



(855)-DWI-DUDE | 101 East Town Place, Ste: 120, St. Augustine, FL 32092 | www.myduiguy.law

N98000006330

September 13th, 2022

Department of State
Attn: Division of Corporations
2415 N. Monroe Street, Suite 810
Tallahassee, FL 32303

800388838588

Re: Filipino-American Association of Volusia County, FL Inc. Statement of Fact

Dear Division of Corporations:

My name is Attorney Scott C. DuPont and I have the privilege of representing the Filipino Association of Volusia County, FL, Inc. (FAAVCO).

Enclosed please find a Statement of Fact from the Board of Directors that we are requesting to be filed as soon as possible.

If you have any questions, please let me know. Thank you for your time and consideration.

Sincerely,

Scott C. DuPont
Attorney and Counselor at Law



FAAVCO BOARD OF DIRECTORS STATEMENT OF FACT

STATE OF FLORIDA COUNTY OF VOLUSIA

The FAAVCO Board of Directors, after being first duly sworn and cautioned, deposes upon their oaths and say:

1. We are the legitimate Board of Directors of the Filipino -American Association of Volusia County, Florida, Inc. as currently recognized by the State of Florida.
2. We are all over the age of 18. We are not laboring under any disabilities, and we are competent. We have personal knowledge of the facts and matters stated below that would be admissible as evidence in a court of law.
3. Pursuant to Section 3.02, page three, of the FAAVCO Bylaws titled "Election", "There shall be a meeting every two years to conduct an election of officers." There are no provisions in the Bylaws that allow the elections to be denied for any reason.
4. Pursuant to the Bylaws, the definition of "Officers" includes those who typically serve as the Board of Directors. The term "Officers" will be rereferred to hereafter as the Board of Directors.
5. Due to the Association's election cycle, elections were due to be held before 5/18/20. However, the Board of Directors at that time, hereafter referred to as

5/18/20. However, the Board of Directors at that time, hereafter referred to as the illegitimate/former board, failed to hold them even though several members of the Association requested them multiple times. Because of that Board's dereliction of duties, and intentional failure to hold elections, they illegitimately remained in power.

6. More importantly, the President at that time had just finished her second term and continued to hold herself out as President up until recently, even though pursuant to the same section of the Bylaws, "The elected President and Past Presidents shall be eligible for no more than two (2) two-year term consecutively, or in different years."
7. Based on the foregoing, the Former President's last legitimate term expired on May 18th, 2020, which means that she had no authority to act on FAAVCO's behalf even though she has done so for the past two years and remained in power illegitimately.
8. Because elections were not properly held in May of 2020, and the Bylaws contain no provisions otherwise, the remainder of the Board also did the same and remained in power illegitimately.
9. From May of 2020, until May of 2022, no activities, meetings, or gatherings were held for the membership although they were requested multiple times.
10. At the conclusion of the most recent second year term, which was May of 2022, several association members again reached out to the illegitimate/former board on multiple occasions and requested elections pursuant to the Bylaws, again with no response.

elect its leadership for yet a second time, the membership exercised its authority, and held an election on June 25th, 2022, after giving proper notice pursuant to the Bylaws, and a new Board of Directors was properly elected. None of the illegitimate/former board members attend the election even though they were properly noticed and given the opportunity.

12. Upon being properly elected, the current board attempted to gain access to all Association assets and records but was denied by the illegitimate/former board.

13. Since that time, the illegitimate/former board has purposefully hindered the new board from exercising its duties and responsibilities over the Association. They have also continuously held themselves out to be the current board, which has created confusion in the membership.

14. After the current board was properly elected, the illegitimate/former board then attempted to terminate their membership in the association without the authority to do so under the Bylaws.

15. Shortly thereafter, the illegitimate/former board held a second election on or about August 13th, 2022, in an attempt to subvert the election of the new board. However, on July 20th, 2022, and before the election could be held, the new Board of Directors held an Emergency Meeting, and unanimously voted to terminate the membership of the illegitimate/former board members pursuant to Article X, Section 10.02 because they had engaged in conduct that was prejudicial to the interest of the Association.

16. In short, the illegitimate/former board members were no longer members of

because they intentionally denied the membership their right to hold elections from the previous term and remained in power illegitimately. The Notice of Termination of Membership was sent to all illegitimate/former board members before the second election.

