

# F 02000000539

## TRANSMITTAL LETTER

**TO:** Registration Section  
Division of Corporations

**SUBJECT:** HawkWatch International, Inc.  
(Name of Corporation - must include suffix)

Dear Sir or Madam:

The enclosed "Application by Foreign Not for Profit Corporation for Authorization to Conduct its Affairs in Florida", "Certificate of Existence", and check are submitted to register the above referenced not for profit corporation to conduct its affairs in Florida.

Please return all correspondence concerning this matter to the following:

Evelyn W. Johnson, Administrative Officer  
(Name of Person)

700008071187  
10/31/02--01001--014 \*\*245.00

HawkWatch International, Inc.

(Firm/Company)

700008071187--5  
-09/27/02--01035--001  
\*\*\*\*\*78.75 \*\*\*\*\*78.75

1800 S. West Temple, Suite A-226

(Address)

Salt Lake City, UT 84115-1851

(City/State and Zip Code)

For further information concerning this matter, please call:

Evelyn W. Johnson  
(Name of Person)

at ( 801 ) 484-6808  
(Area Code & Daytime Telephone Number)

FILED  
02 OCT 28 PM 2:50  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

Name Availability	STREET ADDRESS:
Document Examiner	Registration Section Division of Corporations 409 E. Gaines St. Tallahassee, FL 32399

Enclosed is a check for the following amount:

Updater	<input type="checkbox"/> \$70.00 Filing Fee	<input checked="" type="checkbox"/> \$78.75 Filing Fee & Certificate of Status
Updater Verifier	DCC	
Knowledge	DCC	
W. P. Verifier	DCC	

**MAILING ADDRESS:**  
Registration Section  
Division of Corporations  
P. O. Box 6327  
Tallahassee, FL 32314

☐ \$78.75 Filing Fee & Certified Copy  
☐ \$87.50 Filing Fee, Certificate of Status & Certified Copy

AR fees 245.00

12 pages  
W02000028232



*Protecting Raptors and Our Environment*

October 7, 2002

Diane Cushing, Corporate Specialist  
Florida Department of State  
Division of Corporations  
P. O. Box 6327  
Tallahassee, FL 32314

Re: Letter No. 402A00055045

Dear Ms. Cushing:

I am writing as a representative of HawkWatch International (ref. Number W02000028232, letter number 402A00055045) concerning our recent application to the State of Florida Division of Corporations to become registered as a foreign not for profit. HawkWatch's mission is to monitor and protect hawks, eagles, other birds of prey and their environment through research, education, and conservation.

We've operated the Florida Keys Raptor Migration Project each fall since 1998 at Curry Hammocks State Park near Marathon, Florida. Each year we've received funding for the project from the Florida Fish and Wildlife Conservation Commission. This has been an excellent relationship, enabling HawkWatch to conduct research vital toward achieving its mission while also providing the State of Florida with valuable research data and a wonderful wildlife watching opportunity at a very reasonable cost. Also associated with this project, HawkWatch provides unique environmental education programs about birds of prey for school children and the public each fall.

This is the first year that the Florida Fish and Wildlife Conservation Commission notified HawkWatch that we needed to be registered in Florida as a foreign not for profit corporation. Once we were notified (in September), we promptly made the necessary application. We apologize for not having registered earlier but would have gladly and promptly done so had we been notified, but we never were.

We are a struggling non-profit organization, and we cannot afford the \$4,000 in penalties your letter references. We would be pleased to submit the fees that would have been due to the State of Florida Division of Corporations dating back to the year we began operations in Florida. Your letter states that this amount, covering 1998-2001, is \$245. However, we simply could not continue to provide programs and work on projects in Florida if we had to pay the \$4,000 penalty. If we had known about these annual fees earlier, we would have conscientiously paid them. We hope you can give us the opportunity to pay these fees retroactively now without the \$4,000 penalty.

