

Following is an example of how issue spotting can lead to a passing score on an MEE essay. Below is a passing examinee answer to MEE Essay #1 (Corps/LLCs) on the July 2016 MEE:



- 1)
1 The issue is what type of the LLC was created.

The general rule is that LLC was created as member-manages unless the intent expressly states the establishment of manager-managed LLC. Here, neither the certificate of organization nor the member's operating agreement specifies the typs of LLC. Thus the the member-managed LLC was created.

- 2 The issue is wheter the LLC is bound under the tire contract.

The general rule is that the patner of the LLC has authority to make contract in the ordinaly course of business. Here, the main porpose of the LLC is to run a bike shop. So the brother has a authority to make a tire contract as this LLC's partner. Thus, the LLC was bound under the tire contract.

- 3 The issue is the LLC is bound by hte sale of the farmland.

The general rule is that the partner's authority is limited when the operating agreement or other document in the LLC clealy limit the scope of the partner's authority.

Here, the operating agreement provides that the LLC's farmland may not be sold without the approval of all three members. And actually the brother and the sister objected the sale. Thus the LLC is not bound by the sale of the falmland.

- 4 The issue is what is the legal effect of the brother'e email.

Generally, diassociation arises when the partner expressly shows his intent to leave the partnership.

Here, brother showed his clear intent in the email that he wants to leave the LLC. Its effect is disassociation. Some states allows that disaccociation invokes automatic termination of the LLC.



This essay received a score of 49.46 on the July 2016 New York UBE Exam (whereas 47.8 was a passing MEE score on the NY J16 UBE exam). For 100% of the topics in the MEE question, the examinee correctly issue spotted, provided the basic rule, provided a relevant 1-2 sentence analysis per issue, and arrived at the correct conclusion for each issue.