

Sunsets 1/1/2016

48-2c-115 Court-ordered inspection.

- (1) If a company does not allow a current or former member or manager or their agent or attorney who complies with Subsection 48-2c-113(1) to inspect or copy any records required by that subsection to be available for inspection, the district court of the county in this state in which the company's principal office is located, or if the company has no principal office in this state, the district court of Salt Lake County, may summarily order inspection and copying of the records demanded at the company's expense, on application of the person denied access to the records. The court shall dispose of an application under this Subsection (1) on an expedited basis.
- (2) If a court orders inspection or copying of records demanded, it shall also order the company to pay the costs incurred by the person requesting the order, including reasonable attorney's fees unless the company proves that it refused inspection in good faith because it had a reasonable basis for doubt about the right of the person to inspect the records demanded.
- (3) If a court orders inspection or copying of records demanded, it may:
 - (a) impose reasonable restrictions on the use or distribution of the records by the person demanding inspection;
 - (b) order the company to pay the member or manager for reasonable attorney's fees and costs incurred and for any damages incurred as a result of the company's denial if the court determines that the company did not act in good faith in refusing to allow the inspection or copying; and
 - (c) grant the person demanding inspection or copying any other available legal remedy.