**HAWKWATCH INTERNATIONAL, INC.**

1800 South West Temple, Suite 226 • Salt Lake City, Utah 84115 • (801) 484-6808 • FAX (801) 484-6810 • Toll Free (800) 726-4295

New Mexico Office: 1420 Carlisle Blvd NE • P.O. Box 35706 • Albuquerque, New Mexico 87176 • (505) 255-7622

[www.hawkwatch.org](http://www.hawkwatch.org)

We hope that you accept our apology and understand that this was an honest mistake. HawkWatch is a professional managed non-profit organization that receives a clean audit every year. Even though we are underpaid, we are dedicated professional working to achieve our mission in the public's interest. I can't emphasize enough how devastating a \$4,000 penalty would be to us financially.

Please call me or HawkWatch's Administrative Officer (Evelyn Johnson) if you have any questions at 801/484-6808. I hope we can resolve this matter quickly.

Sincerely,

A handwritten signature in black ink, appearing to read "Howard Gross". The signature is fluid and cursive, with the first name "Howard" and last name "Gross" clearly distinguishable.

Howard Gross  
Executive Director  
HawkWatch International, Inc.

HG:ewj

TO: Gerry York, General Counsel's Office  
FROM: Gretchen S. Harvey, Registration Section  
DATE: October 18<sup>th</sup>, 2002  
SUBJECT: HAWKWATCH INTERNATIONAL, INC.  
REFERENCE: W02000028232

Pursuant to Mr. Gross's letter of October 7<sup>th</sup>, the attached documents and correspondence are being forwarded to you for appropriate handling.

Please note the attached documents appear to meet the filing requirements stipulated in Chapter 607, Florida Statutes, with the exception of any penalty or annual report fees that may be due this office.

Should you have any further questions concerning this matter, please do not hesitate to get in touch.

/gsh



**FLORIDA DEPARTMENT OF STATE**

**Jim Smith**

**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 : (801) 484-6810**

**Please deliver the following pages to:**

**NAME: Howard Gross, Executive Director**

**COMPANY: HawkWatch International, Inc.**

**CITY/STATE: Salt Lake City, Utah**

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

**DATE/TIME:         10/21/02 2:25 PM**

**NUMBER OF PAGES (including transmittal sheet):2**

**FROM FAX:         850/245-6125**

**COMMENTS: This communication is to confirm our conversation yesterday regarding annual report fees and statutory penalties assessed against HawkWatch International, Inc., under section 617.1502(4), Florida Statutes.**

**We would offer to settle the issue of annual report fees and foreign non qualified penalties assessed against HawkWatch International, Inc. for the sum of \$245.00, reflecting the annual report fees that would have been collected from 1998 had your corporation been properly qualified from the beginning of its activities here in Florida. We sincerely hope your client will find this proposal agreeable.**

Upon 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 HawkWatch International, Inc. a Certificate of Authority to conduct its affairs in Florida. Please mail the check to this attorney at: Office of General Counsel, PL-02, The Capitol, Tallahassee, Florida 32399-0250.

Please do not hesitate to contact me should you have any questions. Likewise, should you need any assistance on any other matters, please do not hesitate to contact me.

**PL-02 • 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:        October 25, 2002

RE:           HawkWatch International, 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 outstanding report fees from 1998 of \$245.00. Corporation wishes to be qualified to conduct its affairs in the State of Florida. Accordingly, it is recommended corporation be issued a certificate of authority.

/gty



FLORIDA DEPARTMENT OF STATE

Jim Smith  
Secretary of State

September 30, 2002

EVELYN W. JOHNSON, ADMINISTRATIVE OFFICER  
HAWKWATCH INTERNATIONAL, INC.  
1800 S WEST TEMPLE, SUITE A-226  
SALT LAKE CITY, UT 84115-1851

SUBJECT: HAWKWATCH INTERNATIONAL, INC.  
Ref. Number: W02000028232

We have received your document for HAWKWATCH INTERNATIONAL, INC. 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 \$4,245.00.

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) 245-6913.

