

Proposed Constitutional Amendments Regarding Litigation

ARTICLE III, Section 6. SUITS BY MEMBERS AGAINST THE ASSOCIATION

“Due to the inherent and substantial conflict of interest presented by the initiation or maintenance of suit against the Association, no member shall be eligible to serve as an officer, director, and/or committee member during the pendency of any suit. Upon the initiation or joinder to any suit against the Association (or its officers, directors, employees, and/or agents), a member is deemed to have resigned, effective immediately, from all officer, director, and/or committee member positions. In the event a member initiates or joins any suit against the Association (or its officers, directors, employees, and/or agents), and the Association (or its officers, directors, employees, and/or agents) prevails (including non-suits before final judgment), the Association shall be entitled to recover all attorney’s fees and costs incurred in defending the lawsuit. Such amounts will be immediately due and payable, and all membership privileges are suspended until the amount has been paid in full.”

ARTICLE V, Section 1. ELIGIBILITY

“No person shall be eligible to serve as an officer of the Association who has not served at least two years as a member of the Board of Directors. No person shall be eligible to serve as an officer of the Association who is in active litigation against the Association (or its officers, directors, employees, and/or agents). Furthermore, no person shall be eligible to serve as an officer of the Association who has instituted or maintained a lawsuit against the Association within the preceding 10 years from the date of the election of officers, unless, by a 4/5ths vote of the total Area Directors (excluding vacancies), it is determined that the institution or maintenance of the prior lawsuit presents no conflict of interest by the candidate for officer against any member or the Association.”

ARTICLE VIII, Section 2(b). EXCLUSIONS

“No person may hold a position of Director of the Association while serving as an officer or director of any other Bos Indicus recording association within the United States and shall while so serving, cease to be a Director of the Association. No person shall be eligible to serve as a Director of the Association who is in active litigation against the Association (or its officers, directors, employees, and/or agents). Furthermore, no person shall be eligible to serve as a Director of the Association who has instituted or maintained a lawsuit against the Association within the preceding 10 years from the date of the election of Directors, unless, by a 4/5ths vote of the total Area Directors (excluding vacancies), it is determined that the institution or maintenance of the prior lawsuit presents no conflict of interest by the candidate for Director against any member or the Association.”