



## STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Office of the Secretary of State  
Corporations Division  
100 North Main Street  
Providence, Rhode Island 02903-1335

## BUSINESS CORPORATION

## ORIGINAL ARTICLES OF INCORPORATION

The undersigned acting as incorporator(s) of a corporation under Chapter 7-1.1 of the General Laws, 1956, as amended, adopt(s) the following Articles of Incorporation for such corporation:

1. The name of the corporation is East Bay Refreshments, Inc.  
 (This is a close corporation pursuant to § 7-1.1-51 of the General Laws, 1956, as amended) (strike if inapplicable)
2. The period of its duration is (if perpetual, so state) Perpetual
3. The specific purpose or purposes for which the corporation is organized are:  
To engage in the business of selling and preparing frozen lemonade and other  
lemonade products and snack foods and all lawful business for which corporations may  
be incorporated under the Rhode Island Business Corporation Act, as the same may be  
amended from time to time hereafter.
4. The aggregate number of shares which the corporation shall have authority to issue is:  
 (a) *If only one class:* Total number of shares 2,000 (If the authorized shares are to consist of one class only state the par value of such shares or a statement that all of such shares are to be without par value ).  
No Par Value  
 or  
 (b) *If more than one class:* Total number of shares \_\_\_\_\_ (State (A) the number of shares of each class thereof that are to have a par value and the par value of each share of each such class, and/or (B) the number of such shares that are to be without par value, and (C) a statement of all or any of the designations and the powers, preferences and rights, including voting rights, and the qualifications, limitations or restrictions thereof, which are permitted by the provisions of Chapter 7-1.1 of the General Laws in respect of any class or classes of stock of the corporation and the fixing of which by the articles of association is desired, and an express grant of such authority as it may then be desired to grant to the board of directors to fix by vote or votes any thereof that may be desired but which shall not be fixed by the articles )  
 \_\_\_\_\_  
 \_\_\_\_\_
5. Provisions (if any) dealing with the preemptive right of shareholders pursuant to § 7-1.1-24 of the General Laws, 1956, as amended:  
The shareholders will have no preemptive rights to acquire unissued or  
treasury shares or securities convertible into shares or carrying a right to subscribe  
to or acquire shares.

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SECRETARY OF STATE

FILED

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By CA# 43  
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6 Provisions (if any) for the regulation of the internal affairs of the corporation:

None.

7. The address of the initial registered office of the corporation is 222 Jefferson Boulevard,  
(Street)  
Warwick, RI 02888 and the name of its initial registered agent at such address is  
(City/Town) (Zip Code)  
Roger L. Coutu, Jr.

8. The number of directors constituting the initial board of directors of the corporation is 0 and the names and addresses of the persons who are to serve as directors until the first annual meeting of shareholders or until their successors are elected and shall qualify are: (If this is a close corporation pursuant to Section 7-1.1-51 of the General Laws, 1956, as amended, and there shall be no board of directors, state the titles of the initial officers of the corporation and the names and addresses of the persons who are to serve as officers until the first annual meeting of shareholders or until their successors be elected and qualify.)

Title	Name	Address
Pres.	James McKivergan	133 Cardinal Drive, Cranston, RI 02921
V-Pres	Paul McKivergan	77 Heath Street, East Providence, RI 02915
Treas.	James McKivergan	Same as above
Secr.	Paul McKivergan	Same as above.

9. The name and address of each incorporator is:

Name	Address
Roger L. Coutu, Jr.	222 Jefferson Boulevard, Warwick, RI 02888

10. Date when corporate existence to begin: Upon filing of these Articles of Incorporation  
(not more than 30 days after filing of these articles of incorporation)

Dated 1/19, 1999

Roger Coutu

Signature of each Incorporator

STATE OF Rhode Island  
COUNTY OF Kent

In Warwick, on this 19th day of January, 1999, personally appeared before me Roger L. Coutu, Jr., each and all known to me and known by me to be the parties executing the foregoing instrument, and they severally acknowledged said instrument by them subscribed to be their free act and deed.

William T. Coutu  
Notary Public William T. Coutu, Jr.  
My Commission Expires: 10/17/00