



FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State

May 25, 1999

JAMES A. PIPP
ATL PRODUCTS, INC.
101 INNOVATION DRIVE
IRVINE, CA 92612

SUBJECT: ATL PRODUCTS, INC.
Ref. Number: W99000012161

FILED
01 DEC 24 PM 5:00
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

We have received your document for ATL PRODUCTS, INC. and your check(s) totaling \$87.50. However, the document has not been filed and is being retained in this office for the following:

A certificate of existence, dated no more than 90 days prior to the delivery of the application to the Department of State, duly authenticated by the secretary of state or other official having custody of the records in the jurisdiction under the laws of which it is incorporated/organized, must be submitted to this office. A translation of the certificate under oath of the translator must be attached to a certificate which is in a language other than the English language. A photocopy of this certificate is not acceptable.

Based upon information provided by the Florida Department of Revenue, pursuant to section 213.053(14), Florida Statutes, it appears that ATL PRODUCTS, INC. has transacted business in Florida prior to submitting an "Application for Authority to Transact Business in Florida". The information received from the Florida Department of Revenue indicates April 1, 1996, as the initial date of transacting business in the State of Florida. Please contact this office concerning the date first transacted business in Florida.

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 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 and penalty fees is \$3465.00.

Enclosed please find a copy of section 607.1501 or 617.1501, Florida Statutes, which lists those activities that do not constitute transacting business in this state. If after reviewing this section you determine erroneous information was inserted on the application, a notarized affidavit containing the following information must be submitted: 1.) a statement indicating erroneous information was listed on the application; and 2.) the correct date the corporation began transacting business in Florida prior to the year the application was submitted did not constitute

transacting business pursuant to section 607.1501 or 617.1501, Florida Statutes.

If you have any questions concerning the filing of your document, please call (850) 487-6020.

Tammi Cline
Document Specialist

Letter Number: 199A00028774

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01 DEC 24 PM 5:20
SECRETARY OF STATE
TALLAHASSEE, FLORIDA



FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State

September 29, 1999

JAMES A. PIPP
ATL PRODUCTS, INC.
101 INNOVATION DRIVE
IRVINE, CA 92612

SUBJECT: ATL PRODUCTS, INC.
Ref. Number: W99000012161

01 DEC 24 PM 5:10
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

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This letter is in response to the application by foreign corporation for authorization to transact business in Florida that was previously submitted to this office for ATL PRODUCTS, INC..

This office received information provided by the Florida Department of Revenue, pursuant to section 213.053(14), Florida Statutes, which indicates that the corporation has transacted business in the State of Florida since April 1, 1996. You were notified by letter dated May 25, 1999, that because of failure to obtain a certificate of authority prior to transacting business in the State of Florida, the corporation is liable for \$3465.00 in appropriate fees and penalties as set forth in Section 607.1502(4), Florida Statutes, (copy enclosed).

Until a response is received by this office concerning the prior notification, the application by foreign corporation for authorization to transact business in Florida will not be processed. If erroneous information was reflected on the previously submitted application, a sworn affidavit may be filed stating the correct date the corporation first transacted business in Florida, that the corporation did not transact business in Florida prior to the application filing year and that the information entered on such application is incorrect. Any such affidavit will be included with your original qualification documents.

Please provide your response to this letter within 30 days to avoid the necessity of further action.

If you have further questions concerning the filing of your document, please telephone the Foreign Qualification/Tax Lien Section at (850) 487-6051.

Gretchen Harvey
Document Specialist Supervisor Letter No. 099A00047569

Enclosure



FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State

April 10, 2000

JAMES A. PIPP
ATL PRODUCTS, INC.
101 INNOVATION DRIVE
IRVINE, CA 92612

SUBJECT: ATL PRODUCTS, INC.
Ref. Number: W99000012161

CERTIFIED MAIL #Z 311 649 603 RETURN RECEIPT REQUESTED

This is the Department of State's third request for information to establish the date ATL PRODUCTS, INC. first transacted business in Florida. Failure to respond to this letter may result in legal action against the corporation pursuant to Sections 607.0130(3) and 607.1502(4), Florida Statutes (copies enclosed).

