

Cherokee Nation Code Annotated

Title 18: Corporations

Chapter 2: Cherokee Nation Limited Liability Company Act

Article 9: Foreign Liability Companies

§ 259. Effect of failure to obtain certificate of authority

Cite as: 18 CNCA § 259

A. A foreign limited liability company transacting business in Cherokee Nation may not maintain an action or proceeding in the courts of Cherokee Nation unless it has a certificate of authority to transact business in Cherokee Nation.

B. The failure of a foreign limited liability company to have a certificate of authority to transact business in Cherokee Nation does not impair the validity of a contract or act of the foreign limited liability company or prevent the foreign limited liability company from defending an action or proceeding in the courts of Cherokee Nation.

C. Limitations on personal liability of managers, members, and their assignees are not waived solely by transacting business in Cherokee Nation without a certificate of authority.

D. If a foreign limited liability company transacts business in Cherokee Nation without a certificate of authority, it appoints the Office of the Principal Chief as its agent for service of process for claims for relief arising out of the transaction of business in Cherokee Nation.

Historical Data

LA 32-04, eff. July 16, 2004.