

Receipt Number: 1915274

File Number **DB053166**



ARTICLES_OF_AMENDMENT

For

SDRC, INC.

Filed at the request of:

JEFFREY T SVEEN
SIEGEL BARNETT & SCHUTZ LLP
415 S MAIN ST 400 CAPITOL BUILDING
PO BOX 490
ABERDEEN SD 57402

State of South Dakota
Office of the Secretary of State

Filed in the office of the Secretary of State on: **Monday, June 01, 2009**



Secretary of State

Fee Received: \$50.00

State of South Dakota



OFFICE OF THE SECRETARY OF STATE

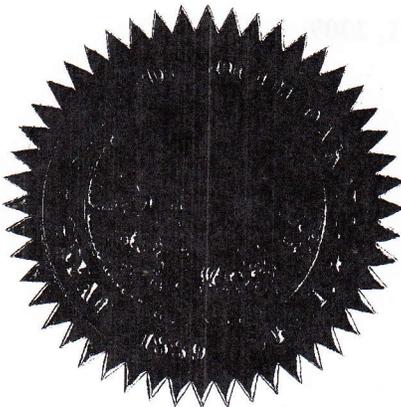
Certificate of Amendment

ORGANIZATIONAL ID #: DB053166

I, **Chris Nelson**, Secretary of State of the State of South Dakota, hereby certify that duplicate of the Articles of Amendment to the Articles of Incorporation of **SDRC, INC.** duly signed and verified pursuant to the provisions of the South Dakota Corporation Acts, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I hereby issue this Certificate of Amendment to the Articles of Incorporation and attach hereto a duplicate of the Articles of Amendment.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of South Dakota, at Pierre, the Capital, this June 1, 2009.



Chris Nelson
Chris Nelson
Secretary of State

368 1182 06/03/2009

Filed this 11th day of June, 2009
Chris Nelson
SECRETARY OF STATE

AMENDED ARTICLES OF INCORPORATION
OF
SDRC, INC.

RECEIVED
JUN 03 2009
S.D. SEC. OF STATE

KNOWN ALL MEN BY THESE PRESENTS that I the undersigned, Joop Bollen, for myself and my successor, for the purpose of forming a corporation under and by virtue of the laws of the State of South Dakota, do hereby adopt the following Amended Articles of Incorporation.

I.

The name of the corporation shall be SDRC, Inc.

II.

The purpose for which this organization is to primarily engage in assisting foreign investment in South Dakota and any other purpose not prohibited by State law.

III.

The principal place of business of this Corporation shall be 1201 North Main Street, Aberdeen, South Dakota 57401.

IV.

The Corporation shall commence on the day that the Certificate of Incorporation is granted by the Secretary of State of the State of South Dakota, and shall continue thereafter perpetually or until such time as it shall be dissolved, as provided by the Bylaws of the Corporation or the laws of the State of South Dakota. The Corporation will not commence business until consideration of the value of at least \$1,000 has been received for the issuance of shares of stock in such Corporation.

V.

The address of the registered office of the Corporation shall be 1201 North Main Street, Aberdeen, South Dakota 57401, and the name of its registered agent at such address shall be Joop Bollen. The street address is 1201 North Main Street, Aberdeen, South Dakota 57401.

VI.

The number of directors of this Corporation shall be not less than one (1) nor more than five (5), as shall be determined from time to time by the Bylaws of the Corporation, and the names and residences of the incorporator is listed below, which incorporator or incorporators shall serve as the initial director or directors of the Corporation until the election of his successor:

DBO 52166
003

Joop Bollen

1201 North Main Street
Aberdeen, South Dakota 57401

VII.

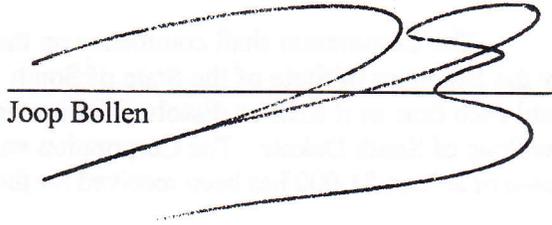
The amount of capital stock of this Corporation shall be 1,000,000 shares of common stock, with a par value of \$1.00 per share, fully paid and nonassessable. No stockholder shall be liable for the debts of the Corporation for any amount greater than his unpaid subscription.

