

FOI000001343

TRANSMITTAL LETTER

To: Qualification/Tax Lien Section  
Division of Corporations

SUBJECT: CAMPBELLSVILLE INDUSTRIES, INCORPORATED  
(Name of corporation - must include suffix)

Dear Sir or Madam:

00855-00734 <sup>\$20,806.25</sup> - 00671

The enclosed "Application by Foreign Corporation for Authorization to Transact Business in Florida", "Certificate of Existence", and check are submitted to register the above referenced foreign corporation to transact business in Florida.

Please return all correspondence concerning this matter to the following:

SHIRLEY CHEATHAM

(Name of Person)

CAMPBELLSVILLE INDUSTRIES, INC.

(Firm/Company)

PO BOX 278

(Address)

CAMPBELLSVILLE, KY 42719

(City/State/Zip)

~~W 27673~~  
300003462943--3  
-11/14/00--01047--004  
\*\*\*\*\*78.75 \*\*\*\*\*78.75

FILED  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
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Should you need to call someone concerning this matter, please call:

SHIRLEY CHEATHAM

(Name of Person)

at ( 270 ) 465-8135

(Area Code & Daytime Telephone Number)

300003462943--3  
-03/12/01--01001--007  
\*\*\*5000.00 \*\*\*5000.00

STREET ADDRESS:

Qualification/Tax Lien Section  
Division of Corporations  
409 E. Gaines St.  
Tallahassee, FL 32399

Enclosed is a check for the following amount:  
Acknowledgement

\$70.00 Filing Fee & \$78.75 Filing Fee & Certificate of Status

MAILING ADDRESS:

Qualification/Tax Lien Section  
Division of Corporations  
P.O. Box 6327  
Tallahassee, FL 32314

Call 3/9

\$78.75 Filing Fee & Certified Copy

\$87.50 Filing Fee, Certificate of Status & Certified Copy

Charter Tax - \$30  
AR Fees: 2,016.25  
Penalty Fees: 2,953.75

FCCP used



FLORIDA DEPARTMENT OF STATE

Katherine Harris  
Secretary of State

November 21, 2000

SHIRLEY CHEATHAM  
CAMPBELLSVILLE INDUSTRIES, INC.  
P.O. BOX 278  
CAMPBELLSVILLE, KY 42719

SUBJECT: CAMPBELLSVILLE INDUSTRIES, INCORPORATED  
Ref. Number: W00000027673

We have received your document for CAMPBELLSVILLE INDUSTRIES, INCORPORATED and your check(s) totaling \$78.75. However, the document has not been filed and is being retained in this office for the following: ✓

Pursuant to section 607.1502(4), 617.1502(4) or 608.502(4), Florida Statutes, this office collects a civil penalty of \$1000 for each year this entity transacted business or conducted its affairs in Florida prior to qualification and the appropriate annual report/uniform business report fees that would have been due this office had the entity qualified the year it began operations in this state. The amount due this office to cover both annual report/uniform business report and penalty fees is \$20,866.25. ✓

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned. ✓

If you have any questions concerning the filing of your document, please call (850) 487-6967. ✓

Michelle Hodges  
Document Specialist

Letter Number: 300A00059749

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**AKERMAN SENTERFITT**  
**ATTORNEYS AT LAW**

**FRED R. DUDLEY**  
ATTORNEY

AKERMAN, SENTERFITT & EIDSON, P.A.  
301 SOUTH BRONOUGH STREET, SUITE 200  
POST OFFICE BOX 10555  
TALLAHASSEE, FLORIDA 32302-2555  
PHONE (850) 222-3471 FAX (850) 222-8628  
BEEPER 1-800-872-1626  
E-MAIL: [fdudley@akerman.com](mailto:fdudley@akerman.com)  
<http://www.akerman.com>

FORT LAUDERDALE  
JACKSONVILLE  
MIAMI  
ORLANDO  
TALLAHASSEE  
TAMPA  
WEST PALM BEACH



FLORIDA DEPARTMENT OF STATE  
Katherine Harris  
Secretary of State

January 11, 2001

FRED R. DUDLEY, ESQUIRE  
AKERMAN SENTERFITT ATTORNEYS AT LAW  
PO BOX 10555  
TALLAHASSEE, FL 32302-2555

SUBJECT: CAMPBELLSVILLE INDUSTRIES, INCORPORATED  
Ref. Number: W00000027673

In accordance with your telephone conversation with Karon Beyer of our office, the enclosed original documents are being returned to you for correction.

Please correct the application in accordance with Mrs. Beyer's instructions and return both the application and supplemental fees to my attention. A self-addressed envelope is enclosed for your convenience.

