manual** Howard N. Lefkowitz, Ira Akselrad, 1995-02 Searching the Law - The States Francis R Doyle, 2022-11-14 This revised two volume set reproduces the easy to use logically organized format of *Searching the Law* for each of the 50 U S states Arranged by state and by topic within each state it features a complete list of all the legal research materials available for each state jurisdiction thousands of citations to the legal literature of each state materials applicable to more than one topic listed under each topic repeated listings under each state and topic where they apply and author title publisher format and the latest known supplement for each citation *Searching the Law The States* is the companion text to *Searching the Law* Together the sets form one of the most comprehensive logical legal reference sources available Published under the Transnational Publishers imprint The print edition is available as a set of two volumes 9781571052872 **Drafting Delaware Limited Liability Company Agreements** John M. Cunningham, Vernon R. Proctor, 2009-01-01 *Drafting Delaware LLC Agreements Forms and Practice Manual* provides a comprehensive and sophisticated analysis of the Delaware Limited Liability Company Act from an entity formation viewpoint and sets forth extensive practical guidelines for lawyers planning negotiating and drafting Delaware LLC agreements Among other features The book exhaustively identifies the definitional mandatory default and permissive provisions critical in forming Delaware LLCs and it addresses in detail the more important of these provisions It contains detailed criteria and practical examples for use in choosing among Delaware LLCs and other types of Delaware entities including limited partnerships and corporations In business entity formations non tax choice of entity To the authors knowledge it provides the most complete analysis of the series LLC provisions of the Delaware Act currently available in LLC literature It provides in digital form model LLC agreements that address all of the various ownership structures management structures and tax structures that Delaware LLC formation clients may need a total of nine agreements for single member LLC s and 33 for multi member LLCs Finally The book contains plain English explanations for lawyers who are not tax specialists concerning all principal federal and state tax issues likely to be important to Delaware entity formation clients A CD containing customizable agreements For ease of use along with the full text of the Delaware Limited Liability Company Act is included with your purchase **SPECIAL OFFER** Get the latest monthly edition of *Drafting Delaware LLC Agreements Forms and Practice Manual* E Newsletter Download your **FREE** E Newsletter **NOW** The co authors of the book and E Newsletter are John M Cunningham The author of *Drafting Limited Liability Company Operating Agreements* Aspen Publishers The leading generic i e non state specific LLC form book and practice manual and Vernon R Proctor a partner and co founder of Proctor Heyman LLP a Wilmington Delaware business litigation law firm Mr Proctor is a member of the Delaware State Bar Association committee that annually updates the Delaware LLC Act And The

other Delaware alternative entity statutes *Maryland Limited Liability Company Forms and Practice Manual* Robert M. Ercole, 1998 **Trust Protectors: A Practice Manual with Forms** Alexander A. Bove, Jr., 2014-09-01

The trust protector is generally regarded as a relatively new position in trust law and the key feature of the position is that the protector may be granted powers over the trust which are generally superior to those of the trustee. This places the protector in a position where by the exercise of his powers he can cause the trust to adjust to unforeseen changes or new conditions without the need for court action or beneficiary approval. This work takes the firm position that with only limited exception the role of the protector is a fiduciary one imposing on the protector a duty to act in the best interests of the purposes of the trust and the beneficiaries. Unfortunately a substantial segment of the legal community as well as the legislative bodies of a number of international jurisdictions have taken a position that the protector is not a fiduciary or that he may be declared in the trust not to be a fiduciary and that the power granted him under the trust may be declared to be personal powers whether or not such is the case and thus he would have no liability for his actions or inactions while serving as protector. This attraction of providing total exculpation of the protector has effectively engendered a quick acceptance of the position by the bulk of the legal community and even by the legislatures of a number of jurisdictions though almost totally unsupported by relevant case law. As a result we have been seeing trusts which incorporate the use of a protector having the power to make critical dispositive and administrative decisions as well as extensive modifications to the trusts without being exposed to liability for negligence or bad decisions which result in damages. This work will examine in detail the role of the protector of the trust the relationship between the protector and the trustee between the protector and the beneficiaries and the protector's responsibilities to the purposes of the trust. It will demonstrate with legal support that the role of the protector is not a new role that in fact the protector is simply a new name for the decades old position of trust advisor and that the trust advisor is consistently regarded as a fiduciary in relevant treatises and has been repeatedly held to be a fiduciary in relevant cases. The discussion will also review and analyze the historical issues and professional commentary relevant to trust law and the role of protector as well as case decisions in various international jurisdictions which have shed light on the issues and some of the positions taken in the statutes of a number of jurisdictions in the United States and across the world. All legal aspects of the role will be examined including the rights of the protector the protector's relationship to the trustee and the courts regard for and treatment of the position. Further the work will discuss in detail all of the practical considerations in using a protector such as selection and special drafting considerations the use of a protector in a foundation and in brief the numerous tax issues that may apply. The conclusion will be that with only very limited exception which will be explained the protector is unquestionably a fiduciary and just as a trustee he should be held to fiduciary standards. Accordingly while it is certainly possible to grant personal powers to an individual under a trust those powers per se conflict with the duties of a protector. And while it is also possible to reduce the fiduciary liability of a protector to a minimum it is not possible to eliminate it.

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