

# LLC FORMATION STARTER KIT

From Idea to Protected Entity — The Complete Formation Guide

Everything you need to understand, form, and properly maintain a Limited Liability Company — enriched with history, real-world stories, and famous examples.

|                           |                                 |                         |
|---------------------------|---------------------------------|-------------------------|
| 40-Page Formation Guide   | 2 Operating Agreement Templates | Step-by-Step Checklists |
| Corporate Veil Protection | EIN Application Walkthrough     | Real-World Case Studies |

Published by

**CONCORD STRATEGIC**

concordstrategic.org

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INTRODUCTION

# The \$150 Decision That Protects Everything

|                                      |                            |                                  |                               |
|--------------------------------------|----------------------------|----------------------------------|-------------------------------|
| 25M+                                 | \$150                      | 73%                              | 40M+                          |
| LLCs registered in the United States | Average LLC formation cost | US businesses with no protection | Civil lawsuits filed annually |

Of all the decisions a business owner, investor, or entrepreneur can make, few are as consequential — or as underestimated — as the decision to form a Limited Liability Company. For a filing fee that ranges from \$50 to \$500 depending on your state, you can create a legally recognized barrier between your personal assets and every risk your business creates. Your home. Your savings. Your vehicles. Your investment accounts. All of it protected by a single document filed with your state.

Yet despite the LLC's simplicity, low cost, and remarkable effectiveness, millions of Americans operate businesses and hold real estate without one. They accept unlimited personal liability every single day — not out of indifference, but because no one has clearly explained what they are risking or how straightforward the solution actually is.

*“An LLC costs \$150 to form. A lawsuit costs \$150,000 to defend. The math has never been more obvious.”*

**What Makes This Guide Different:** Most LLC formation guides are dry, step-by-step instruction manuals. This guide adds the historical context, famous real-world examples, and cautionary case studies that make the information stick — and make the urgency undeniable. You will not just know how to form an LLC after reading this. You will understand why it matters.

## CHAPTER 1

# The Birth of the LLC: Wyoming, 1977

|                         |                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Sept 27<br/>1977</b> | <b>Wyoming Passes the First LLC Statute</b><br>Hamilton Brothers Oil Company needed a new entity combining corporate liability protection with partnership tax flexibility. Wyoming legislators obliged. The nation's first LLC statute was passed — a hybrid entity that had never existed in American law. For over a decade Wyoming was the only state with an LLC law. |
| <b>1982</b>             | <b>Florida Adopts LLC Legislation</b><br>Florida became one of the early states to recognize LLCs, helping expand the concept beyond Wyoming's borders. The structure began gaining traction with sophisticated investors and business owners throughout the Southeast.                                                                                                    |
| <b>1988</b>             | <b>IRS Revenue Ruling 88-76</b><br>The IRS officially confirmed that Wyoming LLCs would be taxed as partnerships. This single ruling opened the floodgates. Entrepreneurs and attorneys nationwide recognized the full power of the LLC — liability protection without double taxation.                                                                                    |
| <b>1996</b>             | <b>All 50 States Adopt LLC Laws</b><br>By 1996, every state in the nation had passed LLC legislation. The entity that began with one oil company's lobbying effort had transformed American business forever.                                                                                                                                                              |
| <b>2024</b>             | <b>25+ Million LLCs in the US</b><br>Today there are more than 25 million LLCs registered in the United States — all tracing their legal lineage to a single oil company's lobbying effort in Wyoming in 1977. The LLC has become the most popular business entity in American history.                                                                                    |

## The Problem the LLC Was Invented to Solve

Before 1977, American businesses had two choices: a corporation or a partnership. The corporation offered liability protection but came with double taxation and rigid formality requirements. The partnership offered tax flexibility but provided no liability protection to its owners — partners were personally liable for every business obligation. Hamilton Brothers Oil Company needed both. Their attorneys created something entirely new. The very first LLC operating agreement in American history was reportedly drafted in a conference room in Denver, Colorado in 1977. The document they created — defining ownership interests, management rights, and profit distributions — established the template that millions of operating agreements still follow today.

### ■ DID YOU KNOW?

The LLC was not born in a law school or a legislative committee — it was born out of a practical business problem that needed an immediate solution. Hamilton Brothers Oil Company needed to attract foreign investment without triggering corporate double taxation. The entity they lobbied into existence now protects the personal assets of over 25 million American business owners.

## CHAPTER 2

# Why the LLC Is America's Most Popular Entity

With over 25 million registered LLCs in the United States — vastly outnumbering corporations, S-Corps, and partnerships combined — the LLC has become the default choice for American business and investment. Understanding why requires looking at each of its core advantages in detail.

## Personal Liability Protection

The fundamental reason most people form an LLC. When properly structured, your personal assets — home, savings, vehicles, investment accounts — are generally protected from business debts, lawsuits, and creditor claims. A judgment against the LLC can reach LLC assets but not yours personally.

## Pass-Through Taxation

By default LLC profits pass directly to the owner's personal tax return — avoiding the double taxation that burdens C-Corporations. You pay income tax once, at your personal rate. Additionally the LLC can elect to be taxed as an S-Corporation, unlocking significant self-employment tax savings.

## Management Flexibility

Unlike corporations that require a board of directors, annual meetings, and formal minutes, an LLC can be managed however the members choose. Member-managed or manager-managed. The operating agreement defines everything.

## Professional Credibility

Operating as "John Smith LLC" signals to clients, vendors, lenders, and partners that you are a formalized business. Banks extend credit more readily. Larger companies sign contracts more willingly. The LLC designation communicates commitment.

## Privacy of Ownership

In many states the names of LLC members are not required on public filings. Only the registered agent appears on public records. For real estate investors and business owners who prefer privacy, the LLC provides significant anonymity.

## Low Cost & Simplicity

State filing fees range from \$50 to \$500. Annual maintenance costs are typically \$50 to \$800. No board meetings required. No corporate formalities. The LLC provides corporate-level protection at a fraction of the cost and complexity.

## ■ End of Preview

The complete 37-page LLC Formation Starter Kit is available for purchase.

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- ✓ 7-Step Formation Walkthrough — Name to Bank Account
  - ✓ Corporate Veil — 5 Rules to Protect It
- ✓ Operating Agreement Deep Dive — Every Clause Explained
  - ✓ EIN Application Walkthrough — Step by Step
  - ✓ LLC Tax Elections — All 4 Options Compared
- ✓ Famous LLC Wins & Failures — Real Case Studies
  - ✓ Single-Member + Multi-Member OA Templates
  - ✓ Written & researched by Albert Davis, Founder

*Written & researched by Albert Davis — Founder, Concord Strategic*  
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