



## Office of the Secretary of State

### CERTIFICATE OF FILING OF

WebHosting.coop Cooperative Association  
File Number: 801798446

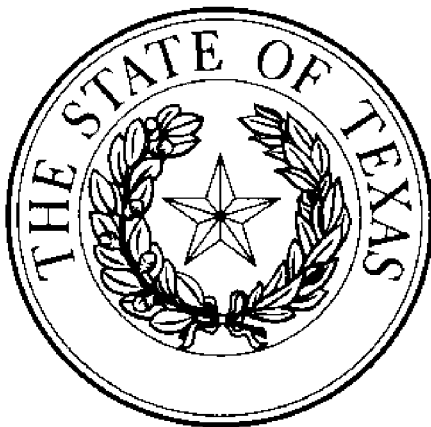
The undersigned, as Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Nonprofit Corporation has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 06/07/2013

Effective: 06/07/2013



A handwritten signature in black ink, appearing to read "John Steen".

John Steen  
Secretary of State

*Come visit us on the internet at <http://www.sos.state.tx.us/>*

**CERTIFICATE OF FORMATION  
OF  
WEBHOSTING.COOP COOPERATIVE ASSOCIATION  
A TEXAS COOPERATIVE ASSOCIATION**

**Article I – Name**

The name of the Association is WebHosting.coop Cooperative Association.

**Article II – Type of Filing Entity**

The Association is a cooperative association.

**Article III – Registered Office and Agent**

The street address of the registered office of the Association is 10200 US Hwy 290 West, Austin, Texas 78739 and the name of its registered agent at said address is Mollie Cullinane.

**Article IV – Board of Directors**

The number constituting the initial Board of Directors of the Association is five (5), and the names and addresses of the persons who are to serve as the initial directors are:

Brian Modansky, 10200 US Hwy 290 West, Austin, Texas 78739.

Maurice Hamoy, 10200 US Hwy 290 West, Austin, Texas 78739.

Joshua Cox, 10200 US Hwy 290 West, Austin, Texas 78739.

John Van Lowe, 10200 US Hwy 290 West, Austin, Texas 78739.

Jennifer Modansky, 10200 US Hwy 290 West, Austin, Texas 78739.

**Article V– Investor Shares and Membership**

The association is organized without shares.

**Article VI – Period of Duration**

The period of its duration is perpetual.

## **Article VII – Purpose**

This Association is organized for the purpose of acquiring, designing, producing, building, operating, manufacturing, furnishing, exchanging and distributing any type of property, commodities, goods and services for the primary and mutual benefit of the members of the Association; and to engage in any other activities and exercise any other powers which are not inconsistent with the Code.

## **Article VIII – Organizer**

The name and address of the original organizer of the Association is Mollie Cullinane, 10200 US Hwy 290 West, Austin, Texas 78739

## **Article IX – Distribution on Winding Up**

Upon winding up and termination of the Association, the surplus shall be distributed in the following manner and order:

- A. by paying its debts and expenses;
- B. by returning to the investors the par value of their capital;
- C. by returning to the subscribers to invested capital the amounts paid on their subscriptions;
- D. by returning to patrons the amount of patronage dividends credited to their accounts;
- E. by returning to members their membership capital; and
- F. by distributing any surplus as a gift to any cooperative association or non-profit enterprise which may be designated by the trustees appointed to liquidate the Association's assets.

## **Article X – Indemnification of Officers and Directors**

The Association shall indemnify, to the fullest extent permitted by Texas law, any officer or director or former officer or director of the Association for expenses and costs actually and necessarily incurred by him or her in connection with any claim asserted against him or her by reason of the person's being or having been such officer or director. The Association may carry appropriate liability insurance to protect its officers and directors and the Association itself against the costs of such indemnification.

## **Article XI – Limitation of Liability of Directors**

Except as prohibited by the Code, directors of the association are not liable to the Association, the members or investors for monetary damages for an act or omission by such director in that director's official capacity in the Association.

## Article X – Use of Similar Name

Pursuant to Texas Business Organizations Code Chapter 5, §5.053(b), WebHosting.coop has consented to and has authorized the filing of the following entity that has a similar name:

- WebHosting.coop Foundation (a Texas cooperative association).

The applicable law allowing the filing of WebHosting.coop is as follows:

### **Section 5.053. IDENTICAL AND DECEPTIVELY SIMILAR NAMES PROHIBITED.**

(a) A filing entity may not have a name, and a foreign filing entity may not register to transact business in this state under a name, that is the same as, or that the secretary of state determines to be deceptively similar or similar to:

- (1) the name of another existing filing entity;
- (2) the name of a foreign filing entity that is registered under Chapter 9;
- (3) a name that is reserved under Subchapter C; or
- (4) a name that is registered under Subchapter D.

**(b) Subsection (a) does not apply if the other entity or the person for whom the name is reserved or registered, as appropriate, consents in writing to the use of the similar name.**

Acts 2003, 78th Leg., ch. 182, § 1, eff. Jan. 1, 2006.

The necessary consents are attached.

### **Effectiveness of Filing**

This document becomes effective when the document is filed by the secretary of state.

### **Execution**

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Date: 6/6/2013

---

Signature of Organizer  
Mollie E. Cullinane