

Att. A. G. office June 2, 1863

Foreign 2

Index to Rec'd # 3327

# 18016

NO. 18016-63

THE STATE OF TEXAS

V.

IN THE DISTRICT COURT

OF TRAVIS COUNTY, TEXAS

UNITED STATES CHEMICAL MILLING CORPORATION

JUDICIAL DISTRICT

TO SAID HONORABLE COURT:

NOW COMES the State of Texas by and through its Attorney General, Waggoner Carr, hereinafter styled Plaintiff, and leave of court having been duly had and obtained, files its Original Petition for Revocation of Certificate of Authority, complaining of United States Chemical Milling Corporation, a corporation, hereinafter styled Defendant, and for cause of action would show the Court as follows:

I.

This suit is brought in the name of the State of Texas by the Attorney General of Texas, pursuant to and under the terms and provisions of the Texas Business Corporation Act, particularly Articles 8.08 and 7.02 thereof.

II.

The Defendant, United States Chemical Milling Corporation, is a foreign corporation chartered under the laws of the State of California, doing business within this State under Certificate of Authority No. 18016 granted by the Secretary of State of Texas pursuant to Article 8.05 of the Texas Business Corporation Act. Defendant's last registered agent was C. T. Corporation System, with its last registered office as Dallas 1, Texas, according to the instruments filed by Defendant in the Office of the Secretary of State of Texas.

III.

Venue properly lies in any district court in Travis County by virtue of Article 7.03 of the Texas Business Corporation Act.

IV.

Under the provisions of Article 8.08A(2), the Defendant corporation is required to have and continuously maintain in the State of Texas a registered agent. The defendant corporation has in violation of law failed to maintain a registered agent in this State for a period of time commencing on or before the 22nd day of April, 1963, and extending until this very day.

FILMED

## V.

Pursuant to Article 7.02, the Secretary of State of Texas certified to the Attorney General of Texas that the defendant corporation had failed to maintain a registered agent in this State as required by law. The Secretary of State duly notified the defendant corporation on the 22nd day of May, 1969, of the said certification to the Attorney General. Although thirty (30) days have elapsed since notification, the defendant corporation has not appointed a new registered agent.

## VI.

Pursuant to the provisions of Article 7.02(c) of the Texas Business Corporation Act, this suit is instituted in this Court to seek revocation of Certificate of Authority of the defendant corporation.

WHEREFORE, the Plaintiff State of Texas prays that defendant be duly cited to appear and answer herein and that upon final hearing hereof plaintiff have judgment against defendant for revocation of its Certificate of Authority No. 18016 issued to it, for all costs in this behalf expended, and for such other and further relief, both general and special, in law and in equity, to which the State of Texas may be entitled, whether or not the same be specifically prayed for herein.

Respectfully submitted,

WAGGONER CARR  
Attorney General of Texas

Assistant Attorney General

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Assistant Attorney General

Attorneys for the State of Texas

Capitol Station  
Austin 11, Texas

NO. 132,080

STATE OF TEXAS

v.

UNITED STATES CHEMICAL MILLING  
CORPORATION

IN THE DISTRICT COURT  
OF TRAVIS COUNTY, TEXAS

126th JUDICIAL DISTRICT

JUDGMENT

BE IT REMEMBERED that on this 14th day of August,  
1963, came on to be heard the above entitled and numbered cause in which  
the State of Texas is plaintiff and UNITED STATES CHEMICAL MILLING CORP.  
\_\_\_\_\_, a corporation, is defendant, and the plaintiff  
appeared in person and through the Attorney General of Texas as attorney of  
record; but the defendant, although having been duly cited to appear in answer in  
the manner and form as provided by law, and although the appearance day of said  
defendant had passed, the defendant came not before this Court and has hereto-  
fore failed to appear or answer in this behalf and has wholly made default; and  
that during the pendency of this suit the defendant corporation not having cured  
its failure to maintain a registered agent in this State and not having paid the  
cost of this action;

WHEREFORE, the defendant corporation having been duly cited as required  
by law, and the Court having considered the pleadings, evidence and argument of  
counsel, is of the opinion that the law and facts are with the plaintiff and against  
the defendant;

It is, therefore, ORDERED, ADJUDGED, and DECREED that the  
Certificate of Authority No. 18016, heretofore issued by the  
State of Texas to the defendant UNITED STATES CHEMICAL MILLING CORP.  
\_\_\_\_\_  
be, and the same is hereby, forfeited, revoked, and made null  
and void; and all costs are adjudged against defendant for which execution may issue.

151-132-080  
Judge Presiding

THE STATE OF TEXAS }  
COUNTY OF TRAVIS }

I, O. T. MARTIN, JR., Clerk of the District Courts, within and for the State and County aforesaid, do hereby certify that the within and foregoing is a true and correct copy of

JUDGMENT

in Cause No. 132,080, wherein

State of Texas

and Plaintiff       ,

United States Chemical Milling Corporation

as the same appears on file and of record in this office. Defendant       ,

Given under my hand and seal of office at Austin, Texas, this the

14th day of August, 1963.

