Bob Kasolas successfully obtained dismissal on nearly all causes of action in a membership dispute litigation



Bob Kasolas successfully obtained dismissal on nearly all causes of action in a membership dispute litigation seeking to apply New Jersey law to a limited liability company organized under the laws of the State of Delaware. Despite the operating agreement containing a choice of law provision purporting to apply New Jersey law to membership disputes, the Appellate Division held that Delaware's internal affairs doctrine was mandatory, and courts in New Jersey were bound to apply Delaware law. Consequently, plaintiffs' claims for corporate waste, misappropriation, and usurpation of business opportunities were dismissed.

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