VIII.

That none of the authorized common stock of the Corporation has been issued and it is the intent of the Board of Directors and incorporators that only stock that can qualify under the United States Internal Revenue Code, as Section 1244 stock, may be issued during the applicable period; and the Board of Directors shall have limited authority to issue, prior to one year after the date of these Articles of Incorporation, the maximum common stock of the Corporation for the maximum amount of 1,000,000 shares of \$1.00 par value per share. During such period, the common stock of the Corporation must only be issued in return for money or other property transferred to the Corporation by the purchaser. During the period of one year from and after the date of these Articles of Incorporation, the Board of Directors shall not have the authority to issue any type of stock which would not qualify under §1244 of the Internal Revenue Code and acts amendatory thereto, or which in any way would jeopardize the Section 1244 status of the common stock previously issued pursuant thereto.

Dated this 28th day of May, 2009.

Joop Bollen



STATE OF SOUTH DAKOTA)
)ss.
COUNTY OF BROWN)

On this, the 28th day of May, 2009, before me, the undersigned officer, personally appeared Joop Bollen, known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Kristie Scherberske
Notary Public, South Dakota
My Commission Expires: 09-09-2011

(Notarial Seal)



SOUTH DAKOTA
SECRETARY OF STATE
Jason M. Gant

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| | |
|---|-------------------|
| <u>SVEEN</u> | <u>JEFF</u> |
| <u>Last Name</u> | <u>First Name</u> |
| <u>410 E MELGAARD ROAD ABERDEEN, SD 57401</u> | |
| <u>Street address</u> | |
| <u>Occupation</u> | |

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|---|------------|------------|------|
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| DAUGAARD FOR SOUTH DAKOTA | 12/01/2012 | \$4,000.00 | - |

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Secretary of State | Capitol Building | 500 East Capitol Avenue | Pierre SD 57501 | (605) 773-3537 | Fax: (605) 773-6580 | sdsos@state.sd.us

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| | |
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| <u>SVEEN</u> | <u>MARCIA</u> |
| Last Name | First Name |
| <u>410 E MELGAARD ROAD ABERDEEN, SD 57401</u> | |
| Street address | |
| <u> </u> | |
| Occupation | |

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| DAUGAARD FOR SOUTH DAKOTA | 12/31/2011 | \$4,000.00 | - |
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Search History

JEWETT
Last Name
HARVEY
First Name
1104 N LINCOLN ST ABERDEEN, SD 57401
Street address
Occupation

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- [View: CYNTHIA JEWETT](#)

Contributions Donated by HARVEY JEWETT

| Campaign/Committee | Date | Amount | Type |
|------------------------------|------------|------------|------|
| JACKLEY FOR ATTORNEY GENERAL | 12/31/2011 | \$2,000.00 | - |

009

3

Healthcare reform

See also: State Attorneys General Against the Patient Protection and Affordable Care Act of 2010

On the same morning President Barack Obama signed into law his controversial health care reform bill, the one that narrowly passed the United States House of Representatives just two days before, Jackley and twelve other Attorneys General, all but one being Republican, filed suit against "the federal government to stop the massive health care overhaul, claiming it's unconstitutional." [7]

Elections & Appointments

2014

See also: South Dakota attorney general election, 2014

Jackley is running for re-election as South Dakota Attorney General in 2014. While he has not yet officially announced his intention in the race, on April 19, 2013 he stated, "I've enjoyed this position and certainly it will be my intent to seek it again."^{[8][2]} The general election takes place on November 4, 2014.