Diane Cushing  
Corporate Specialist

Letter Number: 402A00055045



.. APPLICATION BY FOREIGN NOT FOR PROFIT CORPORATION FOR AUTHORIZATION TO  
CONDUCT ITS AFFAIRS IN FLORIDA

IN COMPLIANCE WITH SECTION 617.1503, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO  
REGISTER A FOREIGN NOT FOR PROFIT CORPORATION FOR AUTHORIZATION TO CONDUCT ITS AFFAIRS IN  
THE STATE OF FLORIDA:

1. HawkWatch International, Inc.  
(Name of corporation: must include the word "INCORPORATED" or "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. "Company" or "Co." may not be used as a corporate suffix by a nonprofit corporation.)
2. New Mexico  
(State or country under the law of which it is incorporated)
3. 85-0358519  
(FEI number, if applicable)
4. November 25, 1986  
(Date of Incorporation)
5. perpetual  
(Duration: Year corp. will cease to exist or "perpetual")
6. September 1998  
(Date corporation first conducted Affairs in Florida - See sections 617.1501, 617.1502, and 617.155, F.S.)
7. 1800 S. West Temple, Suite A-226, Salt Lake City, UT 84115-1851  
(Principal office address)  
1800 S. West Temple, Suite A-226, Salt Lake City, UT 84115-1851  
(Current mailing address)
8. Monitor & protect birds of prey & the environment through research, education & conservation  
(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: Casey Lott  
Office Address: 115 Indian Mound Trail  
Tavernier, Florida 33070  
(City) (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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02 OCT 28 PM 2:50  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

12. Names and addresses of officers and/or directors:

**A. DIRECTORS**

Chairman: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Vice Chairman: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Director: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Director: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

**B. OFFICERS**

President: Dawn Sebesta, Ph.D.

Address: 2466 Meadows Drive

Park City, UT 84060-7032

Vice President: Patrick deFreitas, MPA

Address: 1117 East 600 South

Salt Lake City, UT 84102

Secretary: Gayle Higman

Address: P. O. Box 158, Oakley, UT 84055

Treasurer: Benita Pulins, CPA, MBA

Address: 1814 E. Lincoln Lane, Salt Lake City, UT 84124

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

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

14. Benita Pulins, Treasurer  
(Typed or printed name and capacity of person signing application)

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02 OCT 28 PM 2:50  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**HawkWatch International Board of Trustees - September 2002**

**Timothy W. Brown**  
573 7th Ave.  
Salt Lake City, UT 84103  
801-521-5443 (h)  
801-328-1549 (w)  
tbad@sisna.com (home)  
6/00 - 6/03

**Yaeko Bryner**  
1323 30th Street  
Ogden, Utah 84403  
801-392-0816 (h)  
801-625-8839 (w)  
brynery@m.ogden.k12.ut.us  
6/00 - 6/03

**Patrick de Freitas, MPA**  
*Vice-Chair, Board of Trustees*  
1117 East 600 South  
Salt Lake City, UT 84102  
801-582-1496 (h)  
801-581-9003 (fax)  
defreitas@lairdnorton.org  
6/00 - 6/03

**Joan Degiorgio, J.D.**  
618 West Capitol Street  
Salt Lake City, UT 84103  
801-328-3378 (h)  
801-524-3146 (w)  
801-524-3148 (fax)  
JDEGIORGIO@uc.usbr.gov  
9/99 - 6/03

**Tom Duncan**  
753 E. Fifth Ave.  
Salt Lake City, UT 84103  
801-322-3152 (h)  
801-978-7959 (fax)  
altos\_tomd@msn.com  
5/99 - 6/05

**Marlene Foard**  
2798 East 2880 South  
Salt Lake City, UT 84109-2029  
801-467-8057 (h)  
801-974-8319 (w)  
801-974-8356 (fax-w)  
goldeneagles.1@netzero.net  
3/99 - 6/05

**James (Jim) Gessaman, Ph.D.**  
73 N 330 E  
Smithfield, UT 84335  
435-563-9337 (h)  
435-757-4291  
Gessaman@biology.usu.edu  
7/01 - 6/04

**Scott Gutting**  
4258 Mt. Olympus Way  
Salt Lake City, UT 84124  
801-355-4365 (w)  
801-278-3851 (h)  
Sgutting@energystat.com  
6/02 - 6/05