17. As of the writing of this Affidavit, the State of Florida has recognized the current board of directors as those who have sworn to this Affidavit and signed below. However, the board members that were illegitimately elected as a result of the second election have filed paperwork with the Department of State in an attempt to be recognized as the current Board of Directors.

18. Based on the foregoing, the legitimate FAAVCO Board of Directors is as currently recognized by the State of Florida at the time this Affidavit was executed.

19. Any changes to the Articles of Incorporation, Bylaws, or any other corporate documents without the written consent or approval of the Board of Directors who have subscribed their signatures hereto are null and void.

20. Any persons holding themselves out as FAAVCO board members, other than those who have subscribed their signatures hereto, are not legitimate board members and have no authority to act on behalf FAAVCO.

IN WITNESS HEREOF, FURTHER AFFIANTS SAYETH NOT:

Aurora P. Scanlan
AURORA SCANLAN
PRESIDENT

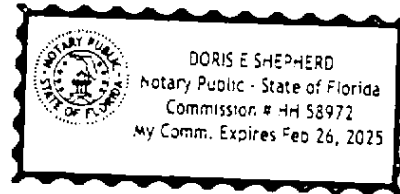
State of Florida
County of VOLUSIA

PHYSICALLY
The foregoing instrument was acknowledged before me on this 10TH day of
September, 2022, by **AURORA SCANLAN, PRESIDENT**, who is personally
known to me or produced a valid I.D.

(Stamp)
Edgar Budanio
EDGAR BUDANIO
VICE PRESIDENT

State of Florida
County of VOLUSIA

Doris E. Shepherd
Notary Public **DORIS E. SHEPHERD**
State of Florida at Large

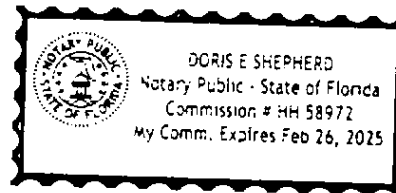


PHYSICALLY
The foregoing instrument was acknowledged before me on this 10TH day of
September, 2022, by **EDGAR BUDANIO, VICE PRESIDENT**, who is personally
known to me or produced a valid I.D.

(stamp)
Angelyn Lunisa
ANGELYN LUNISA
SECRETARY

State of Florida
County of VOLUSIA

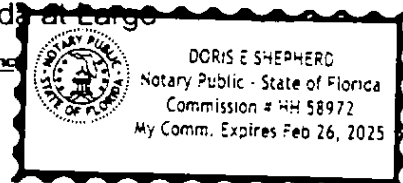
Doris E. Shepherd
Notary Public **DORIS E. SHEPHERD**
State of Florida at Large



PHYSICALLY
The foregoing instrument was acknowledged before me on this 10TH day of
September, 2022, by **ANGELYN LUNISA, SECRETARY**, who is personally
known to me or produced a valid I.D.

(stamp)

Doris E. Shepherd
Notary Public **DORIS E. SHEPHERD**
State of Florida at Large



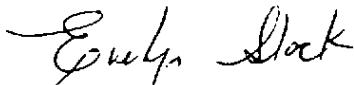


MARIA G. LIWAG
TREASURER

State of Florida
County of Volusia

The foregoing instrument was ^{PHYSICALLY} acknowledged before me on this 10TH day of September, 2022, by **MARIA G. LIWAG, TREASURER**, who is personally known to me or produced a valid I.D.

(stamp)

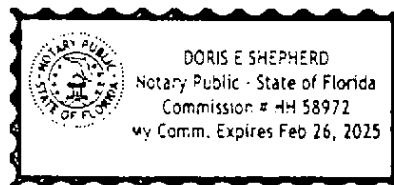


EVELYN SLACK
AUDITOR

State of Florida
County of Volusia



Notary Public **DORIS E. SHEPHERD**
State of Florida at Large



The foregoing instrument was ^{PHYSICALLY} acknowledged before me on this 10TH day of September, 2022, by **EVELYN SLACK, AUDITOR**, who is personally known to me or produced a valid I.D.

