

PLAINTIFF'S
EXHIBIT
TPI-94



STATE OF TEXAS
OFFICE OF THE SECRETARY OF STATE
AUSTIN, TEXAS 78711

BRUCE HUGHES
ASST. SECRETARY OF STATE

MARK N. WHITE, JR.
STATE OF TEXAS

330 PLEASANT
LIVINER
AUSTIN, TEXAS

TELEPHONE NO. 557-4415
FAX NO. 557-4415

SIR:

PLEASE BE ADVISED THAT THE OFFICE OF THE SECRETARY OF STATE HAS THE AUTHORITY TO
ISSUE A CERTIFICATE OF FILING EVIDENCING THE AUTHORITY TO
DO BUSINESS IN THE STATE OF TEXAS ISSUED TO THE ABOVE NAMED
CORPORATION INCORPORATED UNDER THE LAWS OF DELAWARE.

CORPORATION, YOU ARE SUBJECT TO THE FRANCHISE TAX LAWS. THE
OFFICE OF PUBLIC ACCOUNTS ADMINISTERS THESE LAWS. FRANCHISE
TAXES ARE DUE ONE YEAR AND 15 DAYS FROM THE DATE OF THE CERTIFICATE.
TAXES WILL BE DEDUCTED BY THE CONTROLLER CONCERNING THE PAYMENT
TAXES. IF THE CORPORATION SHOULD BE EXEMPT, YOU MUST APPLY TO THE
OFFICE FOR SUCH EXEMPTION. THE SECRETARY OF STATE CANNOT MAKE
EXEMPTIONS FOR YOUR CORPORATION.

PLEASE NOTE THAT YOU KEEP THIS LETTER AS A REMINDER, OR SO MARK YOUR
RECORDS THAT YOU WILL BE AUTOMATICALLY BECOME LIABLE FOR STATUTORY
TAXES FOR LATE FILING AND LATE PAYMENT.

IF YOU NEED FURTHER SERVICE AT ANY TIME, PLEASE ADVISE.

VERY TRULY YOURS,
MARK N. WHITE, JR.
SECRETARY OF STATE

BY: BILL KIMBROUGH
DIRECTOR
CORPORATION DIVISION

CONFIDENTIAL
T-55297



The State of Texas
Secretary of State

CERTIFICATE OF FILING
OF
APPLICATION FOR CERTIFICATE OF AUTHORITY
FOR
TYLER TUGBOY COMPANY
CHARTER NO. 036724

THE UNDERSIGNED, AS SECRETARY OF STATE OF THE STATE OF TEXAS,
HEREBY CERTIFIES THAT DUPLICATE ORIGINALS OF THE ATTACHED FOR THE
ABOVE, DULY SIGNED AND VERIFIED, HAVE BEEN RECEIVED IN THIS OFFICE
AND ARE FOUND TO CONFORM TO LAW.

ACCORDINGLY THE UNDERSIGNED, AS SUCH SECRETARY OF STATE, AND BY
VIRTUE OF THE AUTHORITY VESTED IN HIM BY LAW, HEREBY ISSUES THIS
CERTIFICATE OF AUTHORITY TO TRANSACT BUSINESS IN THIS STATE FROM
AND AFTER THIS DATE FOR THE PURPOSES OR PURPOSES SET FORTH IN THE
APPLICATION UNDER THE NAME OF

TYLER TUGBOY COMPANY

AND ATTACHES HERETO A DUPLICATE ORIGINAL OF THE APPLICATION FOR SUCH
CERTIFICATE.

MAY 14, 1944



Mark H. White Jr.
Secretary of State

CONFIDENTIAL
T-55298

APPLICATION FOR CERTIFICATE
OF AUTHORITY FOR
TYLER NO-HUB COMPANY

FILED
In the Office of the
Secretary of State of Texas

MAR 26 1974

James B. Chate
Deputy Director, Corporation Division

To the Secretary of State of the State of Texas:

1. The name of the corporation is Tyler No-Hub Company.
2. The name which it elects to use in your state is Tyler No-Hub Company.
3. It is incorporated under the laws of Delaware.
4. The date of its incorporation is December 31, 1973 and the period of its duration is perpetual.
5. The address of its principal office in the state or county under the laws of which it is incorporated is No. 100 West Tenth Street, City of Wilmington, County of New Castle, Delaware.
6. The address of its proposed registered office in your state is Highway 69, Swan, Texas, 75701 and the name of its proposed registered agent in your state at that address is Mr. Richard K. Dennis.
7. The purpose or purposes which it proposes to pursue in the transaction of business in your state are:

To engage in any lawful act or activity for which corporations may be organized under the Business Corporation Act of Texas, and, in general, to carry on any other business in connection with the foregoing and to have and exercise all powers conferred by the laws of Texas upon corporations formed under the Business Corporation Act of Texas.