**Gayle Higman**  
*Secretary, Board of Trustees*  
P.O. Box 158  
Oakley, UT 84055  
435-783-6618 (h)  
435-783-4402 (fax)  
ghigi@allwest.net  
9/00 - 6/03

**Frank Howe, Ph.D.**  
588 Cortez Street  
Salt Lake City, UT 84103  
801-322-4067 (h)  
801-538-4764 (w)  
frankhowe@utah.gov  
6/00 - 6/03

**Amelia C. Jones, Ph.D.**  
567 East Sherman Ave.  
Salt Lake City, Utah 84105  
801-466-4173 (h)  
801-244-6675 (cell)  
amelia@xmission.com  
6/01 - 6/04

**Walter E. Lehman**  
4508 Andrew Drive NE  
Albuquerque, New Mexico 87109  
505-888-4941 (h)  
505-837-5101 (w)  
505-889-9465 (w/fax)  
walt@leegalles.com  
7/99 - 6/05

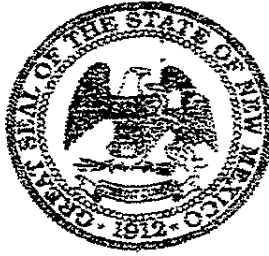
**Nancy Peate**  
2513 S. E. Taylor Street  
Portland, Oregon 97214  
503.234-8882 (h)  
aspens@teleport.com  
9/99 - 6/03

**Benita Pulins, CPA, MBA**  
*Treasurer, Board of Trustees*  
1814 E. Lincoln Lane  
Salt Lake City, UT 84124  
801-537-5227 (w)  
801-272-8410 (h)  
801-363-7371 (fax)  
benita.r.pulins@us.pwcglobal.com  
7/99 - 6/05

**Dawn Sebesta, Ph.D.**  
*Chair, Board of Trustees*  
2466 Meadows Dr.  
Park City, UT 84050-7032  
435-649-3024 (h)  
435-649-0588 (fax)  
sebesta@parkcity.net  
11/92 - 6/03

**Audrey Walker**  
607 Alicia Street  
Santa Fe, NM 87501  
505-986-5847 (h)  
ovenbirdwalks@hotmail.com  
6/01 - 6/04

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OCT 28 PM 2:50  
CLERK OF DISTRICT COURT  
SALT LAKE COUNTY  
UTAH



OFFICE OF THE  
PUBLIC REGULATION COMMISSION

CERTIFICATE OF GOOD STANDING AND COMPLIANCE

IT IS HEREBY CERTIFIED that:  
HAWKWATCH INTERNATIONAL, INC.

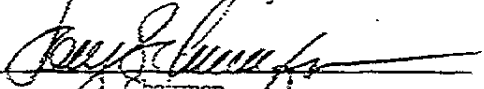

1333392  
a corporation organized under the laws of  
NEW MEXICO.

is duly authorized to transact business in New Mexico, as a  
Domestic nonprofit corporation, under the  
NONPROFIT CORPORATION ACT  
(53-8-1 to 53-8-99 NMSA 1978)  
having filed its Articles of Incorporation NOVEMBER 25, 1988  
and Certificate of Incorporation issued as of said date.

IT IS FURTHER CERTIFIED that the fees due the Public  
Regulation Commission, which have been assessed against the  
aforesaid corporation, have been paid to date and aforesaid  
corporation is in corporate good standing & duly authorized  
to transact business as its corporate existence has not been  
revoked in New Mexico. This Certificate is not to be  
construed as an endorsement, recommendation, or notice of  
approval of the corporations financial condition or business  
activities and practices. This Certificate of Good Standing  
and Compliance expires NOVEMBER 15, 2002

DATED: JUNE 17, 2002

In testimony whereof, the Public Regulation  
Commission of the State of New Mexico has caused this  
certificate to be signed by its Chairman and the seal of  
said Commission to be affixed at the City of Santa Fe.

  
Chairman  
  
Bureau Chief

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

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