

**TRANSGENOMIC, INC.**  
transforming the world

September 20, 1999

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

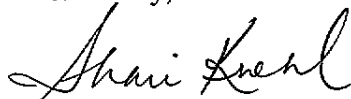
Re: Application by Foreign Corporation for Authorization to  
Transact Business  
Transgenomic, Inc.

Dear Corporations Department:

Attached in duplicate is an Application for Authorization to Transact Business in the State of Florida, along with the filing fee in the amount of \$70.

Please process this document at your earliest convenience and return a file stamped copy to me at the Omaha, Nebraska address listed below. Should you have any questions regarding this application, please call me at 402-738-5416. Thank you.

Sincerely,



Shari L. Kuehl  
Executive Assistant

Enclosures

200002997972--9  
-09/27/99--01129--001  
\*\*\*\*\*70.00 \*\*\*\*\*70.00

200002997972--9  
-03/03/00--01065--001  
\*\*\*2300.00 \*\*\*2300.00

W99-22489  
F-1169

FILED  
MAR -3 AM 10:50  
SECRETARY OF STATE  
TALLAHASSEE FLORIDA

WR  
3/3

9pgs

## TRANSMITTAL LETTER

To: Qualification/Tax Lien Section  
Division of Corporations

SUBJECT: Transgenomic, Inc.  
(Name of corporation - must include suffix)

Dear Sir or Madam:

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:

Shari L. Kuehl  
(Name of Person)  
Transgenomic, Inc.  
(Firm/Company)  
5600 South 42nd Street  
(Address)  
Omaha, Nebraska 68107  
(City/State/Zip)

Should you need to call someone concerning this matter, please call:

Shari Kuehl at ( 402 ) 738-5480  
(Name of Person) (Area Code & Daytime Telephone Number)

### COURIER ADDRESS:

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

### MAILING ADDRESS:

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



**TRANSGENOMIC, INC.**  
*transforming the world*

February 28, 2000

VIA FIRST CLASS MAIL

Florida Department of State  
Attn: Gretchen Harvey  
Document Specialist Supervisor  
Division of Corporations  
P.O. Box 6327  
Tallahassee, FL 32314

Re: Transgenomic, Inc.  
Ref. No. W99000022489

FILED  
00 MAR -3 AM 10:50  
SECRETARY OF STATE  
TALLAHASSEE FLORIDA

Dear Ms. Harvey:

Pursuant to your letter of February 8, 2000, attached is a check in the amount of \$2,300 for the appropriate fees and penalties as referenced. Please proceed with filing the Application for Authorization to Transact Business in the state of Florida for Transgenomic, Inc.

If you have further questions regarding this application, please contact me in Omaha, Nebraska.

Sincerely,

Shari L. Kuehl  
Executive Assistant

Enclosure



FLORIDA DEPARTMENT OF STATE

Katherine Harris  
Secretary of State

September 29, 1999

SHARI L. KUEHL, EXECUTIVE ASSISTANT  
TRANSGENOMIC, INC.  
5600 SOUTH 42ND STREET  
OMAHA, NE 68107

SUBJECT: TRANSGENOMIC, INC.  
Ref. Number: W99000022489

FILED  
00 INR-3 AM 10:50  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

We have received your document for TRANSGENOMIC, INC. and your check(s) totaling \$70.00. 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 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 \$1,150.00.

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) 487-6958.

Lee Rivers  
Document Specialist

Letter Number: 599A00047540



FLORIDA DEPARTMENT OF STATE

Katherine Harris  
Secretary of State

February 8, 2000

SHARI L. KUEHL, EXECUTIVE ASSISTANT  
TRANSGENOMIC, INC.  
5600 SOUTH 42ND STREET  
OMAHA, NE 68107

SUBJECT: TRANSGENOMIC, INC.  
Ref. Number: W99000022489

FILED  
00HMR-3 AM10:50  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

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 TRANSGENOMIC, INC..

