



1 (1) Be published one time in a newspaper of general circulation in ~~the county~~  
2 ~~where the dissolved corporation's principal office (or, if there is none in this~~  
3 ~~State, its registered office) is or was last located; any county where the~~  
4 ~~dissolved corporation conducted business during the five years prior to filing~~  
5 ~~articles of dissolution;~~

6 (2) Describe the information that shall be included in a claim and provide a  
7 mailing address where the claim may be sent; and

8 (3) State that a claim against the corporation will be barred unless a proceeding  
9 to enforce the claim is commenced within five years after the publication of  
10 the notice.

11 (c) If the dissolved corporation publishes a newspaper notice in accordance with  
12 subsection (b) of this section, the claim of each of the following claimants is barred unless the  
13 claimant commences a proceeding to enforce the claim against the dissolved corporation within  
14 five years after the publication date of the newspaper ~~notice~~: notice in the county where the  
15 corporation conducted the business that gave rise to the claim:

16 (1) A claimant who did not receive written notice under G.S. 55A-14-07;

17 (2) A claimant whose claim was timely sent to the dissolved corporation but not  
18 acted on;

19 (3) A claimant whose claim is contingent or based on an event occurring after  
20 the effective date of dissolution.

21 (d) Nothing in this section shall bar:

22 (1) Any claim alleging the liability of the corporation; or

23 (2) Any proceeding or action to establish the liability of the corporation; or

24 (3) The recovery on any judgment against the corporation to the extent that the  
25 corporation is protected by insurance coverage with respect to such claim,  
26 proceeding, or judgment."

27 **SECTION 3.** G.S. 57C-6-08 reads as rewritten:

28 "**§ 57C-6-08. Unknown and certain other claims against dissolved limited liability**  
29 **company.**

30 (a) A dissolved limited liability company that has filed articles of dissolution may also  
31 publish notice of its dissolution and request that persons with claims against the limited liability  
32 company present them in accordance with the notice.

33 (b) The notice must:

34 (1) Be published one time in a newspaper of general circulation in ~~the county~~  
35 ~~where the dissolved limited liability company's principal office (or, if none~~  
36 ~~in this State, its registered office) is or was last located; any county where~~  
37 ~~the dissolved limited liability company conducted business during the five~~  
38 ~~years prior to filing articles of dissolution;~~

39 (2) Describe the information that must be included in a claim and provide a  
40 mailing address where the claim may be sent; and

41 (3) State that a claim against the limited liability company will be barred unless  
42 a proceeding to enforce the claim is commenced within five years after the  
43 publication of the notice.

44 (c) If the dissolved limited liability company publishes a newspaper notice in  
45 accordance with subsections (a) and (b) of this section, the claim of each of the following  
46 claimants is barred unless the claimant commences a proceeding to enforce the claim against  
47 the dissolved limited liability company within five years after the publication date of the  
48 newspaper ~~notice~~: notice in the county where the limited liability company conducted the  
49 business that gave rise to the claim:

50 (1) A claimant who was known but did not receive written notice under  
51 G.S. 57C-6-07;

- 1           (2)    A claimant whose claim was timely sent to the dissolved limited liability  
2                company but not acted on; or  
3           (3)    A claimant whose claim is contingent or based on an event occurring after  
4                the filing of the articles of dissolution."  
5           **SECTION 4.** This act becomes effective October 1, 2009.