

P03000020304

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MAIL

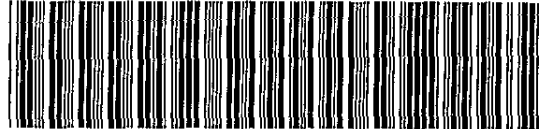
(Business Entity Name)

(Document Number)

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FILED
03 MAR 12 AM 11:32
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

Amend + N/C

T BROWN MAR 13 2003

LAW OFFICES OF
NEIL S. SCHECHT, P.A.

NEIL S. SCHECHT

*ALSO ADMITTED IN ILLINOIS

3630 WEST KENNEDY BOULEVARD
TAMPA, FLORIDA 33609
(813) 353-9500
FAX (813) 350-0300

February 27, 2003

Division of Corporations
Post Office Box 6327
Tallahassee, FL 32314

Re: Baja Malibu Café, Inc.

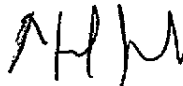
Dear Sir or Madam:

We are enclosing herewith proposed Articles of Amendment to Articles of Incorporation of Baja Malibu Café, Inc., together with our firm's check in the amount of \$35.00 in payment of the filing fee.

Kindly return the filed Articles of Amendment to our office at your earliest opportunity.

In the event of any questions, please feel free to contact our office.

Very truly yours,



Neil S. Schecht

NSS/cas

Enclosures



FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State

March 10, 2003

NEIL S. SCHECHT, P.A.
3630 W. KENNEDY BLVD.
TAMPA, FL 33609

SUBJECT: BAJA MALIBU CAFE, INC.
Ref. Number: P03000020304

We have received your document for BAJA MALIBU CAFE, INC. and your check(s) totaling \$35.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

The word "initial" or "first" should be removed from the article regarding directors, officers, and/or registered agent, unless these are the individuals originally designated at the time of incorporation.

The document must be signed by the chairman, any vice chairman of the board of directors, its president, or another of its officers.

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) 245-6869.

Teresa Brown
Document Specialist

Letter Number: 903A00015003

LAW OFFICES OF
NEIL S. SCHECHT, P.A.

NEIL S. SCHECHT

* ALSO ADMITTED IN ILLINOIS

3630 WEST KENNEDY BOULEVARD
TAMPA, FLORIDA 33609
(813) 353-9500
FAX (813) 350-0300

March 11, 2003

VIA AIRBORNE

Ms. Teresa Brown
Division of Corporations
Amendment Section
409 East Gaines Street
Tallahassee, FL 32399

Re: Baja Malibu Café, Inc.

Dear Teresa:

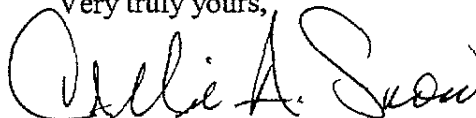
We are enclosing herewith Articles of Amendment to Articles of Incorporation amending the name of the corporation to Baja Malibu Grill, Inc., and deleting Joan T. Muth as a director.

Please be advised that we previously submitted Articles of Amendment; however, the filing was rejected due to the fact that David T. Muth, President of the corporation, did not sign the Articles of Amendment. Mr. Muth has appropriately signed the enclosed Articles of Amendment, and we ask that the filed Articles be returned to our office as soon as possible.

Also enclosed is our firm's check in the amount of \$35.00 in payment of the applicable filing fee.

In the event of any questions, please contact our office.

Very truly yours,



Callie A. Snow

/cas
Enclosures

**ARTICLES OF AMENDMENT
TO
ARTICLES OF INCORPORATION
OF
BAJA MALIBU CAFE, INC.**

FILED
03 MAR 12 AM 11:32
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

Pursuant to the provisions of section 607.1006, Florida Statutes, this Florida profit corporation adopts the following Articles of Amendment to its Articles of Incorporation:

FIRST: Amendment(s) adopted: (indicate article number(s) being amended, added or deleted)

Article I of the Articles of Incorporation is hereby amended to read:

ARTICLE I - NAME

The name of the corporation is hereby amended to read: BAJA MALIBU GRILL, INC.

Article VII of the Articles of Incorporation is hereby amended as follows:

ARTICLE VII - DIRECTORS

The number of directors constituting the board of directors of the corporation is one (1). Joan T. Muth is hereby deleted as a director of the corporation.

SECOND: If an amendment provides for an exchange, reclassification or cancellation of issued shares, provisions for implementing the amendment if not contained in the amendment itself, are as follows:

N/A

THIRD: The date of each amendment's adoption: February 19, 2003.

FOURTH: Adoption of Amendment(s) (**CHECK ONE**)

 X The amendment was approved by the shareholders. The number of votes cast for the amendment was sufficient for approval.

 The amendment(s) was/were approved by the shareholders through voting groups.
The following statement must be separately provided for each voting group entitled to vote separately on the amendment(s):

“The number of votes cast for the amendment(s) was/were sufficient for approval by _____.”
Voting group

 The amendment was adopted by the board of directors without shareholder action, and shareholder action was not required.

 The amendment was adopted by the incorporator without shareholder action and shareholder action was not required.

Signed this 11th day of March, 2003.

Signature: David J. Muth
DAVID J. MUTH, PRESIDENT