

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

FILED

12 APR 18 PM 2:55

IN RE:

RECOVERY HOME CARE, INC.,
and RECOVERY HOME CARE SERVICES, INC.,
a Florida corporation,

SECRETARY OF STATE
TALLAHASSEE, FLORIDA
CASE NO. 2012-CA-770

RECEIVED

APR 16 2012

**ORDER VACATING ARTICLES OF MERGER
AND PLAN OF MERGER FILED BY PETITIONERS**

OFFICE OF GENERAL COUNSEL

THIS MATTER came before the Court on Petitioner, RECOVERY HOME CARE, INC. and RECOVERY HOME CARE SERVICES, INC.'s Unopposed Motion for Summary Judgment/Order Vacating Articles of Merger of Two Florida Corporation. Having considered the Motion, lack of opposition to the relief requested, and being otherwise informed of the matters properly before the Court, it is hereby

ORDERED AND ADJUDGED, as follows:

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1. Petitioner's Motion is **GRANTED**.
2. The Court finds that the Articles of Merger and Plan of Merger filed by Recovery Home Care, Inc. and Recovery Home Care Services, Inc. filed with the State of Florida, Department of State (the "Department") on January 17, 2012, were filed under a mistake of fact and it was not the intent to merge the companies effective April 16, 2012. The Court finds the Articles of Merger and the Plan of Merger a nullity, void *ab initio*, and of no force or effect.

3. Accordingly, Recovery Home Care Services, Inc. is not merged into Recovery Home Care, Inc., but rather shall be deemed to have been an active corporation dating back to, and since, the date of filing the Articles of Merger and the Plan of Merger - January 17, 2012.

DONE AND ORDERED in Chambers, at Tallahassee, Leon County, Florida, this 13
day of April, 2012.


Charles A. Francis
Circuit Judge

Copies furnished to:

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AMEND
ORC
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