O. T. MARTIN, JR.  
Clerk, District Courts, Travis County, Texas

By J. C. H. C. Deputy

STATE OF TEXAS

IN THE DISTRICT COURT

V.

OF TRAVIS COUNTY, TEXAS

UNITED STATES CHEMICAL  
MILLING CORPORATION

126TH JUDICIAL DISTRICT

MOTION TO DISMISS

TO THE HONORABLE JUDGE OF SAID COURT:

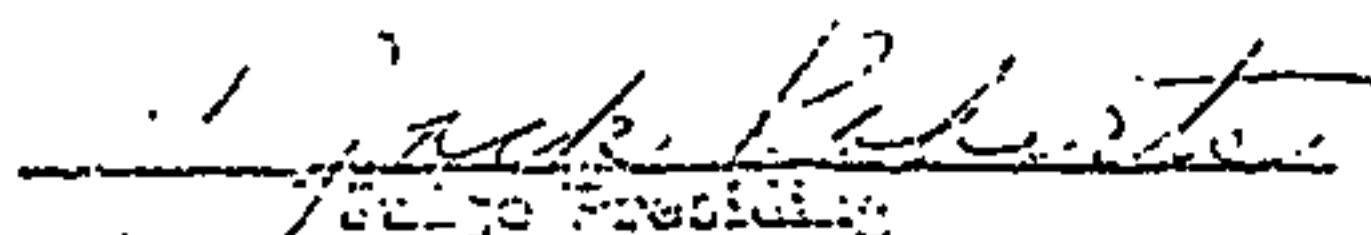
COMES NOW the plaintiff, State of Texas, in the above entitled and numbered cause, acting by and through its Attorney General, Will Wilson, and files this its Motion to Dismiss its said suit for the reason that the defendant named herein, on the 21st day of April, 1961, complied with the statutory requirements, in naming C. T. Corporation System, Republic National Bank Building, Dallas, Texas, as its registered agent; therefore, plaintiff prays this Court to dismiss said cause without prejudice to plaintiff, and that the costs herein be levied against the defendant.

Respectfully submitted,

WILL WILSON  
Attorney General of Texas
  
 BOB E. MANN  
 Assistant Attorney General
ORDER

BE IT REMEMBERED, that on this 9th day of May, 1961, in the above entitled and numbered cause, wherein the State of Texas is plaintiff and United States Chemical Milling Corporation is defendant, the plaintiff, by its attorney of record, prayed the Court to dismiss said cause of action without prejudice to plaintiff, for the reason that the defendant, on April 21, 1961, complied with the statutory requirements, in naming C. T. Corporation System, Dallas, Texas, as its registered agent, and to assess the costs herein against the defendant.

It is, therefore, ORDERED, ADJUDGED, and DECREED that this said cause be, and is hereby, dismissed at defendant's costs, and without prejudice to the plaintiff.

  
 Judge Presiding

STATE OF TEXAS

v.

UNITED STATES CHEMICAL  
MILLING CORPORATION

IN THE DISTRICT COURT  
OF TRAVIS COUNTY, TEXAS  
126TH JUDICIAL DISTRICT

**MOTION TO DISMISS**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the plaintiff, State of Texas, in the above entitled and numbered cause, acting by and through its Attorney General, Will Wilson, and files this its Motion to Dismiss its said suit for the reason that the defendant named herein, on the 21st day of April, 1961, complied with the statutory requirements, in naming C. T. Corporation System, Republic National Bank Building, Dallas, Texas, as its registered agent; therefore, plaintiff prays this Court to dismiss said cause without prejudice to plaintiff, and that the costs herein be levied against the defendant.

Respectfully submitted,

WILL WILSON  
Attorney General of Texas

Mark S. Shanahan  
**BOB E. SHANNON**  
Assistant Attorney General

## ORDER

BE IT REMEMBERED, that on this 1<sup>st</sup> day of May, 1961, in the above entitled and numbered cause, wherein the State of Texas is plaintiff and United States Chemical Milling Corporation is defendant, the plaintiff, by its attorney of record, prayed the Court to dismiss said cause of action without prejudice to plaintiff, for the reason that the defendant, on April 21, 1961, complied with the statutory requirements, in naming C. T. Corporation System, Dallas, Texas, as its registered agent, and to assess the costs herein against the defendant.

It is, therefore, ORDERED, ADJUDGED, and DECREED that this  
said cause be, and is hereby, dismissed at defendant's costs, and without  
prejudice to the plaintiff.

