

L11000007909

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SECRETARY OF STATE
DIVISION OF CORPORATIONS
11 OCT 4 PM 2:18

B Tadlock OCT - 4 2011

COVER LETTER

TO: Registration Section
Division of Corporations

SUBJECT: Applebee Humanity Green LLC
(Name of Limited Liability Company)

The enclosed Articles of Dissolution and fee(s) are submitted for filing.

Please return all correspondence concerning this matter to the following:

Scott H. Applebee
(Name of Person)

N/A
(Firm/Company)

4770 Orchard Lane
(Address)

Delray Beach, FL 33445
(City/State and Zip Code)

For further information concerning this matter, please call:

Scott Applebee at (561) 450-7442
(Name of Person) (Area Code & Daytime Telephone Number)

Enclosed is a check for the following amount:

☒ \$25.00 Filing Fee

☐ \$30.00 Filing Fee &
Certificate of Status

☐ \$55.00 Filing Fee &
Certified Copy
(additional copy is enclosed)

☐ \$60.00 Filing Fee,
Certificate of Status &
Certified Copy
(additional copy is enclosed)

MAILING ADDRESS:

Registration Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

STREET/COURIER ADDRESS:

Registration Section
Division of Corporations
Clifton Building
2661 Executive Center Circle
Tallahassee, FL 32301

Affadvit of Facts Florida Department of State: Identity Theft that led to Fraudulent Formation of Applebee Humanity Green LLC

- Received letter dated May 6 on May 24 from the Florida Department of Law Enforcement (FDLE) stating that they were conducting an investigation involving alleged credit card and identity theft. The letter stated that the letter was sent to see if I was a possible victim of identity theft.
 - Contacted special agent indicated in letter. Contacted Jeremy Fillie and left two messages on May 27, 2011
 - Jeremy returned my call on May 31 and informed me that they were investigating an identity theft case and a fraudulent corporation was set-up in my name with my SS#, Name, Address and date of birth. The name of the fake company was Applebee Humanity Green LLC.
 - He said I should get the corporation dissolved and gave me a phone number 850-245-6050 for the State of Florida Division of Corporations. In addition, he said to report it on ftc.gov. and notify the 3 credit bureaus: Trans Union, Equifax and Experion and to notify him if there were any loans or other activity relating to the fraudulent company.
 - After talking with a contact at the State of Florida Division of Corporations, I was sent to a website sunbiz.org and downloaded the dissolution of corporation form. After downloading the form, I came to the conclusion that I could not sign the form because the form implied that I owned the corporation and was responsible for all debts.
 - I also downloaded the Electronic Articles of Organization Form that was originally created and filed to form the fraudulent corporation, Applebee Humanity Green LLC. The fraudulent corporation was created on January 19, 2011.
 - June 1, 2011 – Ran credit reports and set-up fraud alerts with the three credit bureaus. Notified our bank and investment advisors of identity theft.
 - June 2, 2011 – Contacted Florida Department of State Division of Corporations and spoke to Sylvia Gilbert. Mailed Cover Letter, Article of Dissolution form 607.1403, letter from Florida Department of Law Enforcement and check for \$52.50 to her attention personal and confidential to dissolve fraudulent corporation (see file). Filled out form per instructions from Mitch Kitroser, Attorney.
 - June 3, 2011 – Filed police report with an officer at the Delray Beach police department. Complaint number 11-15233.
 - June 8, 2011 - The check was cashed by the Division of Corporations.
 - June 14, 2011 - Received a letter from Tammy Hampton, Regulatory Specialist II stating that I filled out the wrong form and needed to fill out the Articles of Dissolution for a Limited Liability Company form and send an additional \$7.50.
 - June 16, 2011 - I called Tammy (phone number 850-245-6855) and gave her the background on the identity theft and subsequent set-up of a fraudulent corporation. She told me I still had to fill out the form and pay the \$7.50. I walked through the new form with her over the phone and explained to her since this was a fraudulent corporation that I didn't set-up, I would not check box 5 and box 7 of the form. Box 5 requires assuming all debts of the corporation and Box 7 states that there are no suits against the corporation. She informed me that the form must be filled out completely or it will be rejected. I told her I could not sign the form and asked if I could speak to her manager. She informed me that the Administrator would call me.
 - June 20, 2011 - I received a call from Brenda Tadlock (850-245-6911) on Tuesday. After discussing the matter with her, she said that I could not dissolve the fraudulent

corporation without completely filling out the form. When I explained to her that I could not assume responsibility for a fraudulent corporation, she provided me with two options:

