

CHAPTER 2170. CORPORATIONS AND SIMILAR ENTITIES AS PARTIES

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Rule 2176. Definitions.

As used in this chapter

“action” means any civil action or proceeding brought in or appealed to any court which is subject to these rules;

“corporation or similar entity” includes any public, quasi-public or private corporation, insurance association or exchange, joint stock company or association, limited liability company, professional association, business trust, or any other association which is regarded as an entity distinct from the members composing the association, but does not include the Commonwealth of Pennsylvania, a political subdivision as defined in Rule 76, a partnership as defined in Rule 2126, or an unincorporated association as defined in Rule 2151;

“corporate name” means any name, real or fictitious, under which a corporation or similar entity was organized, or conducts business, whether or not such name has been filed or registered;

“executive officer” means a chairman, president, vice-president, treasurer, secretary, general manager, or any like officer of a corporation or similar entity;

“member” includes any shareholder in a corporation or similar entity.

Official Note: The term “corporation or similar entity” as defined above includes all associations and business entities which are regarded as separate and distinct from their members. No attempt has been made to enumerate all the various classes of private corporations falling within the definition.

Source

The provisions of this Rule 2176 adopted November 26, 1943, effective August 1, 1944; amended January 12, 2001, effective July 1, 2001, 31 Pa.B. 137; amended December 16, 2003, effective July 1, 2004, 34 Pa.B. 9. Immediately preceding text appears at serial page (295863).

Rule 2177. Actions by and Against a Corporation or Similar Entity.

An action shall be prosecuted by or against a corporation or similar entity in its corporate name.

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Official Note: Adopted November 26, 1943, effective August 1, 1944; amended April 18, 1975, effective immediately, 5 Pa.B. 1820.

Rule 2178. Actions between a corporation or similar entity and members thereof.

An action may be prosecuted by a corporation or similar entity against one or more of the members thereof, or against members together with persons not members; or by one or more members, or by members together with other persons not members, against the corporation or similar entity.

Official Note: This rule is designed to apply to all actions between a corporation or similar entity and its members, including those actions in which an accounting has been asked.

Source

The provisions of this Rule 2178 adopted November 26, 1943, effective August 1, 1944; amended December 16, 2003, effective July 1, 2004, 34 Pa.B. 9. Immediately preceding text appears at serial page (295864).

Rule 2179. Venue in an Action Against a Corporation or Similar Entity.

(a) *General Rule.* Except as otherwise provided by an Act of Assembly or by subdivision (b) of this rule, a personal action against a corporation or similar entity may be brought in and only in a county where

- (1) the registered office or principal place of business of the corporation or similar entity is located;
- (2) the corporation or similar entity regularly conducts business;
- (3) the cause of action arose;
- (4) a transaction or occurrence took place out of which the cause of action arose; or
- (5) the property or a part of the property, which is the subject matter of the action, is located provided that equitable relief is sought with respect to the property.

(b) *Venue in Actions on an Insurance Policy.* An action upon a policy of insurance against an insurance company, association or exchange, either incorporated or organized in Pennsylvania or doing business in this Commonwealth, may be brought in a county

- (1) designated in subdivision (a) of this rule;
- (2) where the insured property is located; or
- (3) where the plaintiff resides, in actions upon policies of life, accident, health, disability, and livestock insurance or fraternal benefit certificates.

(c) The Civil Procedural Rules Committee shall reexamine the 2022 rule amendments two years after their effective date.

Source

The provisions of this Rule 2179 adopted November 26, 1943, effective August 1, 1944; amended March 27, 1956, effective July 1, 1956; amended December 29, 2000, effective July 1, 2001, 31 Pa.B. 137; amended January 27, 2003, effective immediately, 33 Pa.B. 751; amended December 16, 2003, effective July 1, 2004, 34 Pa.B. 9; amended August 25, 2022, effective January 1, 2023, 52 Pa.B. 5792. Immediately preceding text appears at serial pages (302532) to (302533).

Rule 2180. Service of process.

[Rescinded]

Official Note: For service upon corporations and similar entities, see Rule 424.

Source

The provisions of this Rule 2180 amended April 26, 1979, effective May 26, 1979, 9 Pa.B. 1507, rescinded June 20, 1985, effective January 1, 1986, 15 Pa.B. 2452. Immediately preceding text appears at serial pages (42834) and (48432).

Rule 2181. Proof of service.

[Rescinded]

Official Note: For the return of service, see Rule 205.

Source

The provisions of this Rule 2181 adopted April 26, 1979, effective May 26, 1979, 9 Pa.B. 1507; rescinded June 20, 1985, effective January 1, 1986, 15 Pa.B. 2452. Immediately preceding text appears at serial pages (48432) and (48433).

Rule 2182. Time to plead. Extensions.

[Rescinded].

Official Note: See Rule 1026(b) for the time in which a defendant served outside the United States must plead to the complaint.

Source

The provisions of this Rule 2182 adopted April 26, 1979, effective May 26, 1979, 9 Pa.B. 1507; rescinded June 20, 1985, effective January 1, 1986, 15 Pa.B. 2452. Immediately preceding text appears at serial pages (48433).

Rule 2198. [Rescinded].

Official Note: See Rule 449(a) for the preservation of sections of the Judicial Code which provide for service of process on persons who are outside the Commonwealth.

Source

The provisions of this Rule 2198 amended April 26, 1979, effective May 26, 1979, 9 Pa.B. 1507; rescinded June 3, 1994, effective July 1, 1994, 24 Pa.B. 3010. Immediately preceding text appears at serial page (99963).

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Rule 2199. [Rescinded].

Source

The provisions of this Rule 2199 rescinded April 26, 1979, effective May 26, 1979, 9 Pa.B. 1507. Immediately preceding text appears at serial page (22334).

Rule 2200. [Rescinded].

Official Note: See Rule 449(b) for the abolition of practice and procedure under repealed statutes relating to service of process on persons who are outside the Commonwealth or who prevent or obstruct service of process.

Source

The provisions of this Rule 2200 amended April 26, 1979, effective May 26, 1979, 9 Pa.B. 1507; rescinded June 3, 1994, effective July 1, 1994, 24 Pa.B. 3010. Immediately preceding text appears at serial page (42837).

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