2010

See also: South Dakota Attorney General election, 2010

- **2010 Race for Attorney General - Republican Primary**
 - Marty Jackley ran unopposed in this contest

On November 2, 2010, Marty Jackley won re-election to the office of South Dakota Attorney General. He defeated Ron Volesky (D) in the general election.

| South Dakota Attorney General, 2010 | | | | |
|--|---|--------|----------------|--|
| Party | Candidate | Vote % | Votes | |
| ■ Republican | ✔ Marty Jackley Incumbent | 66.9% | 202,499 | |
| ■ Democratic | Ron Volesky | 33.1% | 100,182 | |
| Total Votes | | | 302,681 | |
| Election Results Via: South Dakota Secretary of State (http://sdsos.gov/content/html/elections/electvoterpdfs/2011/South%20Dakota%20Official%20Election%20Returns%20and%20Registration%202010.pdf) | | | | |

2009

Jackley was appointed Attorney General of South Dakota by Governor Mike Rounds on August 14, 2009, filling the vacancy left by Larry Long who resigned after he was appointed to the Second Judicial Circuit Court. Jackley was sworn into office on September 4, 2009.

Campaign donors

Comprehensive donor information for Jackley is available dating back to 2010. Based on available campaign finance records, Jackley raised a total of **\$510,099** during that time period. This information was last updated on May 10, 2013.^[9]

| Marty J. Jackley's Campaign Contribution History | | | |
|--|---------------------|--------------------------------------|------------------|
| Year | Office | Result | Contributions |
| 2012 | SD Attorney General | — | \$49,071 |
| 2010 | SD Attorney General | ✔ | \$461,028 |
| Grand Total Raised | | | \$510,099 |

2010

Ballotpedia collects information on campaign donors for each year in which a candidate or incumbent is running for election. The following table offers a breakdown of Marty Jackley's donors each year.^[10] Click [show] for more information.

| Marty Jackley's Campaign Contributions | |
|--|--|
| | 2010 Attorney General of South Dakota |
| Total Raised | \$461,028 |
| Total Raised by General Election Opponent | \$978 |
| Top 5 contributors | \$25,000 |

010

| | | |
|-------------------------------|---------------------------------------|-----------|
| | Republican State Leadership Committee | |
| | Jeff Erickson | \$8,000 |
| | Harvey Jewett, IV | \$6,000 |
| | Kevin Schieffer | \$4,000 |
| | Robert Skjonsberg | \$3,525 |
| Individuals | | \$269,529 |
| Institutions | | \$40,480 |
| In-state donations | | \$306,285 |
| Out-of-state donations | | \$36,250 |

Personal

Jackley currently resides in Pierre. He and his wife, Angela, have two children: Michael and Isabella.^[1]

Recent news

This section displays the most recent stories in a Google news search for the term "**Marty + Jackley + South + Dakota + Attorney**"

All stories may not be relevant to this page due to the nature of the search engine.


Know more information about this profile? Submit a bio

Marty Jackley News Feed (<http://news.google.com/news?gl=us&pz=1&ned=us&hl=en&q=Marty+Jackley+South+Dakota+Attorney>)

