

PD3000000003

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐ PICK-UP ☐ WAIT ☐ MAIL

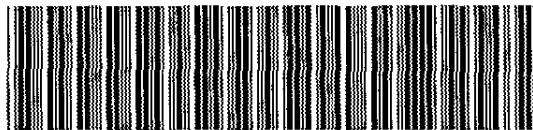
(Business Entity Name)

(Document Number)

Certified Copies \_\_\_\_\_ Certificates of Status \_\_\_\_\_

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FILED  
03 JAN 31 PM 1:54  
SECRETARY OF STATE  
TALLAHASSEE FLORIDA

RECEIVED  
03 JAN 31 AM 11:43  
STATE OF FLORIDA  
TALLAHASSEE FLORIDA



CORPORATION SERVICE COMPANY™

ACCOUNT NO. : 072100000032

REFERENCE : 914237 4804708

AUTHORIZATION : *Patricia Piguet*

COST LIMIT : \$ 350.00

ORDER DATE : January 30, 2003

ORDER TIME : 10:51 AM

ORDER NO. : 914237-005

CUSTOMER NO: 4804708

CUSTOMER: Charles Marto, Paralegal  
Seward & Kissel LLP  
Floor 21st  
One Battery Park Plaza  
New York, NY 10004

FOREIGN FILINGS

NAME: BLACK DIAMOND FUNDS

XXXX QUALIFICATION (TYPE: BST)

PLEASE RETURN THE FOLLOWING AS PROOF OF FILING:

\_\_\_\_\_ CERTIFIED COPY  
XX \_\_\_\_\_ PLAIN STAMPED COPY  
\_\_\_\_\_ CERTIFICATE OF GOOD STANDING

CONTACT PERSON: Amanda Haddan -- EXT# 1155

EXAMINER: \_\_\_\_\_



FLORIDA DEPARTMENT OF STATE  
Ken Detzner  
Secretary of State

February 4, 2003

CSC

SUBJECT: BLACK DIAMOND FUNDS  
Ref. Number: W03000003245

RECEIVED  
03 FEB '5 AM 10:33  
FLORIDA DEPARTMENT OF STATE  
DIVISION OF CORPORATIONS  
TALLAHASSEE, FLORIDA

We have received your document for BLACK DIAMOND FUNDS. However, the document has not been filed and is being returned for the following:

THE DECLARATION OF TRUST MUST BE ATTACHED TO THE AFFIDAVIT.

Please return the original and one copy of 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) 245-6934.

Loria Poole  
Corporate Specialist  
New Filings Section

Letter Number: 003A00007420

**RESUBMIT**

Please give original  
submission date as file date.

**AFFIDAVIT TO THE FLORIDA SECRETARY OF STATE  
TO FILE OR QUALIFY**

BLACK DIAMOND FUNDS

**A** DELAWARE **TRUST**

In accordance with Section 609.02 of the Florida Statutes, pertaining to  
Common Law Declarations of Trust, the undersigned, the Chairman of the  
Board of Trustees of Black Diamond Funds, a

(Name of Trust)

Delaware

(State)

Trust hereby affirms in order to file or qualify

Black Diamond Funds

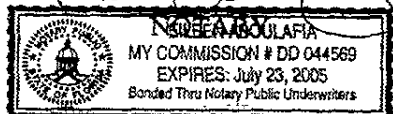
(Name of Trust)

, in the State of Florida.

1. Two or more persons are named in the Trust.
2. The principal address is 1200 South Pine Island Road, Suite 300,  
Plantation, FL 33324
3. The registered agent and street address in the State of Florida are:  
Laurence B. Schweiger, is the registered agent  
1200 South Pine Island Road, Suite 300, Plantation, FL 33324
4. Acceptance by the registered agent: Having been named as registered  
agent to accept service of process for the above named Declaration of Trust  
at the place designated in this affidavit, I hereby accept the appointment as  
registered agent and agree to act in this capacity.

(Signature of Registered Agent)

5. I certify that the attached is a true and correct copy of the Declaration of  
Trust under which the association proposes to conduct its business in  
Florida.



