

Sunsets 1/1/2016

48-2c-1408 Approval of merger.

- (1) A plan of merger shall be approved by each entity that is a party to the merger, as follows:
 - (a) In the case of a domestic company, by members holding the interest in profits required by Section 48-2c-803, or by a greater vote if required by its articles of organization or operating agreement.
 - (b) In the case of an entity other than a domestic company, as provided by the statutes governing that entity.
- (2) After a merger is authorized, and at any time before articles of merger are filed, the planned merger may be abandoned, subject to any contractual rights:
 - (a) By a domestic company, in accordance with the procedure set forth in the plan of merger or, if none is set forth, by vote of members holding 2/3 of the profit interests in the domestic company.
 - (b) By a party to the merger that is not a domestic company, in accordance with the procedure set forth in the plan of merger or, if none is set forth, in the manner permitted by the statutes governing that entity.