

F99000003689

TRANSMITTAL LETTER

To: Qualification/Tax Lien Section
Division of Corporations

SUBJECT: DURATEX NORTH AMERICA, INC. 1199-10661
(Name of corporation - must include suffix)

Dear Sir or Madam: 00789-00734-

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:

PHILIP F. KUSIAK

(Name of Person)

DURATEX NORTH AMERICA, INC.

(Firm/Company)

1208 EASTCHESTER DRIVE, SUITE 202

(Address)

HIGH POINT, NC 27265

(City/State/Zip)

Should you need to call someone concerning this matter, please call:

PHILIP F. KUSIAK

(Name of Person)

at (336) 885-1500

(Area Code & Daytime Telephone Number)

700002861547--7

-05/04/99--01036--012

****131.25 *****87.50

700002861547--7

-07/19/99--01109--003

***1365.00 ***1965.00

COURIER ADDRESS:

Qualification/Tax Lien Section
Division of Corporations
409 E. Gaines St.
Tallahassee, FL 32399

Name Availability	MJH
Document Examiner	
Updater	
Updater Verifier	
Acknowledgement	
W. P. Verifier	

MAILING ADDRESS:

Qualification/Tax Lien Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
99 JUL 19 AM 10:38



FLORIDA DEPARTMENT OF STATE

Katherine Harris
Secretary of State

May 6, 1999

PHILIP F. KUSIAK
1208 EASTCHESTER DRIVE, SUITE 202
HIGH POINT, NC 27265

SUBJECT: DURATEX NORTH AMERICA, INC.
Ref. Number: W99000010661

We have received your document for DURATEX NORTH AMERICA, INC. and your check(s) totaling \$87.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

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 and penalty fees is \$3465.00.

There is a balance due of \$3465.00.

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) 487-6967.

Michelle Hodges
Document Specialist

Letter Number: 099A00024831



Duratex

May 28, 1999

Florida Department of State
Division of Corporations
PO Box 6327
Tallahassee, FL 32314

ATTN: Michelle Hodges, Document Specialist

RE: Letter Number: 099A00024831

Dear Ms. Hodges:

This letter is in response to your letter of May 6, 1999, regarding failure to apply to qualify to conduct business in Florida which requested payment of an annual report and penalty fees in the amount of \$ 3,465.00.

Duratex North America, Inc. began filing corporate income tax returns in Florida after beginning to make sales in Florida during the year ended 12/31/96. We have continued to file returns and pay any tax due in a timely manner. We were unaware that we were required to file the Application by Foreign Corporation for Authorization to Transact Business in Florida. We believed that we were in compliance with Florida law by timely filing corporate tax returns. Upon finding out we needed to file the application we immediately did so, naming our registered agent and paying the fee for the current year's application.

We respectfully request the penalties be abated and the application as previously filed be accepted, as this was not an intentional disregard of the law, but an unintentional oversight. We are resubmitting the current application with this letter.

Thank you for your consideration in this matter.

Sincerely,

Philip F. Kusiak
Duratex North America, Inc.

Enc.
Application
Certificate
Copy of Letter

DURATEX NORTH AMERICA INC.

1208 Eastchester Dr. - Suite 202 - High Point, NC 27265 - Tel. (336) 885-1500 - Fax (336) 885-1501
Toll Free 1-800-566-1500

TO: Gerry York, General Counsel's Office

FROM: Gretchen S. Harvey, Registration Section

DATE: June 4, 1999

SUBJECT: DURATEX NORTH AMERICA, INC.

REFERENCE: W99000010661

Pursuant to Mr. Kusiak's letter of May 28th, 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

Attachments



FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State
OFFICE OF THE GENERAL COUNSEL

F A C S I M I L E T R A N S M I T T A L

TO FAX NUMBER: (336)-885-1501

Please deliver the following pages to:

NAME: Phillip F. Kusiak

COMPANY: Duratex North America, Inc.

CITY/STATE: High Point, North Carolina

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

DATE/TIME: 06/09/99 1:53 PM

NUMBER OF PAGES (including transmittal sheet):2

FROM FAX: 850/922-5763 (Suncom 292-5763)

COMMENTS: This communication is in response to your letter of May 28, 1999 regarding annual report fees and statutory penalties assessed against Duratex North America, Inc., under section 607.1502(4), Florida Statutes.

Duratex of North America, Inc. has filed an Application for a Certificate of Authority indicating it has transacted business in Florida since 1996. If this is correct, then an amount of \$3465 in penalties and annual report fees is now due. To avoid litigation, we would offer to settle the issue of foreign non-qualified penalties from Duratex of North America, Inc. for the sum of \$1965, reflecting annual report

fees from 1996 of \$465 and penalties from 1996 of \$1500 assessed at the statutory minimum of \$500 per year.

Upon receipt of a check for \$1965 amount payable to the Department of State, Division of Corporations, I will instruct the Division of Corporations to issue Duratex of North America, Inc., a Certificate of Authority to transact business in Florida. Please mail the check to this attorney at: Office of General Counsel, LL-10, The Capitol, Tallahassee, Florida 32399-0250.