If you have any questions concerning the filing of your document, please call (850) 487-6911.

Brenda Tadlock  
Sr. Corporate Section Administrator

Letter Number: 701A00001684

# AKERMAN SENTERFITT

ATTORNEYS AT LAW

301 SOUTH BRONOUGH STREET, SUITE 200  
POST OFFICE BOX 10555  
TALLAHASSEE, FLORIDA 32302-2555  
PHONE (850) 222-3471 • FAX (850) 222-8628  
<http://www.akerman.com>

FRED R. DUDLEY  
FDUDLEY@AKERMAN.COM

*2/23/01  
Brenda will  
tax check  
fax form*

February 23, 2001

Via FAX only to 922-5763

Jerry York, Esq., Assistant General Counsel  
Department of State  
Tallahassee, Florida

Re: Campbellsville Industries, Inc. - Our Clt/Mtr No.111358

Dear Jerry:

Thank you very much for taking the time last week to discuss this matter via phone, and for your offer of settlement in the amount of \$8,100. I have conveyed that offer to our client, together with my opinion regarding the applicable law.

As you are no doubt aware, section 607.1501(2), Florida Statutes, has never been directly construed by either a Florida or federal court. Interestingly, subsection (2)(j) thereof **EXCLUDES** from the definition of "transaction business," "**Transacting business in interstate commerce.**" It seems to me that this exclusion is consistent with the federal constitutional prohibition of any state restrictions being imposed on interstate commerce.

While the amount in dispute may not justify the costs of a judicial challenge, absence application of section 1988 of the Civil Rights Act for payment of our client's fees and costs, the facts of this case as set forth in our client's recent affidavit present a tempting issue which is ripe for adjudication. However, our client is willing to forego the risk of non-reimbursement of these potential fees and costs if the state is willing to **settle all issues for the sum of \$5,000.** In addition, our client would, within 30 days, complete the necessary filing with your department to "authorize" it to continue it's existing business practices, including the maintenance of annual reports and fees.

This settlement is offered **without prejudice** to our client's right to contest all of these issues in the event litigation becomes necessary, and is not intended to be admissible in any such proceedings as an admission of liability, which is, in fact, contested. I am hopeful that you can favorably recommend this proposed settlement to the department, and for that purpose it shall remain open until **Friday, March 2, 2001.**

Very truly yours,

FRED R. DUDLEY

TL016160:1

**AFFIDAVIT OF INTERSTATE COMMERCE**

STATE OF KENTUCKY  
COUNTY OF TAYLOR

BEFORE ME, an officer duly qualified to take oaths and acknowledgments, appeared this \_\_\_\_\_ day of January 2001, KENNETH BENNETT, who being duly sworn deposes and says:

1. I am the Treasurer of Campbellsville Industries, Inc. ("the corporation"), which is a duly organized and existing corporation under the laws of the State of Kentucky.

2. The principal business activity of the corporation is the manufacture, prefabrication and erection of aluminum steeples, and the principal office of the corporation is located in Campbellsville, Kentucky.

3. The corporation does not "transact any business" in the state of Florida, as that term is used in Section 607.1501, Florida Statutes (2000); specifically, the corporation does not:

a. Maintain any office, warehouse or other space from which to operate within the state of Florida, nor maintain any equipment or employees in Florida;

b. Conduct any activities within the state of Florida, except for actual erection of prefabricated units which lasts from two (2) to ten (10) days per job.

c. Soliciting or obtaining orders in Florida, except where the same requires acceptance outside of Florida before they become contracts; and,

d. Sell its products in Florida, except through independent contractors.

4. This affidavit is made for the purpose of inducing reliance hereon by the Florida Department of State and in support of the corporation's position that it is not required to obtain a certificate of authority from the state of Florida.

Witnesses:

1. Glenda Britta  
2. Shirley Cheatham

Campbellsville Industries, Inc.

By: Kenneth Bennett  
Kenneth Bennett, Treasurer

221  
jobs  
since  
1981

X



**FLORIDA DEPARTMENT OF STATE**  
**Katherine Harris**  
**Secretary of State**  
**OFFICE OF THE GENERAL COUNSEL**

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**F A C S I M I L E   T R A N S M I T T A L**

**TO FAX NUMBER:**850-410-1015

**Please deliver the following pages to:**

**NAME:** Brenda Tadlock, Division of Corporations

**CITY/STATE:** Tallahassee, Florida

**SENDER:** Gerard T. York, Esq.,  
Assistant General Counsel  
(850) 414-5514

**DATE/TIME:** 02/27/01 4:12 PM

**NUMBER OF PAGES (including transmittal sheet):** 3

**FROM FAX:** 850/922-5763 (Suncom 292-5763)

**COMMENTS:** Per our conversation.

**LL-10 • THE CAPITOL • TALLAHASSEE, FLORIDA 32399-0250**



# Department of State

## Memorandum Office of the General Counsel

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TO: File

FROM: Gerard York, Assistant General Counsel

DATE: March 8, 2001

RE: Campbellsville Industries, Inc.

