

TABLE OF CONTENTS

ENDORSEMENT	i
APPROVAL.....	ii
DISCLAIMER	iii
ACKNOWLEDGEMENTS	iv
ABSTRACT.....	v
<i>INTISARI</i>	vi
TABLE OF CONTENTS.....	vii
LIST OF TABLES	ix
CHAPTER I: INTRODUCTION	1
A. Background.....	1
B. Research Questions	8
C. Research Objective	8
1. Subjective Goal	8
2. Objective Goal.....	9
D. Originality of Research.....	9
E. Benefits of the Research	13
1. Theoretical Benefit	13
2. Practical Benefit	13
CHAPTER II: THEORETICAL REVIEW	14
A. Overview of Limited Liability Company in	14
1. Indonesia	14
2. the United States.....	18
B. Sexual Violence within Limited Liability Companies and Its Implications to the Company	21
CHAPTER III: RESEARCH METHOD	26
A. Type of Research.....	26
B. Type of Data	27
1. Primary Data	27

2. Secondary Data	27
C. Data Collection Methodology	28
D. Data Analysis.....	29
CHAPTER IV: RESEARCH RESULTS AND ANALYSIS	30
A. Requirements Indonesian Shareholders Need to Prove to File for Derivative Lawsuits due to Cases of Sexual Violence Committed by Directors of a Limited Liability Company.....	30
1. Filled by at least 1/10 of the total shares with voting rights	31
2. Directed Against Member of the Board of Directors	32
3. Fault or Negligence as the Object of Dispute	35
4. Damages Suffered by the Company	45
B. The Differences Between Indonesia and the U.S. in Regulating Derivative Lawsuits Against Directors of a Limited Liability Company	51
1. Legal Standing of Plaintiff in a Derivative Lawsuit	54
2. The Existence of Harm (Damages).....	61
3. Proving failure in Duty of Directors to pursue Derivative Lawsuit	65
C. Enhancing Indonesia's Regulations from the Difference Between Indonesia and the U.S. in Regulating Derivative Lawsuits Against Directors of a Limited Liability Company	78
1. Failure of Oversight as a Form of Breach of Director's Fiduciary Duty	78
2. Expanding Derivative Lawsuits Beyond Members of the Board of Directors	82
3. Balancing Shareholders and Board of Directors Interests through Demand Requirement	86
CHAPTER V: CONCLUSION.....	90
A. Conclusion.....	90
B. Recommendations	91
BILBIOGRAPHY	93

LIST OF TABLES

Table 1. List of Sexual Violence Crimes Under the Sexual Violence Law	40
Table 2. Summary of Differences in Legal Framework on Derivative Lawsuits in Indonesia and the United States	78