The referenced application states that the corporation has transacted business in the State of Florida since December 1, 1997. You were notified by letter dated September 29, 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 \$2300.00 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. 600A00006306

Enclosure

**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. Transgenomic, 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. Delaware 3. 91-1789357  
(State or country under the law of which it is incorporated) (FEI number, if applicable)
4. March 6, 1997 5. Perpetual  
(Date of incorporation) (Duration: Year corp. will cease to exist or "perpetual")
6. December 1, 1997  
(Date first transacted business in Florida.) (SEE SECTIONS 607.1501, 607.1502 and 817.155, F.S.)
7. 2954 Tidewater Street  
Fernandina Beach, FL 32034  
(Current mailing address)
8. Sales of Equipment  
(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: CT Corporation System
- Office Address: 1200 South Pine Island Road  
Plantation, Florida, 33324  
(Zip code)

FILED  
MAR -3 AM 10:50  
SECRETARY OF STATE  
TALLAHASSEE FLORIDA

**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.*

Anne E. Diamond  
(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: Collin D'Silva

Address: 5600 South 42nd Street, Omaha, NE 68107

Vice Chairman: Steve Dwyer

Address: 5600 South 42nd Street, Omaha, NE 68107

Director: Doug Gjerde, Ph.D.

Address: 2032 Concourse Drive, San Jose, CA 95131

Director: P. Thomas Pogge

Address: 5600 South 42nd Street, Omaha, NE 68107

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

Chief Executive

Officer Collin D'Silva

Address: 5600 South 42nd Street, Omaha, NE 68107

Vice

Chairman Stephen Dwyer

Address: 5600 South 42nd Street, Omaha, NE 68107

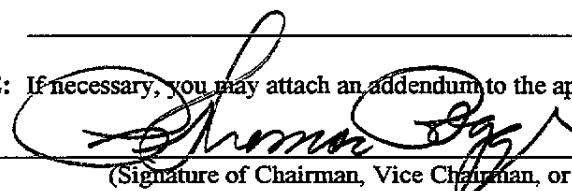
Secretary: P. Thomas Pogge

Address: 5600 South 42nd Street, Omaha, NE 68107

Treasurer: Collin D'Silva

Address: 5600 South 42nd Street, Omaha, NE 68107

**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)  
P. Thomas Pogge, Executive Vice President

14. \_\_\_\_\_  
(Typed or printed name and capacity of person signing application)

FILED  
00 MAR -3 AM 10:50  
SECRETARY OF STATE  
TALLAHASSEE FLORIDA

**TRANSGENOMIC, INC.**  
**Corporate Officers & Directors**  
**July 16, 1999**

**FILED**  
00 MAR -3 AM 10:50  
SECRETARY OF STATE  
TALLAHASSEE FLORIDA

<u>Name</u>	<u>Title</u>	<u>Business Address</u>
Collin J. D'Silva	Chairman of the Board, Chief Executive Officer, Treasurer and Director	5600 South 42 <sup>nd</sup> St. Omaha, NE 68107
Stephen F. Dwyer	Vice Chairman and Director	5600 South 42 <sup>nd</sup> St. Omaha, NE 68107
P. Thomas Pogge	Executive Vice President— Business Development, General Counsel, Secretary and Director	5600 South 42 <sup>nd</sup> St. Omaha, NE 68107
Douglas T. Gjerde, Ph.D.	Chief Scientific Officer— Separations Group and Director	2032 Concourse Dr. San Jose, CA 95131
Jeffrey M. Sklar, M.D.	Director	Brigham & Women's Hospital 75 Francis Street Boston, MA 02115
Parag Saxena	Director	INVESCO Private Capital 1166 Ave. of the Americas New York, NY 10036
John E. Doyle	Executive Vice President— Domestic Operations	5600 South 42 <sup>nd</sup> St. Omaha, NE 68107
Mitchell L. Murphy	Controller	5600 South 42 <sup>nd</sup> St. Omaha, NE 68107

*State of Delaware*  
*Office of the Secretary of State*

---

PAGE 1


I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "TRANSGENOMIC, 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 FIRST DAY OF JULY, A.D. 1999.

FILED  
00 MAR -3 AM 10:50  
SECRETARY OF STATE  
TALLAHASSEE FLORIDA



2723702 8300

991261546

  
Edward J. Freel, Secretary of State

AUTHENTICATION: 9842024

DATE: 07-01-99