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Based on my review of the file and the payments received from the corporation, it is my recommendation that this file be closed. Corporation has paid a filing fee of \$70.00, outstanding report fees from 1981 of \$2016.25, charter taxes of \$30.00, and foreign non-qualified penalties of \$2953.75 assessed in a lump sum to avoid litigation and wishes to be qualified to do business in the State of Florida. Accordingly, it is recommended corporation be issued a certificate of authority.

/gty



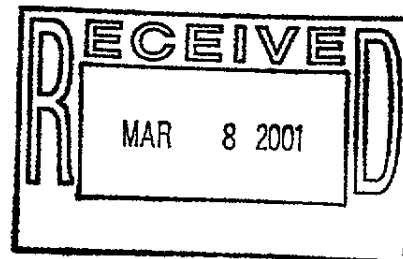
# AKERMAN SENTERFITT

ATTORNEYS AT LAW

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POST OFFICE BOX 10555  
TALLAHASSEE, FLORIDA 32302-2555  
PHONE (850) 222-3471 • FAX (850) 222-8628  
<http://www.akerman.com>

FRED R. DUDLEY  
FDUDLEY@AKERMAN.COM

March 8, 2001



## HAND DELIVERED

Jerry York, Esq.  
Assistant General Counsel  
Department of State  
PL-2, The Capitol  
Tallahassee, Florida

Re: Campbellsville Industries, Inc.

Dear Jerry:

Pursuant to our recent discussions regarding the above matter, I am pleased to enclose herewith the following:

1. Our client's check #013368 in the amount of \$5,000, as payment in full of the agreed upon amount to settle your department's claims; I note that this check is payable to the "Department of Revenue" rather than to your department, so if this is a problem please let me know.
2. Our client's application to qualify in Florida, previously filed in January 2001, but subsequently forwarded to me at my request to Karon Beyer when we were initially engaged in this matter.

Please let me know if you need anything further at this time. Otherwise, I look forward to receiving from you some documentation of our final settlement in this matter.

Very truly yours,

  
FRED R. DUDLEY

Enclosures as stated

cc: Campbellsville Industries, Inc.

TL016432;1

**APPLICATION BY FOREIGN CORPORATION FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA**

*IN COMPLIANCE WITH SECTION 607.1503, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN CORPORATION TO TRANSACT BUSINESS IN THE STATE OF FLORIDA.*

1. CAMPBELLSVILLE INDUSTRIES, INCORPORATED  
(Name of corporation; must include the word "INCORPORATED", "COMPANY", "CORPORATION" or words or abbreviations of like import in language as will clearly indicate that it is a corporation instead of a natural person or partnership if not so contained in the name at present.)

2. KENTUCKY 3. 61-0654617  
(State or country under the law of which it is incorporated) (FEI number, if applicable)

4. 01/22/81 5. perpetual  
(Date of incorporation) (Duration: Year corp. will cease to exist or "perpetual")

6. 1981  
(Date first transacted business in Florida.) (SEE SECTIONS 607.1501, 607.1502 and 817.155, F.S.)

7. PO BOX 278  
CAMPBELLSVILLE, KY 42719  
(Current mailing address)

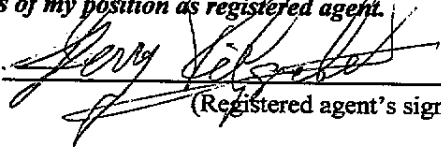
8. MANUFACTURING  
(Purpose(s) of corporation authorized in home state or country to be carried out in state of Florida)

9. Name and street address of Florida registered agent: (P.O. Box or Mail Drop Box **NOT** acceptable)  
Name: JERRY FITZGERALD  
Office Address: 2152 CONIFER AVENUE  
WINTER PARK, Florida, 32792-2036  
(Zip code)

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**10. Registered agent's acceptance:**

*Having been named as registered agent and to accept service of process for the above stated corporation at the place designated in this application, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.*

  
(Registered agent's signature)

11. Attached is a certificate of existence duly authenticated, not more than 90 days prior to delivery of this application to the Department of State, by the Secretary of State or other official having custody of corporate records in the jurisdiction under the law of which it is incorporated.