Based upon information provided by the Florida Department of Revenue, it appears that ATL PRODUCTS, INC. has transacted business in Florida since April 1, 1996. This date is not the same as the date indicated on the corporation's previously submitted application.

If erroneous information was listed on the application or the date the corporation began conducting its affairs in Florida falls under an enumerated exemption provided for in Section 607.1501, Florida Statutes (copy enclosed), an affidavit to clarify this discrepancy must be sent to this office.

Until this office is notified otherwise, penalties and fees in the amount of \$3465.00 are now due. To avoid further penalty, either payment or an affidavit must be remitted within 45 days of receipt of this letter. Please make your check payable to the Department of State and send it to the address indicated below. If you have any questions regarding this matter, please telephone (904) 487-6051.

I look forward to your response.

Sincerely,

Gerard T. York, Assistant General Counsel

Enclosures Letter No. 700A00019610

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01 DEC 24 PM 5:20
SECRETARY OF STATE
TALLAHASSEE, FLORIDA



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

FACSIMILE TRANSMITTAL

TO FAX NUMBER: (949) 856-7799

Please deliver the following pages to:

NAME: Mr. James A. Pipp

COMPANY: ATL Products, Inc.

CITY/STATE: Irvine, California

SENDER: Gerard T. York, Esq.,
Assistant General Counsel

DATE/TIME: 10/06/00 3:21 PM

NUMBER OF PAGES (including transmittal sheet): 2

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

COMMENTS: This communication concerns annual report fees and statutory penalties which would be assessed against ATL Products, Inc., under section 607.1502(4), Florida Statutes.

Information from the Florida Department of Revenue indicates ATL Products, Inc., has transacted business in Florida since 1996. Accordingly, an amount of \$4615.00 is due, reflecting annual report fees of \$615 and statutory penalties of \$4000.00. We would, however, offer to settle the issue of annual report fees and foreign non-qualified penalties from ATL Products, Inc. for the sum of \$2615.00, reflecting annual report fees from 1996 of \$615.00 and penalties from 1996 of \$2000.00

12/14
in process of
now
SECRETARY OF STATE
TALLAHASSEE, FLORIDA
01 DEC 21, PM 2:50
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assessed at the statutory minimum of \$500.00 per year. This offer remains in effect until November 17, 2000.

Upon completion of the application and receipt of a check in that amount payable to the Department of State, Division of Corporations, I will instruct the Division of Corporations to issue ATL Products, Inc., a Certificate of Authority to transact business in Florida. Please mail the check to this attorney at: Office of General Counsel, LL-10, The Capitol, Tallahassee, Florida 32399-0250.

Please do not hesitate to contact me at (850) 414-5514 should you have any questions.

If there are any problems in receiving this transmission, call Cara at 850/414-5536 or Suncom 994-5536.

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

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TALLAHASSEE, FLORIDA



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

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

TO FAX NUMBER: 949-856-7799

Please deliver the following pages to:

NAME: Mr. James A. Pipp
RE: ATL Products, Inc.

PLACE: Irvine, California

SENDER: Gerard York, Assistant General Counsel (850) 414-5514

DATE: December 14, 2000

TIME: 1:42 PM

NUMBER OF PAGES (including transmittal sheet): 8

FROM FAX: (850) 922-5763

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SECRETARY OF STATE
TALLAHASSEE FLORIDA

COMMENTS: The settlement offer remains in effect until January 12, 2000.



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

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01 DEC 24 PM 5:00
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

FACSIMILE TRANSMITTAL

TO FAX NUMBER: 949-856-7799

Please deliver the following pages to:

NAME: Mr. James A. Pipp, ATL Products, Inc.

PLACE: Irvine, California

SENDER: Gerard York, Assistant General Counsel (850) 414-5514

DATE: February 9, 2001

TIME: 1:58 PM

NUMBER OF PAGES (including transmittal sheet): 6

FROM FAX: (850) 922-5763

COMMENTS: Please contact me as soon as possible regarding the attached correspondence.

LL-10 • The Capitol • Tallahassee, Florida 32399-0250

2/26/01
after good
to 4/16/01

Check in
here!

CM 4/30/01

5/1/01



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

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

TO FAX NUMBER: (949) 856-7799

Please deliver the following pages to:

NAME: Mr. James A. Pipp

COMPANY: ATL Products, Inc.

CITY/STATE: Irvine, California

SENDER: Gerard T. York, Esq.,
Assistant General Counsel

DATE/TIME: 05/03/01 10:28 AM

NUMBER OF PAGES (including transmittal sheet):2

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

COMMENTS: Your corporation has failed to respond to previous communications regarding annual report fees and statutory penalties which have been assessed against ATL Products, Inc., under section 607.1502(4), Florida Statutes, for failure to obtain a Certificate of Authority to transact business in Florida.

Information from the Florida Department of Revenue suggests ATL Products, Inc., has transacted business in Florida since 1996. Accordingly, an amount of \$5765.00 is due, reflecting annual report fees of \$765.00 and statutory penalties of \$5000.00. The Department still wishes to avoid, if possible, litigation and we would, however,

5/9/01

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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

offer to settle the issue of annual report fees and foreign non-qualified penalties from ATL Products, Inc. for the sum of ~~\$3265.00~~, reflecting annual report fees from 1996 of \$765.00 and penalties from 1996 of \$2500.00 assessed at the statutory minimum of \$500.00 per year. This offer remains in effect only until May 18, 2001.

Upon completion of the application and receipt of a check in that amount payable to the Department of State, Division of Corporations, I will instruct the Division of Corporations to issue ATL Products, Inc., a Certificate of Authority to transact business in Florida. Please mail the check to this attorney at: Office of General Counsel, LL-10, The Capitol, Tallahassee, Florida 32399-0250. If this matter is not resolved, the Department will need to proceed with litigation. Please do not hesitate to contact me at (850) 414-5514 should you have any questions.

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TALLAHASSEE FLORIDA



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

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

TO FAX NUMBER: 949-856-7799

Please deliver the following pages to:

NAME: James Pipp, ATL Products, Inc.

SENDER: Gerard T. York
Assistant General Counsel
850/245-6514

DATE/TIME: 10/24/01 2:03 PM

NUMBER OF PAGES (including transmittal sheet): 4

FROM FAX: 850/245-6127

COMMENTS: Per our previous conversations, I will need to commence litigation unless this matter is resolved. Please advise.

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01 DEC 24 PM 5:00
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

In the Circuit Court of the
Second Judicial Circuit, in
and for Leon County, Florida

DEPARTMENT OF STATE,
Division of Corporations

CASE NO.

Plaintiff,

v.

ATL PRODUCTS, INC.,
a California corporation,

Defendant.

COMPLAINT

Plaintiff, Department of State, Division of Corporations, ("Plaintiff"), by and through its undersigned counsel, sues the Defendant, ATL Products, Inc., a California Corporation, ("Defendant"), and states:

1. This is an action pursuant to sections 607.0130 and 607.1502, Florida Statutes, for the collection of fees and penalties due to owing the State of Florida.
2. Plaintiff is located in the City of Tallahassee, Leon County, Florida and, pursuant to Chapter 607, Florida Statutes, is the state agency duly authorized to regulate domestic and foreign corporations.
3. Defendant is a corporation, duly organized and existing under the laws of California, transacting business in the State of Florida. Its place of business in Florida is 1249 S. Myrtle Avenue, Clearwater, Florida 33756.

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TALLAHASSEE, FLORIDA

4. Section 607.1501, Florida Statutes, states that a foreign corporation may not transact business within the State of Florida until it obtains a certificate of authority from Plaintiff.

