



# FO1000005838

ACCOUNT NO. : 072100000032

REFERENCE : 332224 4811593

AUTHORIZATION : *Patricia Pizito*

COST LIMIT : \$ 70.00

ORDER DATE : November 6, 2001

ORDER TIME : 10:28 AM

ORDER NO. : 332224-015

CUSTOMER NO: 4811593

CUSTOMER: Ross Smith, Esq  
Bourne, Noll & Kenyon  
382 Springfield Avenue  
Po Box 690  
Summit, NJ 07902

01 NOV -08 PM 3:34  
FILED  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

01 NOV -08 AM 11:33  
RECEIVED  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

*(Handwritten mark)*

FOREIGN FILINGS

NAME: FAHNESTOCK TRUST COMPANY

XXXX QUALIFICATION (TYPE: CO)

500004672815--5

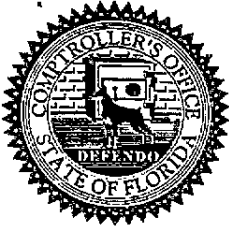
**BK**

PLEASE RETURN THE FOLLOWING AS PROOF OF FILING:

- CERTIFIED COPY
- XX PLAIN STAMPED COPY
- CERTIFICATE OF GOOD STANDING

CONTACT PERSON: Jeanine Reynolds -- EXT# 1133

EXAMINER: \_\_\_\_\_



ROBERT F. MILLIGAN  
COMPTROLLER OF FLORIDA

**OFFICE OF THE COMPTROLLER**  
DEPARTMENT OF BANKING AND FINANCE  
STATE OF FLORIDA  
TALLAHASSEE 32399-0350

September 4, 2001

FILED  
01 NOV -8 PM 3:34  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

Charles R. Berman, Esq.  
Bourne, Noli & Kenyon  
Post Office Box 690  
Summit, New Jersey 07902-0690

Dear Mr. Berman:

We have reviewed your letter of August 20, 2001, requesting a determination of whether an out-of-state trust company is required to file an application or provide notice to this office in order to act as fiduciary under Florida law for its clients in Florida.

Florida law does not prohibit a properly licensed or chartered trust company located outside Florida from serving as trustee for Florida residents. The trust company, however, must administer such trust accounts at its non-Florida places of business. It must not conduct actual trust business or administer trust accounts at offices in Florida.

An out-of-state corporate trustee that acts within the scope of otherwise lawful activities that are not prohibited by Section 660.41, Florida Statutes, is not required to qualify with this office in order to do so. Again, however, the statute does not authorize out-of-state trust institutions to establish or maintain trust offices in Florida for the conduct of trust business in Florida. If you have any questions, do not hesitate to contact our office.

Sincerely,

David T. Burgess  
Financial Control Analyst

dtb

APPLICATION BY FOREIGN CORPORATION FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

IN COMPLIANCE WITH SECTION 607.1503, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN CORPORATION TO TRANSACT BUSINESS IN THE STATE OF FLORIDA.

FILED  
NOV - 8 PM 3:34  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

1. FAHNESTOCK TRUST COMPANY

(Name of corporation; must include the word "INCORPORATED", "COMPANY", "CORPORATION" words or abbreviations of like import in language as will clearly indicate that it is a corporation instead of natural person or partnership if not so contained in the name at present.)

2. NEW JERSEY

(State or country under the law of which it is incorporated)

3. 22-3831284

(FEI number, if applicable)

4. AUGUST 30, 2001

(Date of incorporation)

5. PERPETUAL

(Duration: Year corp. will cease to exist or "perpetual")

6. UPON QUALIFICATION

(Date first transacted business in Florida. If corporation has not transacted business in Florida, insert "upon qualification." (SEE SECTIONS 607.1501, 607.1502 and 817.155, F.S.)

7. 382 SPRINGFIELD AVENUE, SUMMIT, NEW JERSEY 07901

(Principal office address)

382 SPRINGFIELD AVENUE, SUMMIT, NEW JERSEY 07901

(Current mailing address)

8. TO ACT AS A FIDUCIARY, EXECUTOR AND TRUSTEE

(Purpose(s) of corporation authorized in home state or country to be carried out in state of Florida)

9. Name and street address of Florida registered agent: (P.O. Box or Mail Drop Box NOT acceptable)

Name: Corporation Service Company

Office Address: 1201 Hays Street

Tallahassee

(City)

Florida 32301

(Zip code)

10. Registered agent's acceptance:

Having been named as registered agent and to accept service of process for the above stated corporation at the place designated in this application, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Corporation Service Company

Elizabeth B. Konieczny

(Registered agent's signature)

11. Attached is a certificate of existence duly authenticated, not more than 90 days prior to delivery of this application to the Department of State, by the Secretary of State or other official having custody of corporate records in the jurisdiction under the law of which it is incorporated.

