

**489.903 Proper plaintiff.**

1. Except as otherwise provided in [subsection 2](#), a derivative action under [section 489.902](#) may be maintained only by a person that is a member at the time the action is commenced and remains a member while the action continues.

2. If the sole plaintiff in a derivative action dies while the action is pending, the court may permit another member of the limited liability company to be substituted as plaintiff.

[2008 Acts, ch 1162, §68, 155](#)