

**Electronic Articles of Incorporation  
For**

**P01000099718  
FILED  
October 14, 2001  
Sec. Of State**

THE FLAMING HABAN'ERO INC

The undersigned incorporator, for the purpose of forming a Florida profit corporation, hereby adopts the following Articles of Incorporation:

**Article I**

The name of the corporation is:

THE FLAMING HABAN'ERO INC

**Article II**

The principal place of business address:

2047 WILTON DRIVE  
WILTON MANOR, FL. 33305

The mailing address of the corporation is:

2047 WILTON DRIVE  
WILTON MANOR, FL. 33305

**Article III**

The purpose for which this corporation is organized is:

ANY AND ALL LAWFUL BUSINESS.

**Article IV**

The number of shares the corporation is authorized to issue is:

7500

### **Article V**

The name and Florida street address of the registered agent is:

HAVA AUSTIN  
8425 NW 40TH CT  
SUNRISE, FL. 33351

I certify that I am familiar with and accept the responsibilities of registered agent.

Registered Agent Signature: HAVA AUSTIN

### **Article VI**

The name and address of the incorporator is:

ELIZABETH A HUDSON  
1470 N DIXIE HWY  
FT LAUDERDALE, FL, 33304

Incorporator Signature: ELIZABETH A HUDSON

### **Article VII**

The initial officer(s) and/or director(s) of the corporation is/are:

Title: PVT  
ELIZABETH A HUDSON  
1470 N DIXIE HWY  
FT LAUDERDALE, FL. 33304

### **Article VIII**

#### **Corporate Capitalization**

The Maximum Numbers of shares that this corporation is authorized to have outsta at any time is SEVEN THOUSAND FIVE HUNDRED (7,500) shares of common stock, each having the par value of ONE DOLLAR (\$1.00).

All Holders of shares of common stock shall be identical with each other in every respect and holders of common shares shall be entitled to have unlimited voting rights on all shares and be entitled to one vote for each share on all matters on which shareholders have a right to vote.

All holders of shares of common stock, upon dissolution of the corporation, shall be entitled to receive the net assets of the Corporation.

No Holder of shares of stock of any class shall have any preemptive right to subscribe to or purchase any additional shares of any class, or any bonds or convertible securities any nature; provided, however, that the Board of Director(s)

### **Article VIII (continued)**

may, in authorizing the issuance of shares of stock of any class, confer any preemptive right that the Board of Director(s) may deem advisable in connection with such issuance.

### **Article IX**

The Board of Director(s) of the Corporation may authorize the issuance from time to time of shares of its stock of any class, whether now or hereafter authorized, or securities convertible into shares of its stock of any class whether now or hereafter authorized, for such consideration as the Board of Director(s) may deem advisable, subject to such restrictions or limitations, if any, as may be set forth in the bylaws of the corporation.

The Board of Director(s) of the Corporation may, by Restated Articles of Incorporation, classify or reclassify any unissued stock from time to time by setting or changing the preferences, conversions or other rights, voting powers, restrictions, limitations as to dividends, qualifications, or term or conditions of redemption of the stock.

### **Article X**

#### **Shareholders' Restrictive Agreement**

All of the shares of stock of this Corporation may be subject to a Shareholders' Restrictive Agreement containing numerous restrictions on the rights of shareholders of the Corporation and transferability of the shares of stock of the Corporation. A Copy of the Shareholders' Restrictive Agreement, if any, is on file at the principal office of the Corporation.

### **Article XI**

#### **Powers of Corporation**

The Corporation shall have the same powers as an individual to do all things necessary or convenient to carry out its business and affairs, subject to any limitations or restrictions imposed by applicable law or these Articles of Incorporation.

### **Article XII**

#### **TERM OF EXISTENCE**

This Corporation shall have perpetual existence.

### **Article XIII**

#### **Registered Owner(S)**

The Corporation, to the extent permitted by law, shall be entitled to treat the person in whose name any share or right is registered on the book of the Corporation as the owner thereof, for all purposes, and except as may be agreed in writing by the Corporation, the Corporation shall not be bound to recognize any equitable or other claim to, or interest in, such share or right on the part of any other person, whether or not the Corporation shall have notice thereof.

## **Article XIV**

### **BYLAWS**

The Board of Director(s) of the Corporation shall have power without the assent or vote of the shareholders, to make, alter, amend or repeal the Bylaws of the Corporation, but the affirmative vote of number of Directors equal to a majority of the number who would constitute a full Board of Director(s) at the time of such action shall be necessary to take any action for the making, altering, amendment or repeal of the Bylaws.