- Send a notarized statement explaining all the details and what I actions I took related to the fraud to Tammy Hampton. She referred to this as "putting the public on notice". However, it is my understanding that this action would not dissolve the fraudulent corporation.
 - Have the judge issue a court order to notify the state to dissolve the corporation.
 - To get the \$52.50 back from the state, Brenda told me to write a letter to Tammy to issue a refund. Created and mailed letter for refund on June 22, 2011.
- June 22, 2011 – E-mailed details of conversations and written communications from Tammy and Brenda to attorney, Mitchell Kitroser.
 - June 23, 2011 – Mitchell will contact the Florida department of corporate dissolutions to see if he can find a way to dissolve the fraudulent corporation without having to take legal action.
 - June 30, 2011- Jeremy Fillie, investigator from FDLE called and said someone tried to set-up a checking account under my name with the Bank of America, but it was rejected. Asked me to send him the Delray Beach police report # and these notes. E-mailed these to him on 6/30. July 2, 2011 – Filed online report with FTC (ftc.gov) reporting credit card breech and fraudulent corporation.
 - July 11, 2011 – Received e-mail from Mitch Kitroser, attorney that he talked to Brenda at the State of Florida Department of Corporate Dissolutions and received the same answers as me that the LLC Dissolution Form must be filled out in entirety including assuming the debts of the fraudulent corporation for them to dissolve. The only other option from Brenda is bring legal action against the Department of State and have a judge issue an order directing them to dissolve the corporation. Mitch is estimating that this would cost around \$3,000. In addition, Mitch provided me with a form to fill out to file a complaint against the State of Florida and other unknown persons through the Attorney General of the State of Florida.
 - July 10, 2011 – Notified Mitch Kitroser, attorney, that I would fill out the form to notify the Attorney General, check into filing a report on Sunbiz.org. and would not move forward with legal action against the state at this time due to the cost, time and uncertainty involved to litigate.
 - July 11, 2011 – Filled out Office of the Attorney General complaint form against the Florida Department of State and Other Unknown Persons.
 - August 16, 2011 – Received letter from Frances Baker, Office of Citizen Services, in behalf of Florida Attorney General, Pam Bondi, stating that my concerns fall outside the role of the Attorney General's office. She forwarded my letter to the Florida Division of Corporations to ensure that they were aware of my on-going concerns. She also provided me the Florida Department of State's Office of Inspector General's contact information.
 - September 7, 2011 - Contacted Florida Department of State Office of Inspector General's office 850-245-6190 and talked with Ary Miller. I explained to him my problems in trying to dissolve the fraudulent corporation with the Florida Department of State Division of Corporations. Specifically, I would not check box 5 and box 7 and sign the LLC Dissolution form. Box 5 requires assuming all debts of the corporation and Box 7 states that there are no suits against the corporation. I informed him that the Department of Dissolution would not dissolve the fraudulent corporation unless I checked those boxes. He asked me who I worked with on this matter and I said that her name was Brenda.

- September 7, 2011 – I sent an e-mail to Ary Miller, detailing my experience with the Florida Department of State.
- September 8, 2011 – Received a call from Brenda Tadlock from the Florida Department of State. She said that if I mailed the following to her attention, they would dissolve the fraudulent corporation: LLC Dissolution Form (would not have to check items on box 5 or box 7), \$25 fee and a complete affidavit of facts for public record, signed and notarized.
- September 10, 2011 – Completed documents and will mail to Brenda after getting notarized next week.

I certify that, to the best of my knowledge all of the information on the Affidavit is true and correct.
Signed and dated in the presence of a notary.

Scott H. Applebee
Print Name

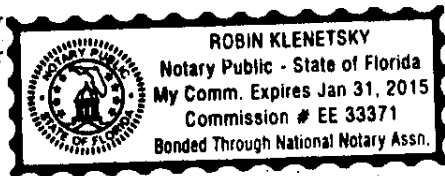
Scott H. Applebee
Signature

9/12/11
Date

Robin Klenetsky
Notary Print Name

Robin Klenetsky
Notary Signature

09/12/11
Date



**ARTICLES OF DISSOLUTION
FOR
A LIMITED LIABILITY COMPANY**

11 OCT 4 PM 2:18
SECRETARY OF STATE
DIVISION OF CORPORATIONS

1. The name of a limited liability company is
Applebee Humanity Green LLC

2. The Articles of Organization were filed on January 19, 2011 and assigned document number
L11000007909

3. The date the dissolution was approved: 9/12/11

4. A description of occurrence that resulted in the limited liability company's dissolution pursuant to section
608.441, Florida Statutes, (copy 608.441 on back cover letter).

Fraudulently opened through identity theft. Copy of Florida Department of Law Enforcement letter and Delray Beach police report enclosed.

5. CHECK ONE: Fraudulently set-up. Not responsible for debts, liabilities.
☒ All debts, obligations and liabilities of the limited liability company have been paid or discharged.
-OR-
☒ Adequate provision has been made for the debts, obligations and liabilities pursuant to s. 608.4421

6. All remaining property and assets have been distributed among its members in accordance with their respective rights and interests.

