

L16000201096

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Zesty Brands, LLC
Document No.: L16000201096

Notice of Unauthorized Amendment Filing

There is an ongoing legal dispute among the members of Zesty Brands, LLC. This has led to one member, Intervending, LLC, owned and managed by Evgenii Ianchik aka Eugene Ianchik, filing a lawsuit, styled Intervending, LLC v. Zesty Brands, LLC, Orange County Circuit Court, Case No. 2024-CA-005197.

In retaliation, the manager of Zesty Brands, Yuri Makarenko, and his wife, Oxana Makarenko, have taken extreme measures to cause damage to Zesty Brands, Intervending, and Mr. Ianchik. These measures include limiting Mr. Ianchik's access to Zesty Brands' property and information and presenting false and fraudulent documents to the Florida Division of Corporations. Mr. and Mrs. Makarenko have thereafter purported to hold meetings—at their home—and take actions for Zesty Brands that are entirely unauthorized and unlawful.

On July 18, counsel for Mr. Ianchik and Intervending sent a notice to Mr. and Mrs. Makarenko addressing these concerns. This notice, a copy of which is attached as Exhibit A, specifically objected to improperly noticed meetings and urged the parties to maintain the status quo and respect the legal system to govern the dispute.

Despite this notice, on July 19, 2024, at 9:49 A.M., Articles of Amendment to the Articles of Organization of Zesty Brands, LLC, were fraudulently filed. This filing was based on a meeting held without proper notice and without a proper vote. The filing is based on fraud and an effort to illegally remove Intervending, LLC, as an authorized member of Zesty Brands, LLC, and to limit Mr. Ianchik's access to information and property, including accounting information and bank account access.

The filing incorrectly: (1) Directs the removal of Intervending, LLC, as an authorized member; (2) Reports Intervending, LLC, as no longer holding any percentage of interest in Zesty Brands, LLC; and (3) Purports to list the membership interest percentages.

These actions are retaliatory measures in response to the lawsuit, which was necessitated by Mr. and Mrs. Makarenko's refusal to share company information with the members. These filings were submitted without proper authorization, were based on an illegal and improper vote, and decided upon at a meeting held without proper notice. Therefore, the changes are unauthorized, and a correction is required.

According to Section 817.155, Florida Statutes, "It is a third-degree felony for a party to file a fraudulent document on the records of the Florida Department of State." Intervending, LLC, and Mr. Ianchik have a genuine good faith belief that Oxana Makarenko and her husband, Yuri Makarenko, knowingly filed this fraudulent document for their own self-interest and in retaliation for the lawsuit Intervending filed against Zesty Brands, LLC.

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Entervending, LLC, and Mr. Ianchik are pursuing all legal remedies, civil and criminal, to address this fraudulent filing and the ongoing misconduct by Oxana and Yuri Makarenko.

The correct Articles of Organization of Zesty Brands, LLC, should include:

Entervending, LLC, Authorized Member, and

Mr. Evgenii Ianchik as a manager.

VERIFICATION

STATE OF FLORIDA

COUNTY OF ORANGE

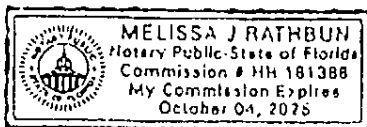
The undersigned, having been first duly sworn, deposes and says that the facts stated in the foregoing *Notice of Unauthorized Amendment Filing* are true and within my knowledge, except as to matters that are therein stated on information and belief and those matters I believe to be true.

Sign: _____

Eugene Ianchik aka Evgenii Ianchik, Manager, Entervending LLC, an
Authorized Member of Zesty Brand, LLC

I hereby certify that before me personally appeared Eugene Ianchik aka Evgenii Ianchik, Manager of Entervending LLC, an Authorized Member of Zesty Brands, LLC, who is personally known by me, or who did produce a Drivers' License for identification and who did take an oath and affirm that the statements contained in foregoing *Notice of Unauthorized Amendment Filing* are true and correct by personal knowledge.

Notary Public



Sign: my Rathbun

Print Name: Melissa J Rathbun

My Commission Expires: 10/04/2025

EXHIBIT A

From: Eric Boughman
To: "yuryinak@zestybrands.com"
Cc: "VladimirRudiy69@gmail.com"; "orders@zestybrands.com"; "sinica55@gmail.ru"; Melissa Rathbun; David Simon
Subject: Zesty Brand, LLC - Notice of Improper Meeting and Regarding Continuing Action
Date: Thursday, July 18, 2024 3:46:19 PM
Attachments: image001.png

Dear Mr. Makarenko,

As you know, I represent Entervending, LLC, and Eugene Ianchik, an authorized member and manager, respectively, of Zesty Brands, LLC. The disputes among the members of the Company are well-established. Earlier this week, we proposed a meeting of members and demanded your immediate removal as manager due to multiple conflicts. We have not received any response.

We have received several communications from you to Mr. Ianchik, particularly regarding a meeting. This morning, at 7:58 AM, you sent a notice that a meeting of members is scheduled to occur this evening as follows:

New Meeting Details:

- Date: 07/18/2024
- Time: 5 pm
- Location: 9864 Bay Vista Estates Blvd, Orlando, FL 32836

Your notice fails to comply with the meeting notice requirements of the Florida Limited Liability Company Act. Section 605.0407 requires at least 10 days' notice for member meetings.

On behalf of Mr. Ianchik and Entervending, we object to the improper notice of the meeting. We further object to the meeting location, which we understand is your home. Given the threats you made against Mr. Ianchik's life and, days later, your own false allegations against Mr. Ianchik, your home is not an appropriate forum for a Company meeting. Moreover, the date and time are unacceptable.

Mr. Ianchik and Entervending remain open to coordinating a meeting at a mutually agreeable date, time, and location. I will attend the meeting with Mr. Ianchik. I suggest that we conduct the meeting by video conference using my Zoom credentials. If you would like to take us up on this offer, please coordinate with Melissa in our office, who is copied on this message.

Please direct all further communications related to Zesty Brands, LLC, or intended for Entervending, LLC, or Mr. Ianchik to my attention. In the meantime, you are hereby advised that Mr. Ianchik and Entervending do not consent to any actions or decisions, outside the ordinary course of business, made without a meeting joined by all members, or by written action signed by all members. You are instructed to maintain the status quo and refrain from taking any action prejudicial to the rights of any member.

Now that the matter has escalated to a lawsuit, we will allow the 9th Circuit Court to serve as the arbiter for deciding further disputes related to the Company.

Sincerely,

EXHIBIT A

EXHIBIT A

Eric Boughman

FORSTERBOUGHMAN



Eric C. Boughman
Founding Partner
Attorney/Mediator

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