

F040000000353

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)



PICK-UP



WAIT



MAIL

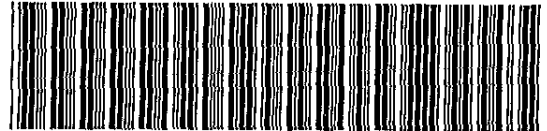
(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

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Office Use Only



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12/15/03--01039--019 **87.50

DEPT. OF CORPORATIONS
TALLAHASSEE, FLORIDA

2004 JAN 21 PM 5:00

FILED

OK - *[signature]*

W03-39096
J. BRYAN DEC 23 2003

J. BRYAN JAN 22 2004

TRANSMITTAL LETTER

TO: Registration Section
Division of Corporations

SUBJECT: Bennett Motor Express, 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:

Carol E. Close
(Name of Person)
Bennett Motor Express, Inc
(Firm/Company)
1001 Industrial Pkwy
(Address)
McDonough, Ga. 30253
(City/State and Zip code)

FILED
2004 JAN 21 PM 5:00
DIVISION OF CORPORATIONS
TALLAHASSEE, FLORIDA

For further information concerning this matter, please call:

Carol Close at (800) 866-5500 x 751
(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

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



FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State

December 23, 2003

CAROL E. CLOSE
BENNETT MOTOR EXPRESS, INC.
1001 INDUSTRIAL PKWY
MCDONOUGH, GA 30253

SUBJECT: BENNETT MOTOR EXPRESS, INC.
Ref. Number: W03000039096

FILED
2004 JAN 21 PM 5:00
DIVISION OF CORPORATIONS
TALLAHASSEE, FLORIDA

We have received your document for BENNETT MOTOR EXPRESS, 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:

Based upon information provided by the Florida Department of Revenue, pursuant to section 213.053(14), Florida Statutes, it appears that BENNETT MOTOR EXPRESS, 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 \$5,750.00.

If you have any questions concerning the filing of your document, please call (850) 245-6043.

Joey Bryan
Document Specialist

Letter Number: 103A00068498



BENNETT MOTOR EXPRESS, INC.

P.O. Box 569
1001 Industrial Parkway
McDonough, Georgia 30253

Marcia G. Taylor
Chairman of Board / CEO

David Lowry
President

January 12, 2004

Joey Bryant
Document Specialist
Florida Department of State
Division of Corporations
P.O. Box 6327
Tallahassee, Florida 32314

Dear Mr. Bryant:

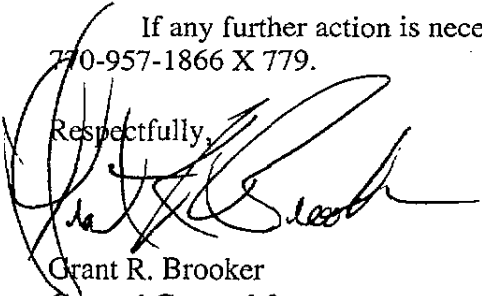
This is a follow up to our phone conversation and your letter assessing a penalty of \$5,750.00 against Bennett Motor Express, Inc., ("Bennett") for business conducted prior to the current "Application for Authority to Transact Business in Florida."

Please be advised that Bennett is an Interstate Motor Carrier of property for hire (a copy of Bennett's ICC authority is attached) and is exempt from qualifying to transact business in Florida pursuant to Section 607.1501(i) a copy of which is attached.

Any business conducted by Bennett Motor Express Inc. previously within Florida was done exclusively in connection with the transportation of goods in interstate commerce. Accordingly, I would appreciate your processing our current application and withdrawing any assessment of civil penalties for previous years.

If any further action is necessary to effectuate this application, please call me at 770-957-1866 X 779.

Respectfully,


Grant R. Brooker
General Counsel for
Bennett Motor Express, Inc.

CC: Bailey Foster
Fred Auletta

2004 JAN 14 PM 5:00
RECEIVED
DIVISION OF CORPORATIONS
TALLAHASSEE, FLORIDA
LOCAL: 770-957-1866
WATTS: 1-800-866-6500
FAX: 1-800-866-4420

SERVICE DATE

PM-26
(Rev. 10/84)

MAR 6 1992

INTERSTATE COMMERCE COMMISSION

CERTIFICATE*

No. MC-129712 (Sub-No. 82)

BENNETT MOTOR EXPRESS, INC.
McDONOUGH, GA

FILED
2008 JAN 21 PM 5:00
DIVISION OF CORPORATIONS
TALLAHASSEE, FLORIDA

This Certificate is evidence of the carrier's authority to engage in transportation as a common carrier by motor vehicle.

This authority will be effective as long as the carrier maintains compliance with the requirements pertaining to insurance coverage for the protection of the public (49 CFR 1043); the designation of agents upon whom process may be served (49 CFR 1044); and tariffs or schedules (49 CFR 1312). The carrier shall also render reasonably continuous and adequate service to the public. Failure to meet these conditions will constitute sufficient grounds for the suspension, change, or revocation of this authority.

This authority is subject to any terms, conditions, and limitations as are now, or may later be, attached to this privilege.

For common carriers with irregular route authority: Any irregular route authority authorized in this Certificate may not be tacked or joined with your other irregular route authority unless joinder is specifically authorized.

The transportation service to be performed is described on the reverse side of this document.

By the Commission.

(SEAL)

SIDNEY L. STRICKLAND, JR.
Secretary

NOTE: If there are any discrepancies regarding this document, please notify the Commission within 30 days.