8. The names and respective addresses of its directors and officers are:

<u>Name</u>	<u>Office</u>	<u>Address</u>
Joseph F. McKinney	Director	3121 Southland Center Dallas, Texas 75701
Frederick R. Meyer	Director	3121 Southland Center Dallas, Texas 75701

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<u>Name</u>	<u>Office</u>	<u>Address</u>
C.A. Rundell, Jr.	Director	3121 Southland Ce Dallas, Texas 75
M.J. Harvey	Director and Chairman of the Board	P.O. Box 1147 Tyler, Texas 75
John A. Warner	Director, Pre- sident and Chief Executive Officer	P.O. Box 2027 Tyler, Texas 75
Glen C. Uzzel	Executive Vice President, Sec- retary and Trea- surer	P.O. Box 2027 Tyler, Texas 75
David K. McKie	Vice President	P.O. Box 2027 Tyler, Texas 757
D.A. Russell	Assistant Secretary	P.O. Box 2027 Tyler, Texas 757
Neil J. O'Brien	Assistant Secretary	1000 LTV Tower Dallas, Texas 7
Dwain C. Kline	Assistant Secretary	3121 Southland Ce Dallas, Texas 7

9. The aggregate number of shares which it has authority to issue, itemized by classes, par value of shares, shares without par value, and series, if any, within a class, is:

<u>Number of Shares</u>	<u>Class</u>	<u>Series</u>	<u>Par Value</u>
1,000	Common		\$1.00

10. The aggregate number of its issued shares, itemized by classes, par value of shares, shares without par value, and series, if any, within a class, is :

<u>Number of Shares</u>	<u>Class</u>	<u>Series</u>	<u>Par Value</u>
1,000	Common		\$1.00

11. The amount of its stated capital is \$1,000.

12. Consideration of the value of at least One Thousand Dollars (\$1,000.00) has been paid for the issuance of its shares.

13. This Application is accompanied by a copy of its articles of incorporation and all amendments thereto, duly authenticated by the proper officer of the state or county under which it is incorporated.

Dated January 1, 1974

TYLER NO-HUB COMPANY

By John A. Wynn
President

and

Steve C. Wynn
Secretary

State of Texas)
County of Smith) ss.

I, James Bond, a Notary Public, do hereby certify that on this 1 day of January, 1974, personally appeared before me Steve C. Wynn, who being by me first duly sworn, declared that he is the Secretary of Tyler No-Hub Company, that he signed the foregoing document as Secretary of the corporation and that the statements therein contained are true.

James Bond
Notary Public in and for Smith County,
Texas

[Seal]

ANTI-TRUST AFFIDAVIT

STATE OF TEXAS
COUNTY OF SMITH

Before me, the undersigned authority, on this day personally appeared Glen C. Uzzel

who being by me duly sworn, deposes and says:

I, the Tyler No-Hub Company, a Delaware corporation, is not a
an organization in restraint of trade, in violation of the laws of Texas; that it has not, within twelve
months next preceding the date of this affidavit, entered into any combination, contract, obligation or
agreement to create nor which may tend to create or to carry out any restriction in trade or commerce
in the sale of any merchandise, nor to fix, maintain, increase or reduce the price of any merchandise, produce or
commodity, or any article of commerce; nor to prevent or lessen competition in the manufacture, mak-
ing, transportation, sale or purchase of any merchandise, produce or commodity, or any article of com-
merce or in the preparation thereof for market; nor to fix or maintain any standard or figure whereby
the price of same is or has been in any manner affected, controlled or established. That it has not, dur-
ing the time, entered into, executed or carried out any contract, obligation or agreement with any per-
son, corporation or association of persons not to sell or dispose of any commodity or articles of commerce
at a common standard or figure, or to keep the price thereof at a fixed or graded figures, or to pre-
vent fair and unrestricted competition in the sale of any commodity or articles of commerce, or to
fix or limit the output thereof, or to abstain from engaging in or continuing business or from
the purchase or sale of any commodity or article of commerce partially or entirely within the State of
Texas or any portion thereof.

I further says that the above named corporation has not within twelve months next preceding
the date of this affidavit, either directly or through the instrumentality of trustees or otherwise, acquired
shares or certificates of stocks or bonds, franchises or other rights or the physical properties or any
interest in any other corporation or corporations for the purpose of preventing or lessening or which
may tend to affect or lessen competition. That it has not within said time entered into any agreements or
arrangements to refuse to buy from or sell to any other person, corporation, firm or association of persons
commodities or articles of commerce, nor entered into any agreement to boycott or threaten to re-
fuse to buy from or sell to any person, firm or corporation or association of persons for the buying from
or selling to any other person, firm, corporation or association of persons.

I further says that no officer of the above named corporation has, within his knowledge, during the
twelve months, made on behalf of it or for its benefits, any such contract or agreement as is specified
in this affidavit.

Glen C. Uzzel
Secretary

Subscribed to and subscribed before me, this the 19th day of March A. D., 1944.

James Bonds
Notary Public in and for Smith County, Texas

The above affidavit must be subscribed and sworn to by the president or vice-president or secretary or treasurer
and two of the directors of the corporation applying for permit.

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