(stamp)

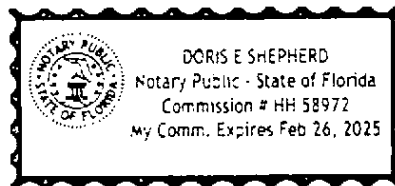


ELENA JONES
PUBLIC RELATION OFFICER

State of Florida
County of Volusia

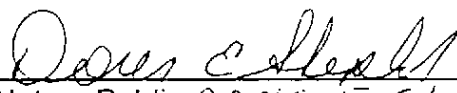


Notary Public **DORIS E. SHEPHERD**
State of Florida at Large

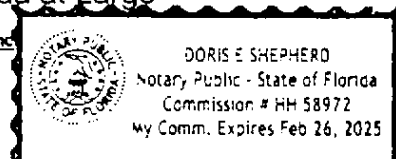


The foregoing instrument was ^{PHYSICALLY} acknowledged before me on this 11TH day of September, 2022, by **ELENA JONES, PUBLIC RELATION OFFICER**, who is personally known to me or produced a valid I.D.

(stamp)



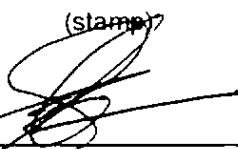
Notary Public **DORIS E. SHEPHERD**
State of Florida at Large



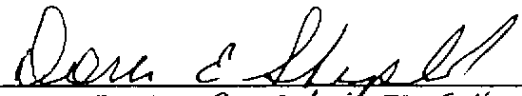
in good
VIRGINIA MELDOFSKY
ACTIVITY COORDINATOR

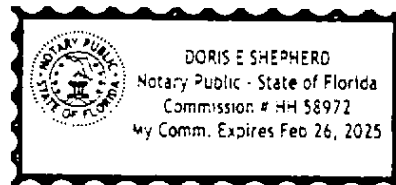
State of Florida
County of DE SOTO VOLUSIA

The foregoing instrument was ^{PHYSICALLY} acknowledged before me on this 10TH day of September, 2022, by **VIRGINIA MELDOFSKY, ACTIVITY COORDINATOR**, who is personally known to me or produced a valid I.D.

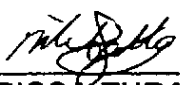
(stamp)

DANNA BUDANIO
BOARD MEMBER

State of Florida
County of VOLUSIA


Notary Public **DORIS E SHEPHERD**
State of Florida at Large

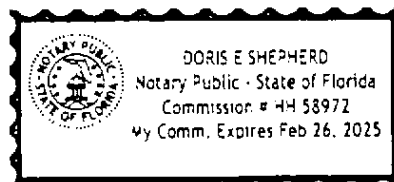


The foregoing instrument was ^{PHYSICALLY} acknowledged before me on this 10TH day of September, 2022, by **DANNA BUDANIO, BOARD MEMBER**, who is personally known to me or produced a valid I.D.

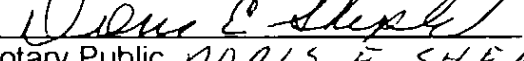
(stamp)

MARISSA TUBALLA
PEACE-KEEPER OFFICER

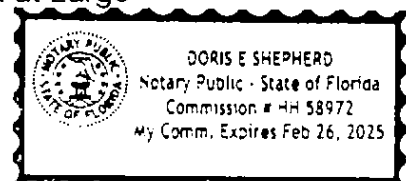
State of Florida
County of VOLUSIA


Notary Public **DORIS E SHEPHERD**
State of Florida at Large



The foregoing instrument was ^{PHYSICALLY} acknowledged before me on this 10TH day of September, 2022, by **MARISSA TUBALLA, PEACE-KEEPER OFFICER**, who is personally known to me or produced a valid I.D.

(stamp)

Notary Public **DORIS E SHEPHERD**
State of Florida at Large



Diana Budanio
DIANA BUDANIO
PEACE-KEEPER OFFICER

State of Florida
County of VOLUSIA

The foregoing instrument was ^{PHYSICALLY} acknowledged before me on this 10TH day of
September, 2022, by **DIANA BUDANIO, PEACE-KEEPER OFFICER**, who is
personally known to me or produced a valid I.D.

(stamp)

Doris E. Shepherd
Notary Public DORIS E. SHEPHERD
State of Florida at Large

