
Voting question -

Posted by Wizkid - 2011/01/31 22:47

If an operating agreement says that unanimous consent of the managers is required in order for the parties to undertake certain actions of the company, but only a majority vote of the members is required to terminate someone as a manager, then if someone is terminated as a manager is he or she still intitled to be an employee of the company or when you loose your manager title can you still keep you employment position at the company. I have a situation where my friend was a manager of an LLC and her partner, by majority vote, terminated her management authority and they also terminated her employment with the company. So, now, she cant work at the company or manage the business. How can she manage her investment and her business if she is being oppressed?

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Re:Voting question -

Posted by Lex - 2011/02/03 22:19

Its dependent on the operating agreement and employment agreement. However, if a manager is booted from being a manager and then fired as an employee, then he should still be entitled to income and even payroll if the other managers are on payroll. There needs to be a smoking gun in order to assert "oppression". Not sure if the manager you talk about was at fault, e.g. has a criminal history or other issue that justifies his being booted.

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