# L10000097383

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DEPARTMENT OF STATE DIVISION OF CORPORATIONS TALLAHASSEE, FLORIDA

RECEIVED

EFFECTIVE DATE 9 16 2010

B. KOHR

SEP 1 7 2010

**EXAMINER** 

SCORETARY OF STATE
STATE OF CORPORATIONS



EFFECTIVE DATE\_

September 16, 2010

KATIE WONSCH CORPDIRECT AGENTS TALAHASSEE, FL

SUBJECT: ENERGY SERVICES COMPANY, L.L.C.

Ref. Number: W10000043484

We have received your document for ENERGY SERVICES COMPANY, L.L.C. and your check(s) totaling \$155.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

The name designated in your document is unavailable since it is the same as, or it is not distinguishable from the name of an existing entity.

Please select a new name and make the correction in all appropriate places. One or more major words may be added to make the name distinguishable from the one presently on file.

## Adding "of Florida" or "Florida" to the end of a name is not acceptable.

The existing company with the similar name is ENERGY SERVICES, INC. -- Document Number P10000060986.

Please note that we have RETAINED your \$155.00 payment.

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) 245-6914.

Buck Kohr Regulatory Specialist II

Letter Number: 210A00022028

CORPDIRECT AGE 515 EAST PARK AV TALLAHASSEE, FL 222-1173	ENUE	nerly CCRS)				
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CONTACT:	TACT: <u>KATIE WONSCH</u>		EFFECTIVE DATE 9/16/2010		P 15	
DATE:	09/15/2010				* S	
REF. #:	002037.13210	<u>07</u>			<b>5</b> 7	
CORP. NAME:	ENERGY SI	ERVICES COMPA	NY, L.L.C.			
<ul> <li>( ) ARTICLES OF INCORPORATION</li> <li>( ) ANNUAL REPORT</li> <li>( ) FOREIGN QUALIFICATION</li> <li>( ) REINSTATEMENT</li> <li>( ) CERTIFICATE OF CANCELLATION</li> <li>( ) OTHER:</li> </ul>		( ) TRADEMARK/SERVICE MARK ( ) LIMITED PARTNERSHIP ( ) MERGER		( ) ARTICLES OF DISSOLUTION ( ) FICTITIOUS NAME ( XX ) LIMITED LIABILITY ( ) WITHDRAWAL		
STATE FEES PI						
COST LIMIT: \$						
PLEASE RETU	RN:					
( XX ) CERTIFIED C		( ) CERTIFICATI	E OF GOOD STAN	DING ( ) PL	AIN STAMPED COPY	

Examiner's Initials

EFFECTIVE DATE 9/16/2010

#### ARTICLES OF ORGANIZATION

OF

#### ENERGY SERVICES COMPANY OF BROWARD COUNTY, L.L.C.

The undersigned initial members of ENERGY SERVICES COMPANY OF BROWARD COUNTY, L.L.C., a Florida limited liability company formed hereunder (the "Company"), hereby form a limited liability company under the laws of the State of Florida.

# ARTICLE I. COMPANY NAME

The name of this Company is: ENERGY SERVICES COMPANY OF BROWARD COUNTY, L.L.C.

#### ARTICLE II. COMMENCEMENT AND TERM OF EXISTENCE

In accordance with Section 608.409(1) of the Florida Limited Liability Company Act (the "Act"), the term of existence of the Company shall commence on September 16, 2010, and shall continue until December 31, 2060, unless otherwise dissolved pursuant to Article VIII of these Articles of Organization.

# ARTICLE III. MAILING ADDRESS OF COMPANY

The initial mailing address of this Company is:

2597 S.E. 12<sup>th</sup> Street Pompano Beach, Florida 33062

Such mailing address may also be revised to such locations within the State of Florida and may be determined by all of the members of the Company.

# ARTICLE IV. STREET ADDRESS OF COMPANY

The initial street address of the principal office of the Company is:

2597 S.E. 12<sup>th</sup> Street Pompano Beach, Florida 33062

Such street address may also be revised to such locations within the State of Florida and may be determined by all of the members of the Company.

# ARTICLE V. REGISTERED AGENT AND REGISTERED AGENT ADDRESS

The initial registered agent and the street address of the initial registered agent of this Company in the State of Florida shall be:

Jeffrey S. Wachs, Esq. 1177 S.E. 3rd Avenue Fort Lauderdale, Florida 33316

#### ARTICLE VI. ADMISSION OF ADDITIONAL MEMBERS

Pursuant to Section 608.4232 of the Act, the Company may admit additional members upon the majority vote of all members of the Company at a duly called meeting of the members or by written consent of all members of the Company.

#### ARTICLE VII. RIGHT OF ASSIGNEE TO BECOME A MEMBER

An assignee of a member's interest in the Company may become a member of the Company, and acquire the rights and powers and be subject to the restrictions and liabilities of a member of the Company, upon the majority vote of all members of the Company, (excluding the member seeking to transfer his interest in the Company), which vote is taken at a duly called meeting of the members or by written consent of all members of the Company.

#### ARTICLE VIII. DISSOLUTION OF COMPANY

Upon the death, bankruptcy or dissolution of a member or upon the occurrence of any other event provided in the Regulations of the Company, the Company shall be dissolved unless the surviving members elect to continue the Company upon the majority vote of all the members of Company which vote is taken at a duly called meeting of the members or by written consent of all members of the Company.

#### ARTICLE IX. MANAGEMENT OF THE COMPANY

The Company shall be managed by the individuals whose names are set forth below:

Anthony J. Catapano 2597 S.E. 12<sup>th</sup> Street Pompano Beach, Florida 33062

James A. Wynne, III 2597 S.E. 12<sup>th</sup> Street Pompano Beach, Florida 33062

# ARTICLE X. RETURN OF CAPITAL

No member shall have the right to demand the return of his or its contribution to capital except as provided in the Company's Regulations then in existence.

# ARTICLE XI. AMENDMENT TO ARTICLES OF ORGANIZATION

Members may adopt, alter, amend or repeal any provision of the Articles of the Organization upon the majority vote of all the members of the Company which vote is taken at a duly called meeting of the members or by written consent of all the members of the Company.

# ARTICLE XII. AMENDMENT OF REGULATIONS

Pursuant to Section 608.423(1) of the Act, the members of the Company may adopt, alter, amend or repeal any provision of the Regulations upon the majority vote of all the members of the Company which vote is taken at a duly called meeting of the members or by written consent of a majority of all of the members of the Company.

IN WITNESS WHEREOF, the undersigned initial members have executed the foregoing Articles of Organization as of this  $13^{\prime\prime}$  day of Septem , 2010.

INITIAL MEMBER(S):

Anthony J. Catapano

James A. Wynne, III

# CERTIFICATE ACCEPTING DESIGNATION AS AN AGENT UPON WHOM SERVICE OF PROCESS WITHIN THIS STATE MAY BE SERVED

The following is submitted pursuant to Sections 608.415 and 608.507 of the Florida Limited Liability Company Act:

Having been appointed registered agent of ENERGY SERVICES COMPANY OF BROWARD COUNTY, L.L.C., in its Articles of Organization, at the place designated in such Articles of Organization, the undersigned hereby agrees to act in this capacity and affirms that it is familiar with, and accepts, the obligations of such position.

Dated: Septone 13 , 2010

5