12. Names and business addresses of officers and/or directors:

**A. DIRECTORS**

Chairman: See attached officers/directors rider

Address: \_\_\_\_\_

Vice Chairman: \_\_\_\_\_

Address: \_\_\_\_\_

Director: \_\_\_\_\_

Address: \_\_\_\_\_

Director: \_\_\_\_\_

Address: \_\_\_\_\_

FILED  
NOV - 8 PM 3:30  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**B. OFFICERS**

President: See attached officers/directors rider

Address: \_\_\_\_\_

Vice President: \_\_\_\_\_

Address: \_\_\_\_\_

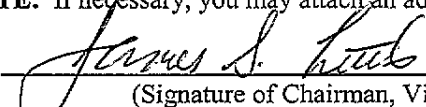
Secretary: \_\_\_\_\_

Address: \_\_\_\_\_

Treasurer: \_\_\_\_\_

Address: \_\_\_\_\_

**NOTE:** If necessary, you may attach an addendum to the application listing additional officers and/or directors.

13.   
(Signature of Chairman, Vice Chairman, or any officer listed in number 12 of the application)

14. JAMES S. LITTLE, PRESIDENT  
(Typed or printed name and capacity of person signing application)

**OFFICERS**

<u>Name</u>	<u>Title</u>	<u>Residence Address</u>	<u>Business Address</u>
Albert G. Lowenthal	Chairman of the Board	188 Mamaroneck Road, Scarsdale, New York 10583	Fahnestock & Co., Inc., 125 Broad Street, New York, New York 10004
James S. Little	President	64 Beekman Road, Summit, New Jersey 07901	Fahnestock Trust Company, 382 Springfield Avenue, Summit, New Jersey 07901
George F. Stroebel	Vice President, Treasurer and Secretary	1B Cove Lane, North Bergen, New Jersey 07047	Fahnestock & Co., Inc., 125 Broad Street, New York, New York 10004
Deborah M. Vallat	Assistant Secretary	5 Quaker Hill Drive, Pittstown, New Jersey 08867	Fahnestock Trust Company, 382 Springfield Avenue, Summit, New Jersey 07901

FILED

**DIRECTORS**

<u>Name</u>	<u>Residence Address</u>	<u>Business Address</u>
Albert G. Lowenthal	188 Mamaroneck Road, Scarsdale, New York 10583	Fahnestock & Co., Inc., 125 Broad Street, New York, New York 10004
Robert M. Neuhoff	1184 Ocean Avenue, Sea Bright, New Jersey 07760	Fahnestock & Co., Inc., 125 Broad Street, New York, New York 10004
James S. Little	64 Beekman Road, Summit, New Jersey 07901	Fahnestock Trust Company, 382 Springfield Avenue, Summit, New Jersey 07901
Elaine K. Roberts	186 Forest Hill Road, Toronto, Ontario, Canada M5P 2N4	Fahnestock Viner Holdings Inc., 20 Eglinton Avenue West, Suite 1110, Toronto, Canada M4R 1K8
George F. Stroebel	1B Cove Lane, North Bergen, New Jersey 07047	Fahnestock & Co., Inc., 125 Broad Street, New York, New York 10004

**FILED**  
01 NOV -8 PM 3:34  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA



**State of New Jersey**  
DEPARTMENT OF BANKING AND INSURANCE  
DIVISION OF BANKING  
PO BOX 40  
TRENTON, NJ 08625-0040

DONALD T. DiFRANCESCO  
*Acting Governor*

DONALD BRYAN  
*Acting Commissioner*

October 31, 2001

TO WHOM IT MAY CONCERN:

FILED  
01 NOV -8 PM 3:34  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

*THIS IS TO CERTIFY that FAHNESTOCK TRUST COMPANY, with its principal office located at 382 Springfield Avenue, Summit, Union County, is a corporation duly incorporated under the laws of this State and authorized by the Commissioner of Banking and Insurance to transact business in this State in accordance with the Banking Act of 1948.*

Michael D. Sheridan  
Chief Examiner  
Applications