

# F97000001045



## FLORIDA DEPARTMENT OF STATE

Sandra B. Mortham  
Secretary of State

May 21, 1997

**Certified Mail #P 348 067 072 Return Receipt Requested**

John Wright  
Gulf Coast Office Products, Inc.  
P.O. Box 18988  
Pensacola, FL 32523

400002214064--0  
-06/17/97--01010--009  
\*\*\*2000.00 \*\*\*2000.00

RE: John Wright, Inc., an Alabama corporation

Dear Mr. Wright:

It has been brought to my attention that the above named Alabama corporation may have transacted business in Florida prior to obtaining a certificate of authority as required by law.

This office received an "Application by Foreign Corporation for Authorization to Transact Business in Florida" by John Wright, Inc., an Alabama corporation and issued the requisite certificate of authority on February 27, 1997, and assigned document number F97000001045 (copy enclosed). The date first transacted business in Florida set forth on said application is January 2, 1997. However, I have obtained information indicating that it first transacted business in Florida under the name "Gulf Coast Office Products, Inc." in 1993.

The "Fictitious Name Act", section 865.09, F.S. (copy enclosed), states that a person or corporation may not engage in business in this state under a fictitious name unless it is first registered with the Division of Corporations (Division). Failure to comply with the Fictitious Name Act is a misdemeanor of the second degree and punishable as provided in section 775.082 or section 775.083, Florida Statutes (copy enclosed). I have searched the Division's fictitious name database and have found no record of any filing for "Gulf Coast Office Products, Inc.". It is apparent that John Wright, Inc., an Alabama corporation intended to transact business as "Gulf Coast Office Products, Inc.", as reflected by its amended articles of incorporation filed in Baldwin county Alabama on January 21, 1993 (copy enclosed). If either John Wright, Inc., an Alabama corporation, or Gulf Coast Office Products, Inc. of Northwest Florida, a Florida corporation incorporated by yourself on April 10, 1997, is doing business in Florida as "Gulf Coast Office Products, Inc." or by any other name other than its legally acquired name it must file a fictitious name registration with this office.

Information obtained from the Florida Department of Revenue in accordance with section 213.053(14), F.S., indicates that John Wright, Inc., federal employer identification number 63-0967274, first registered to pay intangible and corporation income tax in Florida on January 1, 1993.

May 21, 1997  
John Wright  
Page two

Please be aware that this office is required to collect a civil penalty of \$1000 for each year or part thereof that a foreign corporation transacts business in Florida without authority along with the past annual report fees that would have been paid, pursuant to s. 607.1502(4), F.S. (copy enclosed). The total civil penalties and past annual report fees due this office by a foreign corporation that transacted business in Florida without authority since 1993 is \$4,765.00. If John Wright, Inc. d/b/a Gulf Coast Office Products, Inc., has previously transacted business in this state since 1993 as indicated, it is liable for the above civil penalties and past annual report fees. A sworn affidavit correcting the date first transacted business in Florida as stated on its application is also required.

Please review the above information concerning the date first transacted business in Florida by John Wright, Inc., and its failure to register "Gulf Coast Office Products, Inc." as a fictitious name. Please provide a written response addressing these apparent discrepancies within thirty (30) days after receipt of this letter to avoid the necessity of further action.

If you have any questions regarding this matter or require any assistance, you may contact me by telephone at (904) 487-6943.

Sincerely,

Hart Collins, Senior Corporate Administrator  
Division of Corporations

Enclosures



4317 NORTH PALAFOX STREET • POST OFFICE BOX 18988  
PENSACOLA, FLORIDA 32523

MAY 27, 1997

MR. HART COLLINS  
DIVISION OF CORPORATIONS  
P.O. BOX 6327  
TALLAHASSEE, FL 32314

F97-1045

RE: JOHN WRIGHT INC., AN ALABAMA CORPORATION

700002197167--9  
-06/02/97--01018--001  
\*\*\*\*765.00 \*\*\*\*765.00

DEAR MR. HART:

PLEASE FIND BELOW A RESPONSE TO YOUR LETTER DATED MAY 21, 1997.

YOU ARE CORRECT IN YOUR FINDINGS THAT AS "JOHN WRIGHT INC.", AN ALABAMA CORPORATION, WE DID NOT FILE AN AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA. WE DID NOT DISCOVER WHAT IT WAS UNTIL WE WENT INTO A BID SITUATION FOR THE ESCAMBIA COUNTY SCHOOL BOARD IN FEBRUARY OF THIS YEAR. AS YOUR LETTER STATED WE HAD BEEN DOING BUSINESS IN FLORIDA SINCE JANUARY OF 1993 NOT KNOWING WHAT IT WAS OR NOT KNOWING WE EVER NEEDED A DOCUMENT TO DO BUSINESS IN FLORIDA. WE PROCEEDED WITH OPENING A BUSINESS IN 1993 UNDER THE NAME OF "GULF COAST OFFICE PRODUCTS, INC.". WE APPLIED FOR OUR FLORIDA SALES TAX NUMBER AS WELL AS BEGAN FILING PERSONAL INTANGIBLE PROPERTY TAX FORMS IN 1993. WE NEVER KNEW WE NEEDED ANYTHING ELSE UNTIL FEBRUARY OF THIS YEAR. WE CONTACTED YOUR OFFICE AT THAT TIME AND COMPLETED THE REQUIRED DOCUMENTS. WE FILLED OUT THE DATE OF BUSINESS AS JANUARY 1997 HOPING WE WOULD NOT DRAW A FLAG TO THIS OVERSIGHT. WE WERE WRONG IN DOING SO.

SINCE THAT TIME WE HAVE FILED ANOTHER FOREIGN CORPORATION APPLICATION UNDER THE NAME OF "GULF COAST OFFICE PRODUCTS, INC. OF NORTHWEST FLORIDA". THE REASON FOR THIS WAS WE DISCOVERED THAT THE NAME "GULF COAST OFFICE PRODUCTS, INC." WAS RESERVED IN JANUARY OF 1997 AFTER WE HAVE USED, ADVERTISED ETC., THE NAME FOR THE PAST 4 YEARS. THIS WAS DONE BY AN INDIVIDUAL WHO HAD JUST LOST HIS ENTIRE SALES STAFF AS WELL AS OFFICE PERSONAL TO OUR COMPANY IN JANUARY OF THIS YEAR.

STARTING A NEW BUSINESS IN 1993 WITH VERY LITTLE MONEY WE DID NOT RECEIVE VERY GOOD ADVICE BY OUR ACCOUNTANTS OR LAWYERS WITH REFERENCE TO OPENING A BUSINESS IN THE STATE OF FLORIDA. WE SHOULD HAVE BEEN MORE EDUCATED OF FLORIDA LAW.

*"Over 75 Years of Experience"*



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4317 NORTH PALAFOX STREET • POST OFFICE BOX 18988  
PENSACOLA, FLORIDA 32523

HAVING REMITTED SALES TAX AND INTANGIBLE PERSONAL PROPERTY TAX SINCE 1993 WE FELT WE WERE DOING EVERYTHING THAT WAS REQUIRED TO DO BUSINESS IN FLORIDA. WE HAVE HAD A CITY AND COUNTY LICENSES SINCE THAT TIME AS WELL.

PLEASE FIND ENCLOSED A CHECK FOR \$765.00 FOR THE PAST DUE ANNUAL REPORT FEES DATING BACK TO 1994. THIS AMOUNT SHOULD PUT US CURRENT WITH REGARDS TO THE ANNUAL FEES. IN FIGURING OUR CIVIL PENALTIES PLEASE CONSIDER THAT WE HAVE ALWAYS REMITTED OUR SALES TAX COLLECTED IN A VERY TIMELY FASHION. THE STATE OF FLORIDA'S REVENUE DEPARTMENT HAS JUST COMPLETED A SALES TAX AUDIT AND FOUND NO ERRORS IN OUR REMITTANCE OF OUR SALES TAX. WE HAVE ALWAYS RAN THIS COMPANY TO THE BEST OF OUR ABILITY AND ALWAYS IN GOOD FAITH. WE ARE NOT GUILTY OF NOT PAYING TAXES OR APPLICATION FEES OR CITY LICENSES OR ANYTHING THAT WE THOUGHT WE NEEDED TO HAVE BUT WE ARE GUILTY OF NOT KNOWING THE LAW. A REDUCTION TO THE MINIMUM PENALTY WOULD BE MOST CONSIDERATE.

YOUR GREATEST CONSIDERATION IN THIS MATTER WOULD BE GREATLY APPRECIATED.

WE WILL BE AWAITING YOUR RESPONDSE.

SINCERELY,

JOHN WRIGHT  
OWNER

*"Over 75 Years of Experience"*



## *Department of State*

### *Memorandum Office of the General Counsel*

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TO: File

FROM: Gerard York, Assistant General Counsel

DATE: June 9, 1997

RE: John Wright, 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 previously paid outstanding annual report fees of \$765.00 and has now paid foreign non-qualified penalties of \$ 2000.00 assessed at the statutory minimum and wishes to be qualified to do business in the State of Florida. Accordingly, it is recommended corporation remain qualified to transact business in Florida.

GTY/gty