5. In 1996, Defendant began transacting business within the State of Florida.
(Attachment A)

6. Defendant continues to transact business within the State of Florida through the present day.

7. Defendant has not obtained a certificate of authority from Plaintiff to transact business within this state.

8. Defendant's failure to obtain a certificate of authority and Defendant's continued transaction of business in this state violates section 607.1501, Florida Statutes.

9. Since it began transacting business in this state, Defendant has been required by section 607.1622, Florida Statutes to file annual reports with Plaintiff and pay to Plaintiff the applicable annual report fees.

10. Since it began transacting business in Florida in 1996, Defendant has not filed the requisite annual reports nor has it paid the applicable annual report fees.

11. Pursuant to section 607.0122, 607.1622, and 607.1502, Florida Statutes, Defendant is liable to Plaintiff for unpaid annual report fees and penalties for the years 1996 through 2001 in the total amount of \$5,765.00

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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

WHEREFORE, pursuant to section 607.1502, Florida Statutes, Plaintiff requests judgement against Defendant for penalties and fees in the amount of \$5,765.00 together with the costs of this action, and such other relief as the court may deem just and proper.

Respectfully submitted this ____ day of October, 2001.

GERARD T. YORK
Assistant General Counsel
Department of State
LL10, The Capitol
Tallahassee, FL 32399-0250
Fla. Bar No. 0871966
(850) 245-6514

ATTORNEY FOR PLAINTIFF

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01 DEC 24 PM 5:00
SECRETARY OF STATE
TALLAHASSEE, FLORIDA



Department of State

Memorandum Office of the General Counsel

TO: File

FROM: Gerard York, Assistant General Counsel

DATE: December 19, 2001

RE: ATL Products, Inc.

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 outstanding report fees from 1999 of \$300.00 and foreign non-qualified penalties of \$1000.00 assessed at the statutory minimum of \$500.00 per year 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

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01 DEC 24 PM 5: 00
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

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. ATL Products, Inc.
(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. CALIFORNIA 3. 95-3824281
(State or country under the law of which it is incorporated) (FEI number, if applicable)

4. 1-1-93 5. Perpetual
(Date of Incorporation) (Duration: Year corp. will cease to exist or "perpetual")

6. MARCH 1, 1999
(Date first transacted business in Florida. (SEE SECTIONS 607.1501, 607.1502, AND 817.155, F.S.))

7. ATL PRODUCTS, INC.

101 INNOVATIONS DRIVE FAYNE, CA 92612
(Current mailing address)

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

9. Name and street address of Florida registered agent: (P.O. Box or Mail Drop Box **NOT** acceptable)

Name: SCOTT FLESH

Office Address: 1249 S. MYRTLE AVE.
CLEARWATER, Florida, 33756
(Zip Code)

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.

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TALLAHASSEE FLORIDA

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: _____

Address: _____

Vice Chairman: _____

Address: _____

Director: _____

Address: _____

Director: _____

Address: _____

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

President: KEVIN DALY

Address: 101 INNOVATION DRIVE
IRVINE, CA 92612

Vice President: MARK DE RAO

Address: 101 INNOVATION DRIVE
IRVINE, CA 92612

Secretary: JAMES A. PIPP

Address: 101 INNOVATION DRIVE
IRVINE, CA 92612

Treasurer: JAMES A. PIPP

Address: 101 INNOVATION DRIVE
IRVINE, CA 92612

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

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

14. JAMES A. PIPP V.P. / TREASURER
(Typed or printed name and capacity of person signing application)

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

01 DEC 24 PM 5: 00

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State of Delaware
Office of the Secretary of State PAGE 1

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "ATL PRODUCTS, INC." IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE SEVENTH DAY OF JUNE, A.D. 2001.



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

2686678 8300

010274285

AUTHENTICATION: 1177691

DATE: 06-07-01