12. Names and addresses of officers and/or directors: (Street address ONLY - P.O. Box NOT acceptable)

A. DIRECTORS (Street address only - P.O. Box NOT acceptable)

✓ Chairman: JERRY BENNETT

Address: 500 BENNETT LANE  
CAMPBELLSVILLE, KY 42718

✓ Vice Chairman: WILBUR COX

Address: 1317 BAMBRIDGE LANE  
CAMPBELLSVILLE, KY 42718

✓ Director: ROGER GRANT

Address: 100 PRIMROSE LANE  
CAMPBELLSVILLE, KY 42718

↓ Director: KENNETH L. BENNETT

Address: 43 CAMELOT  
CAMPBELLSVILLE, KY 42718

B. OFFICERS (Street address only - P.O. Box NOT acceptable)

PP President: JERRY BENNETT

Address: 500 BENNETT LANE  
CAMPBELLSVILLE, KY 42718

VP Vice President: WILBUR COX

Address: 1317 BAMBRIDGE LANE  
CAMPBELLSVILLE, KY 42718

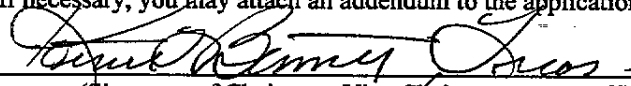
Secretary: ROGER GRANT

Address: 100 PRIMROSE LANE  
CAMPBELLSVILLE, KY 42718

Treasurer: KENNETH L. BENNETT

Address: 43 CAMELOT  
CAMPBELLSVILLE, KY 42718

NOTE: If necessary, you may attach an addendum to the application listing additional officers and/or directors.

13.   
(Signature of Chairman, Vice Chairman, or any officer listed in number 12 of the application)

14. KENNETH L. BENNETT, TREASURER

(Typed or printed name and capacity of person signing application)



**John Y. Brown III**  
**Secretary of State**

**Certificate of Existence**

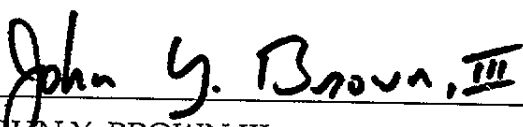
I, JOHN Y. BROWN III, Secretary of State of the Commonwealth of Kentucky, do hereby certify that according to the records in the Office of the Secretary of State,

**CAMPBELLSVILLE INDUSTRIES, INC.**

is a corporation duly organized and existing under KRS Chapter 271B, whose date of incorporation is January 22, 1981 and whose period of duration is perpetual.

I further certify that all fees and penalties owed to the Secretary of State have been paid; that articles of dissolution have not been filed; and that the most recent annual report required by KRS 271B.16-220 has been delivered to the Secretary of State.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at Frankfort, Kentucky, this 26<sup>th</sup> day of October, 2000.



JOHN Y. BROWN III  
Secretary of State  
Commonwealth of Kentucky

Tmorgan/0153237

**THIS FORM IS TO BE COMPLETED BY CORPORATIONS WHO HAVE BEEN TRANSACTING BUSINESS IN FLORIDA PRIOR TO QUALIFICATION TO DETERMINE CHARTER TAX THAT MUST BE PAID.**

Authorized number of shares (itemized by class and par value) the corporation had when it first transacted business in Florida. If shares have no par value, enter "NPV" and the number of shares.

"VALUE" may be defined in any terms consistent with generally accepted accounting principles.

- A. Estimated value of all property owned by Corporation for the year it first transacted business in Florida, wherever located. \$ 1,029,582
- B. Estimated Gross amount of business transacted by the Corporation for the year it first transacted business in Florida. \$ 2,532,108
- C. Estimated Value of all property in Florida owned by the Corporation for the year it first transacted business in Florida. \$ -0-
- D. Estimated Gross amount of business transacted in Florida by the Corporation during the year it first transacted business in Florida. \$ 177,378
- E. TOTAL of "A" and "B" \$ 3,561,690
- F. TOTAL of "C" and "D" \$ 177,378
- G. DIVIDE "F" by "E" \$ .05
- H. Corporations with par value stock:  
Multiply "G" and Authorized Shares and their par value. \$ -
- I. Corporations with no par value stock:  
Multiply "G" by Total Authorized Shares. \$ NPV

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SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
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**THIS PORTION IS FOR OFFICE USE ONLY AND IS TO BE COMPLETED BY DOCUMENT EXAMINER UPON QUALIFICATION**

Document #	
Corporate Name	
Penalty Paid for year (\$)	
Charter tax paid	
AR Fee paid for year (\$)	