Select Year: 2003

Go

The 2003 Florida Statutes

Title XXXVI
BUSINESS ORGANIZATIONS

Chapter 607
CORPORATIONS

[View Entire Chapter](#)

607.1501 Authority of foreign corporation to transact business required.--

- (1) A foreign corporation may not transact business in this state until it obtains a certificate of authority from the Department of State.
- (2) The following activities, among others, do not constitute transacting business within the meaning of subsection (1):
- (a) Maintaining, defending, or settling any proceeding.
 - (b) Holding meetings of the board of directors or shareholders or carrying on other activities concerning internal corporate affairs.
 - (c) Maintaining bank accounts.
 - (d) Maintaining officers or agencies for the transfer, exchange, and registration of the corporation's own securities or maintaining trustees or depositaries with respect to those securities.
 - (e) Selling through independent contractors.
 - (f) Soliciting or obtaining orders, whether by mail or through employees, agents, or otherwise, if the orders require acceptance outside this state before they become contracts.
 - (g) Creating or acquiring indebtedness, mortgages, and security interests in real or personal property.
 - (h) Securing or collecting debts or enforcing mortgages and security interests in property securing the debts.
 - (i) Transacting business in interstate commerce.
 - (j) Conducting an isolated transaction that is completed within 30 days and that is not one in the course of repeated transactions of a like nature.
 - (k) Owning and controlling a subsidiary corporation incorporated in or transacting business within this state or voting the stock of any corporation which it has lawfully acquired.
 - (l) Owning a limited partnership interest in a limited partnership that is doing business within this state, unless such limited partner manages or controls the partnership or exercises the powers and duties of a general partner.
 - (m) Owning, without more, real or personal property.
- (3) The list of activities in subsection (2) is not exhaustive.
- (4) This section has no application to the question of whether any foreign corporation is subject to service of process and suit in this state under any law of this state.

History.--s. 136, ch. 89-154.

Disclaimer: The information on this system is unverified. The journals or printed bills of the respective chambers should be consulted for official purposes. Copyright © 2000-2003 State of Florida. [Privacy Statement](#).

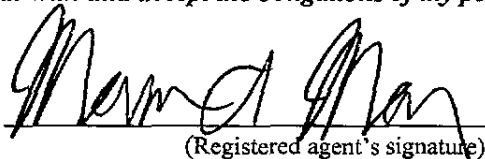
**APPLICATION BY FOREIGN CORPORATION FOR AUTHORIZATION TO TRANSACT
BUSINESS IN FLORIDA**

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. Bennett Motor Express, Inc.
(Enter name of corporation; must include "INCORPORATED," "COMPANY," "CORPORATION,"
"Inc.," "Co.," "Corp.," "Inc.," "Co.," or "Corp.")
- 1001 Industrial Pkwy
(If name unavailable in Florida, enter alternate corporate name adopted for the purpose of transacting business in Florida)
2. Georgia 3. 581614971
(State or country under the law of which it is incorporated) (FEI number, if applicable)
4. 11-30-1988 5. Perpetual
(Date of incorporation) (Duration: Year corp. will cease to exist or "perpetual")
6. Upon Qualification
(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. 1001 Industrial Pkwy
(Principal office address)
- McDonough, GA. 30253
(Current mailing address)
8. Transport General Commodities
(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: Marvin I. Moss
- Office Address: 20801 Biscayne Blvd. Suite 506
North Miami Beach, Florida 33180-1430
(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.

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

A. DIRECTORS

Chairman: _____

Address: _____

Vice Chairman: _____

Address: _____

Director: _____

Address: _____

Director: _____

Address: _____

FILED
2004 JAN 21 PM 5:00
DIVISION OF CORPORATIONS
TALLAHASSEE, FLORIDA

B. OFFICERS

President: **David Lowry**

Address: **1001 Industrail Pkwy**

McDonough, GA. 30253

Vice President: **Christopher Barrett**

Address: **1001 Industrail Pkwy**

McDonough, GA. 30253

Secretary: **Regina Foster**

Address: **1001 Industrail Pkwy**

Treasurer: **Fred Auletta**

Address: **1001 Industrial Pkwy**

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. **David Lowry - President** _____

(Typed or printed name and capacity of person signing application)

Secretary of State
Corporations Division
315 West Tower
#2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

CONTROL NUMBER : J504272
DATE INC/AUTH/FILED: 03/20/1985
JURISDICTION : GEORGIA
PRINT DATE : 10/24/2003
FORM NUMBER : 211

FILED
2004 JAN 21 PM 5:00
JULY-JON OF CORPORATIONS
TALLAHASSEE, FLORIDA

BENNETT MOTOR EXPRESS, INC
LEN JOHNSON
1001 INDUSTRIAL PKWY
P. O. BOX 569
MCDONOUGH, GA 30252

CERTIFICATE OF EXISTENCE

I, Cathy Cox, the Secretary of State of the State of Georgia, do hereby certify under the seal of my office that as of the above print date

BENNETT MOTOR EXPRESS, INC.
A GEORGIA PROFIT CORPORATION

is in compliance with the applicable filing and annual registration provisions of Title 14 of the Official Code of Georgia Annotated.

Said entity was formed in the jurisdiction stated above or was authorized to transact business in Georgia on the above date and has not filed articles of dissolution, certificate of cancellation or any other similar document with the Office of the Secretary of State.

This certificate relates only to the legal existence of the above-named entity as of the print date above. It does not certify whether or not a notice of intent to dissolve, an application for withdrawal, a statement of commencement of winding up or any other similar document has been filed or is pending with the Secretary of State.

This information is electronically transmitted, issued and certified in accordance with the Georgia Electronic Records and Signatures Act and Title 14 of the Official Code of Georgia Annotated and is prima-facie evidence that said entity is in existence or is authorized to transact business in this state.

20031024190200205



Cathy Cox

Cathy Cox
Secretary of State