CR2E063(3/00)

(Signature)  
Name: Laurence B. Schweiger  
Chairman of the Board of Trustees

Filing Fee: \$350.00  
Certified Copy: \$ 8.75 (optional)

03 JAN 31 PM 1:54  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

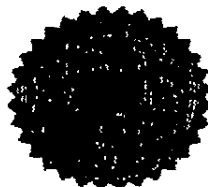
FILED

# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "STARSHIP FUNDS", CHANGING ITS NAME FROM "STARSHIP FUNDS" TO "BLACK DIAMOND FUNDS", FILED IN THIS OFFICE ON THE TWENTY-NINTH DAY OF APRIL, A.D. 2002, AT 9 O'CLOCK A.M.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

3507739 8100

AUTHENTICATION: 1752064

020274651

DATE: 04-30-02

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 06:00 AM 04/29/2002  
020374651 - 3507739

**CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF TRUST  
OF  
STARSHIP FUNDS**

*(Pursuant to Section 3810 of the Delaware Business Trust Act)*

It is hereby certified that:

1. The name of the Trust is Starship Funds (the "Trust").
2. **FIRST:** Name: of the Certificate of Trust is hereby amended to reflect a change of name of the Trust, and shall read in its entirety as set forth below:

**"FIRST:** Name: The name of the business trust formed hereby is Black Diamond Funds."

3. The undersigned person is a trustee of the Trust.

**IN WITNESS WHEREOF**, the undersigned has executed this Certificate of Amendment to Certificate of Trust on April 29, 2002.

**STARSHIP FUNDS**

By: /s/ Laurence Schweiger  
Name: Laurence Schweiger  
Title: Trustee

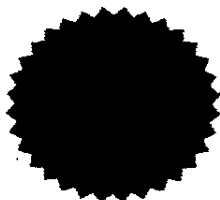
04088.0001 #321028

# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF BUSINESS TRUST REGISTRATION OF "STARSHIP FUNDS", FILED IN THIS OFFICE ON THE TWENTY-SIXTH DAY OF MARCH, A.D. 2002, AT 9 O'CLOCK A.M.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

3507739 8100

020199628

AUTHENTICATION: 1693175

DATE: 03-28-02

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 09:00 AM 03/26/2002  
020199628 - 3507739

**CERTIFICATE OF TRUST  
OF  
STARSHIP FUNDS**

This Certificate of Trust of Starship Funds (the "Trust") has been duly executed and is being filed by the undersigned, as Initial Trustees, to form a business trust under the Delaware Business Trust Act (12 Del. Code §3801 et seq.) (the "Act").

**FIRST:** Name. The name of the business trust formed hereby is Starship Funds.

**SECOND:** Registered Office; Registered Agent. The address of the registered office of the Trust in the State of Delaware is 2711 Centerville Road Suite 400, Wilmington, Delaware 19808 in the County of New Castle. The name of the registered agent of the Company is Corporation Service Company.

**THIRD:** Notice of Series. Notice is hereby given that the Trust shall consist of one or more series. Notice is given pursuant to Section 3804 of the Act that the debts, liabilities, obligations and expenses incurred, contracted for or otherwise existing with respect to a particular series of the Trust shall be enforceable against the assets of such series only, and not against the assets of the Trust generally or any other series thereof, and none of the debts, liabilities, obligations and expenses incurred, contracted for or otherwise existing with respect to the Trust generally or any other series thereof shall be enforceable against the assets of such series.

**FOURTH:** Investment Company. The Trust will become a registered investment company under the Investment Company Act of 1940, as amended, prior to the issuance of beneficial interests in the Trust.

**FIFTH:** Effective Date. This Certificate shall be effective as of its filing.

IN WITNESS WHEREOF, the undersigned Trustees of Starship Funds have executed this certificate as of this Twenty-sixth day of March, 2002.

By: /s/Kevin Broadwater

Kevin Broadwater, Trustee  
Seward & Kissel LLP  
1200 G Street, N.W.  
Washington, D.C. 20005

By: /s/Paul Miller

Paul Miller, Trustee  
Seward & Kissel LLP  
1200 G Street, N.W.  
Washington, D.C. 20005

FILED  
03 JAN 31 PM 5:54  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA




**STARSHIP FUNDS, INC.**  
**1200 SOUTH PINE ISLAND ROAD**  
**SUITE 300**  
**PLANTATION, FL 33324**  
**(954) 473-8850**

**CONSENT TO USE OF NAME**

Starship Funds, Inc., (the "Corporation") a Delaware corporation incorporated under the laws of the State of Delaware and in good standing hereby consents to the formation of Starship Funds Trust, in the State of Delaware.

IN WITNESS HEREOF, I as an authorized officer the Corporation have caused this consent to be executed by my hand this twenty-sixth day of March, 2002.

By:   
Name: Larry B. Schweiger  
Title: Chairman