7. CHECK ONE: Fraudulently set-up. Not responsible for suits, judgments.
☒ There are no suits pending against the company in any court.
-OR-
☒ Adequate provision has been made for the satisfaction of any judgment, order or decree which may be entered against it in any pending suit.

Signatures of the members having the same percentage of membership interests necessary to approve the dissolution:

Signature

Scott H. Applebee

Printed Name

Scott H. Applebee



Florida Department of
Law Enforcement

Gerald M. Bailey
Commissioner

Tampa Bay Regional Operations Center

4211 North Lois Avenue
Tampa, Florida 33614
1-800-226-1140
www.fdle.state.fl.us

Rick Scott, Governor
Pam Bondi, Attorney General
Jeff Atwater, Chief Financial Officer
Adam Putnam, Commissioner of Agriculture

May 6, 2011

Scott Applebee
4770 Orchard Ln
Delray Beach, FL 33445

Dear Scott Applebee,

The Florida Department of Law Enforcement (FDLE) is currently conducting an investigation involving alleged credit card fraud and identity theft. We are in the preliminary stages of this investigation and it is not known if your information was compromised. This letter is being sent to you to determine if you are a possible victim of identity theft.

We request that you check your bank accounts, credit card accounts, and credit report, then contact:

Special Agent Eric-Kightlinger
Office Number: 813-878-7364
Toll Free Number: 800-226-1140

Email: erickightlinger@fdle.state.fl.us

Mailing Address: 4211 North Lois Avenue, Tampa, Florida 33614

Jeremy Filly
813 878-7300

Direct Line
(813) 878 7892

We also request that you compile a list of recent applications for credit as we are attempting to identify a possible point of compromise of your information.

Your assistance is appreciated in this matter.

Sincerely,

Alexandra Gaskins
Special Agent Supervisor

EK

5/26 Left two message

11 OCT 4 PM 2:18
SECRETARY OF STATE
DIVISION OF CORPORATIONS

DELRAY BEACH POLICE DEPARTMENT

Incident Report Case # 11-015233

Page 1 of 1

DATE 06/03/2011	DAY Friday	OFFICER NAME CARBONE	OFFICER ID 989	CALL SIGN A36	DISPOSITION Inactive	<input type="checkbox"/> JUVENILE <input type="checkbox"/> CONFIDENTIAL
OFFENSE IDENTITY THEFT	TIMES 1217	REPORTED 1220	DISPATCHED 1229	ARRIVED 1300	CLEARED 06/03/2011	OCCURRENCE DATE FROM 1217
LOCATION 4770 ORCHARD LN. M.O.	DCF CASE#		OCCURRENCE DATE TO		TIME	
VICTIM HAD CORPORATION SET UP IN HIS NAME			<input type="checkbox"/> CRIMES AGAINST PROPERTY <input checked="" type="checkbox"/> CRIMES AGAINST PERSONS		<input type="checkbox"/> CRIME SCENE NOTIFIED <input type="checkbox"/> TELETYPE NOTIFIED	
1. STATUS INFO						
PERSON TYPE Victim	DL#	DL State	DOB	Age		
Sex Male	NAME: Last APPLEBEE	First SCOTT	M.			
Race White	OCCUPATION UNKNOWN	Employer/School	SS#			
Height	HOME ADDRESS Street 4770 ORCHARD LN.		Apt/Suite	Home Phone 561-450-7442		
Weight	City DELRAY BEACH	State FL	Zip 33444	Cell Phone		
Build	WORK ADDRESS Street	Apt/Suite	Work Phone			
Eye Color	City	State	Zip			
Hair Color	Scars/Tattoos	Clothing				
Complex	2. STATUS INFO					
Hair Style	PERSON TYPE	DL#	DL State	DOB	Age	
Facial Hair	NAME: Last	First	M.			
	OCCUPATION	Employer/School	SS#			
	HOME ADDRESS Street	Apt/Suite	Home Phone			
	City	State	Zip	Cell Phone		
	WORK ADDRESS Street	Apt/Suite	Work Phone			
	City	State	Zip			
	Scars/Tattoos	Clothing				
VEHICLE STATUS						
TAG #	STATE	DECAL #	YEAR EXPIRES	VIN	COLOR	
<input type="checkbox"/> KEYS WITH VEHICLE		FEATURES/ODDITIES		INSURANCE CO.	POLICY #	
<input type="checkbox"/> STOLEN VEHICLE AFFIDAVIT SIGNED						

NARRATIVE

On this date, I made contact with the listed victim in reference to an identity theft. The victim advised me he received a notice in the mail that stated a domain corporation had been set up in his name. It is listed as Applebee Humanity Green LLC under his name and address, which he did not set up. Applebee could not provide me with any information about this corporation, but stated he has hired a lawyer to help him resolve this matter. I provided the victim with an identity theft packet.

Case# 11-015233

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DIVISION OF CORPORATIONS