Please do not hesitate to contact me should you have any questions.

If there are any problems in receiving this transmission, call Cara at 850/414-5536 or Suncom 994-5536.

LL-10 • THE CAPITOL • TALLAHASSEE, FLORIDA 32399-0250



July 1, 1999

Mr. Gerard T. York, Esq.
Assistant General Counsel
Office of General Counsel, LL-10
The Capitol
Tallahassee, FL 32399-0250

Re: Your Offer of June 9, 1999

Dear Mr. York:

Enclosed you will find our check in the amount of \$ 1,965. We accept your offer of June 9, 1999.

Yours very truly,

Phil Kusiak
Duratex North America, Inc.

Enc.

RECEIVED

JUL 12 1999

Office of General Counsel
Department of State

DURATEX NORTH AMERICA INC.

1208 Eastchester Dr. - Suite 202 - High Point, NC 27265 - Tel. (336) 885-1500 - Fax (336) 885-1501
Toll Free 1-800-566-1500



Department of State

Memorandum Office of the General Counsel

TO: File

FROM: Gerard York, Assistant General Counsel

DATE: July 12, 1999

RE: Duratex North America, Inc.

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 1996 of \$465 and foreign non-qualified penalties for the same period of \$1500 assessed at the statutory minimum of \$500 per year and wishes to be qualified to do business in the State of Florida. Accordingly, it is recommended that corporation be issued a certificate of authority.

/gty

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. DURATEX NORTH AMERICA, INC.
(Name of corporation: must include the word "INCORPORATED", "COMPANY", "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.)
2. MISSISSIPPI 3. 13-2899570
(State or country under the law of which it is incorporated) (FEI number, if applicable)
4. 6-3-93 5. PERPETUAL
(Date of Incorporation) (Duration: Year corp. will cease to exist or "perpetual")
6. 1996
(Date first transacted business in Florida. (SEE SECTIONS 607.1501, 607.1502, AND 817.155, F.S.))
7. 1208 EASTCHESTER DRIVE, SUITE 202
HIGH POINT, NC 27265
(Current mailing address)
8. SALES
(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: C T Corporation System

Office Address: 1200 South Pine Island Road
Plantation, Florida, 33324
(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.

JENNIFER F FAULTMAN
(Registered agent's signature)

JENNIFER F FAULTMAN
ASSISTANT SECRETARY

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.

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
99 JUL 19 AM 10:38

12. Names and addresses of officers and/or directors: (Street address ONLY- P. O. Box NOT acceptable)

A. DIRECTORS (Street address only- P. O. Box NOT acceptable)

Chairman: PAULO SETUBAL NETO

Address: AV PAULISTA 1938

SAO PAULO, BRAZIL 01310-200

Vice Chairman:

Address:

Director: PLINIO do AMARAL PINHEIRO

Address: AV PAULISTA 1938

SAO PAULO, BRAZIL 01310-200

Director: JAMES PAGE HUNNICUTT

Address: 3764 PRAIRIE DUNES DRIVE

SARASOTA, FL 34238

B. OFFICERS (Street address only- P. O. Box NOT acceptable)

President: PAULO SETUBAL NETO

Address: AV PAULISTA 1938

SAO PAULO, BRAZIL 01310-200

Vice President: PLINIO do AMARAL PINHEIRO

Address: AV PAULISTA 1938

SAO PAULO, BRAZIL 01310-200

Asst. Secretary: GARY G. WIKSTROM

Address: 1208 EASTCHESTER DR., SUITE 202

HIGH POINT, NC 27265

Asst. Treasurer: GARY G. WIKSTROM

Address: 1208 EASTCHESTER DR., SUITE 202

HIGH POINT, NC 27265

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

13.

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

14. GARY G. WIKSTROM, GENERAL MANAGER, ASST. SECRETARY & TREASURER
(Typed or printed name and capacity of person signing application)

State of Mississippi

Secretary of State's Office

Eric Clark

Secretary of State
Jackson, Mississippi

CERTIFICATE OF EXISTENCE/AUTHORITY

I, ERIC CLARK, Secretary of State of the State of Mississippi, and as such, the legal custodian of the corporate records, required by the laws of Mississippi, to be filed in my office, do hereby certify:

That on February 15, 1993 the state of Mississippi issued a Charter/Certificate of Authority to:

DURATEX NORTH AMERICA, INC.

That the state of incorporation is MISSISSIPPI.

That the period of duration is Perpetual.

That according to the records of this office, Articles of Dissolution or a Certificate of Withdrawal have not been filed.

That according to the records of this office, a current Annual Report has been delivered to the Office of the Secretary of State.

I further certify that all fees, taxes and penalties owed to this state, as reflected in the records of the Secretary of State, have been paid and that the corporation is in existence or has authority to transact business in Mississippi.



Given under my hand
and seal of office
April 08, 1999

Eric Clark

ERIC CLARK,
Secretary of State