

FD3 000006154

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

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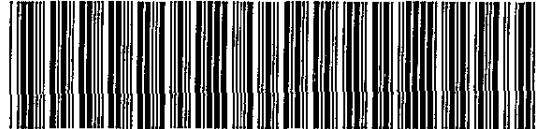
(Business Entity Name)

(Document Number)

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

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11/04/03--01056--001 \*\*78.75

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

03 DEC 11 21:10:00

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FD3-6154  
OR



FLORIDA DEPARTMENT OF STATE

Glenda E. Hood  
Secretary of State

November 7, 2003

PAMELA SHAUGHNESSY  
420 NEWBY ROAD  
RICHMOND, KY 40475

SUBJECT: TWILITE FARMS, INC.  
Ref. Number: W03000033121

We have received your document for TWILITE FARMS, 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:

Based upon information provided by the Florida Department of Revenue, pursuant to section 213.053(14), Florida Statutes, it appears that TWILITE FARMS, 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 January 1, 1998, as the initial date of transacting business in the State of 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/uniform business report and penalty fees is \$5,750.

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) 245-6020.

Tammi Cline  
Document Specialist

Letter Number: 203A00060892

03 DEC 11 AM 10:00

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**LYNN B. LEWIS**

A PROFESSIONAL ASSOCIATION

ATTORNEYS AT LAW

SUITE 280

1390 BRICKELL AVENUE

MIAMI, FLORIDA 33131

LYNN B. LEWIS

December 9, 2003

TELEPHONE 305-374-0148

TELECOPIER 305-374-7071

E-MAIL: lbpa@bellsouth.net

Florida Department of State  
Division of Corporations  
P.O. Box 6327  
Tallahassee, Florida 32314  
Attn: Tammi Cline, Document Specialist

RE: Twilite Farms, Inc.

Dear Ms. Cline:

We represent Twilite Farms, Inc., which has received the Department's November 7, 2003 letter which states that, based on information furnished by the Florida Department of Revenue, it appear to the Division that Twilite Farms, Inc. has been transacting business in Florida since 1998. This November 7, 2003 letter is in response to Twilite's application as a foreign corporation to qualify to do business in Florida. The Division states that it has not filed Twilite's application. The Division's letter further asserts that, because the corporation has failed to qualify to do business in the State of Florida, it is subject to \$5,750 in fines and penalties that are payable to the Division.

Be advised that, since prior to 1998, Twilite Farms, Inc. has not transacted business in the State of Florida under applicable statutory criteria of what constitutes transacting business in the State. Twilite Farms Inc. holds title to a single family residential condominium unit in Miami-Dade County, which is continuously occupied by the daughter of the President and sole shareholder of Twilite Farms, Inc. and who is a full-time student. On holidays and vacations, the balance of the immediate family of the Corporation's President and sole Shareholder reside in the unit, along with the daughter/student. The real estate asset is used for no commercial purpose. Other than owning the residential condominium unit, whose use is described above, Twilite Farms owns no other assets in the State of Florida. Twilite Farms, Inc. conducts no business in the State.

Section §607.1501 (2)(m) Fla. Stat. (2003) provides that:

"... Owning, without more, real or personal property..."

does not constitute a foreign corporation's transacting business within the State.

For the foregoing reasons, Twilite Farms, Inc. asserts that the factual conclusions set forth in the Division's November 7, 2003 letter are inaccurate. Twilite Farms, Inc. further asserts, on the authority of Section 607.1501(2)(m) Fla. Stat. (2003) that the Department's imposition of penalty fees violates Florida law and should be rescinded.

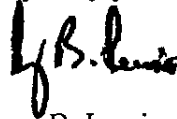
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FLORIDA  
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Florida Department of State  
December 9, 2003  
Page 2

We will be pleased to supply an Affidavit of the President and sole shareholder of Twilite Farms, Inc. confirming the accuracy of this letter, should you require it. We look forward to receiving the Department's response as quickly as possible.

Very truly yours,



Lynn B. Lewis

/kgs

cc: Twilite Farms, Inc.

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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

## TRANSMITTAL LETTER

**TO:** Registration Section  
Division of Corporations

**SUBJECT:** Twilite Farms, 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:

Pamela Shaughnessy  
(Name of Person)

Twilite Farms, Inc.  
(Firm/Company)

420 Newky Road  
(Address)

Richmond, KY 40475  
(City/State and Zip code)

For further information concerning this matter, please call:

Pamela Shaughnessy at (859) 582-3808  
(Name of Person) (Area Code & Daytime Telephone Number)

**STREET ADDRESS:**  
Registration Section  
Division of Corporations  
409 E. Gaines St.  
Tallahassee, FL 32399

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

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TALLAHASSEE, FLORIDA

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Enclosed is a check for the following amount:

- ☐ \$70.00 Filing Fee    ☒ \$78.75 Filing Fee & Certificate of Status    ☐ \$78.75 Filing Fee & Certified Copy    ☐ \$87.50 Filing Fee, Certificate of Status & Certified Copy

**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. Twilight Farms, Inc.  
(Enter name of corporation; must include "INCORPORATED," "COMPANY," "CORPORATION,"  
"Inc.," "Co.," "Corp.," "Inc.," "Co.," or "Corp.")

1998 - Raced horses  
(If name unavailable in Florida, enter alternate corporate name adopted for the purpose of transacting business in Florida)

2. Kentucky 3. \_\_\_\_\_  
(State or country under the law of which it is incorporated) (FEI number, if applicable)

4. 2/9/94 5. Perpetual  
(Date of incorporation) (Duration: Year corp. will cease to exist or "perpetual")

6. 98  
(Date first transacted business in Florida. If corporation has not transacted business in Florida, insert "upon qualification.")  
(SEE SECTIONS 607.1501, 607.1502 and 817.155, F.S.)

7. 420 Newby Road, Richmond, KY 40475  
(Principal office address)

Same  
(Current mailing address)

8. Thoroughbred Horse Racing, Property Owner  
(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: Lynn B. Lewis

Office Address: 1390 Brickell Avenue, Suite 280  
Miami, Florida 33131  
(City) (Zip code)

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TALLAHASSEE  
FLORIDA

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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.*

L.B. Lewis  
(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 business addresses of officers and/or directors:

A. DIRECTORS

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

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

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

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

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

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

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

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

B. OFFICERS

President: Carlos E. Perez

Address: 420 Newby Road

Richmond, KY 40475

Vice President: Ana Maria Perez

Address: 420 Newby Road

Richmond, KY 40475

Secretary: \_\_\_\_\_

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

Treasurer: \_\_\_\_\_

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

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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

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

13. \_\_\_\_\_

(Signature of Director or Officer listed in number 12 of the application)

14. Carlos E. Perez, President

(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,

**TWILITE FARMS, INC.**

is a corporation duly organized and existing under KRS Chapter 271B, whose date of incorporation is February 9, 1994 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 14th day of October, 2003.



*John Y. Brown, III*

John Y. Brown III  
Secretary of State  
Commonwealth of Kentucky  
tbates/0326293