~~Penicillin~~ ~~Penicillin~~ ~~Penicillin~~ ~~Penicillin~~ ~~Penicillin~~

Step # 2 May



STATE OF TEXAS  
OFFICE OF THE SECRETARY OF STATE  
AUSTIN 11, TEXAS

April 22, 1963

UNITED STATES CHEMICAL MILLING CORPORATION  
S C T Corporation System  
Republic National Bank Building  
Dallas 1, Texas

Re: UNITED STATES CHEMICAL MILLING CORPORATION-**Foreign**  
Charter No. 13016 Ledger No. 14316 California  
Dear Sir:

This is to acknowledge receipt of your resignation as registered agent of the above corporation. Under the provisions of Article 2.10D of the Business Corporation Act, such appointment is not effective until thirty (30) days from **April 22**, 1963, the date of receipt thereof.

A copy of your letter of resignation is being sent to the office of the corporation with the understanding that a new agent will be duly appointed under Article 2.10 of the Business Corporation Act before the expiration of the thirty day period.

Sincerely yours,

CRAWFORD C. MARTIN  
Secretary of State

By: *Robert L. Towery*  
Robert L. Towery  
Director  
Corporation Division

RLT:tp

cc: UNITED STATES CHEMICAL MILLING CORPORATION  
S C T Corporation System

encl.

cc: Comptroller of Public Accounts  
Franchise and Utilities Division  
Capitol Station  
Austin, Texas

RESIGNATION OF REGISTERED AGENT

Secretary of State of Texas  
Austin, Texas

18016  
14316  
Foreign

Dear Sir:

Please take notice that pursuant to Section D of Article 2.10 of the Texas Business Corporation Act of 1955, C T Corporation System, a Delaware corporation qualified to do business in the State of Texas, hereby resigns as registered agent for UNITED STATES CHEMICAL MILLING CORPORATION, a corporation organized under the laws of the State of CALIFORNIA.

Given under my hand and the seal of said C T Corporation System on this 17 day of APRIL, A. D. 1963.

C T CORPORATION SYSTEM  
Republic National Bank  
Dallas  
Meredith Skivarske  
Assistant Secretary

(Corporate Seal)

RECEIVED  
Secretary of State

APR 22 1963

AUSTIN, TEXAS

I, CRAWFORD C. MARTIN, Secretary of State of the State of Texas, pursuant to the provisions of Article 7.02, Texas Business Corporation Act, DO HEREBY CERTIFY that the following named corporation has failed to maintain a registered agent in this State as required by law:

**UNITED STATES CHEMICAL MILLING CORPORATION**

AND, I FURTHER CERTIFY that the above corporation has this day been notified of this certification to the office of the Attorney General.

22nd                    May

3

Petition due  
June 21, 1963



STATE OF TEXAS  
OFFICE OF THE SECRETARY OF STATE  
AUSTIN 11, TEXAS

May 22, 1963

UNITED STATES CHEMICAL MILLING CORPORATION  
S. C. T. Corporation System  
Republic National Bank Building  
Dallas 1, Texas

Re: UNITED STATES CHEMICAL MILLING CORPORATION - FOREIGN-  
Charter No. 18016 California  
Ledger No. 14316

Dear Sirs:

This is to notify you that we have on this day certified to the Attorney General of Texas that this corporation has failed to maintain a registered agent in this State as is required by law. Article 7.02.C of the Texas Business Corporation Act provides that if at the expiration of thirty days after the date of mailing this letter the corporation has not cured the default, the Attorney General shall file an action against such corporation for its dissolution or revocation of its Certificate of Authority.

The resignation of your present registered agent is now effective, so in filling out the Change of Registered Agent forms previously sent you, please show "none" in items number two and four.

If we may be of any assistance in this matter, please do not hesitate to call upon us.

Sincerely yours,

CRAWFORD C. MARTIN  
Secretary of State

By:

ROBERT L. TOWERY  
Director,  
Corporation Division

RLT:cew

cc: Attorney General of Texas  
Capitol Station  
Austin, Texas

CERTIFIED, RETURN RECEIPT  
REQUESTED



STATE OF TEXAS  
OFFICE OF THE SECRETARY OF STATE  
AUSTIN 11, TEXAS

May 22, 1963

Honorable Waggoner Carr  
Attorney General of Texas  
Capitol Station  
Austin, Texas

**Re: CORPORATION FAILING TO MAINTAIN REGISTERED AGENT**

Dear Sir:

Enclosed is a certificate pursuant to the provisions of Article 7.02.B, Texas Business Corporation Act. The corporation therein named is this day being notified that this certification has been made to you because they have failed to maintain a registered agent in this State as required by law.

It will be a pleasure to serve you if we may be of any further assistance.

Sincerely yours,

**CRAWFORD G. MARTIN**  
Secretary of State

By:

**ROBERT L. TOWERY**  
Director,  
Corporation Division

MLT:cew  
encl: