

F97000005957

September 25, 1998

RECEIVED

SEP 28 1998

Mr. Jerard York
Assistant General Council
FLORIDA DEPARTMENT OF STATE
LL10 The Capital
Tallahassee, FL 32399

Office of General Counsel
Department of State

300002652563--1

Dear Mr. York

The purpose of this letter is to follow-up on your conversation with my CPA, John Barghini on October 29, 1997 related to fines assessed LADEN ENTERPRISES, INC., for late filing of an application to transact business in Florida. I am writing this letter as a major shareholder and Vice President of the corporation.

LADEN ENTERPRISES, INC., is not an operating company as such. The corporation sold all it's assets in Minnesota and merely collects debt incurred by the acquiring company. The corporation is a Personal Holding Company for federal tax purposes. Per Florida Statute Section 607.1501(2)(h) the collection of debts does not constitute transacting business in Florida. Thus, we filed the application to do business in Florida in error and was not subject to the penalties imposed by your office.

Based on these facts the penalty we believe was abated but the filing fees were never refunded and it appears from notices we receive from time to time that the application was processed and that we are listed by your Department as a Florida corporation.

Thank you for your attention to this matter and for the professional manner in which you responded to our phone calls and inquiries.

I state that to the best of my knowledge, the above facts are true and correct. If you need any further information please contact myself or Mr. Barghini.

Sincerely,



Bert F. Laden
Vice President,
LADEN ENTERPRISES, INC.
3435 Shepherd Hills Dr.
Bloomington, MN 55431
(612) 831-3877

Refund sent - see next page

**STATE OF FLORIDA
OFFICE OF THE COMPTROLLER
APPLICATION FOR REFUND**

Section 215.26, Florida Statutes, states in part: "Applications for refunds as provided in this section shall be filed with the Comptroller, except as otherwise provided herein, within 3 years after the right to such refund shall have accrued else such right shall be barred." Three years is generally interpreted as meaning three years from the date of payment into the State Treasury. The Comptroller has delegated the authority to accept applications for refund to the unit of State government which initially collected the money.

Pursuant to the provisions of Rule 3A-44.020, Florida Administrative Code, and Section 215.26, Florida Statutes, or Section _____, Florida Statutes, I hereby apply for a refund of moneys I paid into the State Treasury, which are subject to refund. The following information is submitted to substantiate the claim.

THE INFORMATION IN THIS BOX WILL BE USED TO WRITE AND MAIL YOUR REFUND CHECK. PLEASE TYPE OR PRINT LEGIBLY.

Name: Bert F. Laden EIN or SS#: _____

Address: 3435 Shepherd Hills Dr.

Bloomington, MN 55431

Amount: \$78.75 Date Paid: _____

Reason for Claim: Application Filed in Error - F9700005957

M Mays

Certified true and correct this _____ day of _____, 19 _____

Signature _____

* Must be completed if authority is other than Section 215.26, Florida Statutes.

Do Not Write in This Box - For Agency Use Only

Agency recommends approval of above claim and submits the following information to substantiate the claim:

Amount of recommended refund \$ 78.75

The amount requested above was originally deposited into the State Treasury, as a part of the funds deposited on

State Treasurer's Receipt No. 01036--001 *dated* 10-03-97

NAME OF ACCOUNT: _____

4520213000145300000000010000

Statutory Authority for Collection _____

It is requested that payment be made from the following account:

NAME OF ACCOUNT: _____

45202130001453000000022002000

Certified true and correct this _____ day of _____, 19 _____

Department of State, Division of Corporations

(Agency)

(Authorized Agency Signature and Title)