- SD Attorney General Marty Jackley warns of charitable scams related to October ... - The Republic (http://news.google.com/news/url?sa=t&fd=R&usg=AFQjCNFq_jOSops7azdiByGVlzhFel__EA&url=http://www.therepublic.com/view/story/2457c83df373469d99eb0b8adef8ab39/SD--Blizzard-Scam)
- Attorney General's involvement in economic investigation questioned - KSFY (<http://news.google.com/news/url?sa=t&fd=R&usg=AFQjCNHJvwmlPziFVP2J9fpH2HHnssqztg&url=http://www.ksfy.com/story/24000045/attorney-generals-involvement-in-economic-investigation-questioned>)
- SD attorney general, 40 others, pressure FDA to regulate e-cigarettes - Sioux Falls Argus Leader (<http://news.google.com/news/url?sa=t&fd=R&usg=AFQjCNHq4Ls5UWncxFvHYpDmrrTgZdeDCQ&url=http://www.argusleader.com/article/20131114/UPDATES/311140061/S-D-attorney-general-40-others-pressure-FDA-regulate-e-cigarettes>)
- Favoritism sought in beef plant repayment - AberdeenNews.com (http://news.google.com/news/url?sa=t&fd=R&usg=AFQjCNFyTJ5mCxEER3mRZSc3OMDmCUQJww&url=http://www.aberdeennews.com/news/local/favoritism-sought-in-beef-plant-repayment/article_aeab6278-5117-11e3-b34b-0019bb30f31a.html)
- SD Attorney General Concerned About E-Cigarettes - KELOLAND TV (http://news.google.com/news/url?sa=t&fd=R&usg=AFQjCNFIXI_ugFITN_ILG5aLR02yCDqbyw&url=http://www.keloland.com/newsdetail.cfm/sd-attorney-general-concerned-about-e-cigarettes/?id%3D156011)
- Latest news - AG Week (http://news.google.com/news/url?sa=t&fd=R&usg=AFQjCNEZJWZNk6yhRT71him6dl_twJFhQ&url=http://www.agweek.com/event/article/id/22095/)
- State Democrats want State AG to leave probe - KELO AM-FM (<http://news.google.com/news/url?sa=t&fd=R&usg=AFQjCNEOeLnh9Q5KcnfLrYIQ4dHrrSuxQ&url=http://kelo.com/news/articles/2013/nov/19/state-democrats-want-state-ag-to-leave-probe/>)
- Jackley Pushes for E-Cigarette Regulation - KELOLAND TV (<http://news.google.com/news/url?sa=t&fd=R&usg=AFQjCNEQyX5hDRCBAiNr2Z389BXjclLflA&url=http://www.keloland.com/newsdetail.cfm/jackley-pushes-for-e-cigarette-regulation/?id%3D156033>)
- FDA Reviewing Effects of E-Cigarettes - SDPB Radio (<http://news.google.com/news/url?sa=t&fd=R&usg=AFQjCNGp0K5yIbhmP70zli6WQ0XBe7h1qQ&url=http://listen.sdpb.org/post/fda-reviewing-effects-e-cigarettes>)
- SD joins states pressing Supreme Court on contraceptive coverage issue - Sioux Falls Argus Leader (<http://news.google.com/news/url?sa=t&fd=R&usg=AFQjCNEvGgt0fB1n89Rwprtn2JZ4C62CjQ&url=http://www.argusleader.com/article/20131022/NEWS/310220022>)

Contact Information

Capitol Address:
 Office of the Attorney General
 1302 E Hwy 14
 Suite 1

Pierre, SD 57501-8501



011

1 STATE OF SOUTH DAKOTA) IN CIRCUIT COURT

2)
3 COUNTY OF BROWN :SS) FIFTH JUDICIAL CIRCUIT
* * * * *)

4 JOHNNY WIPF, ALVIN HOFER, and)
5 JAKE HOFER, SR., JONATHON WALDNER,)
6 PAULY WALDNER, JOHN P. WALDNER,)
7 HANS WALDNER, RONNIE WALDNER,)
8 JAKE HOFER, JR, MARVIN HOFER,)
9 DAVE HOFER, GLEN WIPF, and JOHNNY)
WIPF, JR, individually, as voting)
members, and as directors and/or)
officers, of Hutterville Hutterian)
Brethren, Inc.,)

9 Plaintiffs,)

10 vs.)

11)
12 HUTTERVILLE HUTTERIAN BROTHERS, INC,)
a South Dakota non-profit corporation,)

13 And)

14 JOHN G. WALDNER, GEORGE WALDNER, SR.,)
15 TOM WALDNER, and KENNITH WALDNER,)
16 individually, as purported officers)
and or directors and as current and)
former voting members of Hutterville)
Hutterian Brethren, Inc.,)

17)
18 Defendants.)

19 * * * * *)

20 DATE & TIME: February 14, 2012
2:30 a.m.

21 BEFORE: THE HONORABLE JACK R. VON WALD
22 PRESIDING CIRCUIT COURT JUDGE
23 Brown County Courthouse
Aberdeen, SD 57401

24 LOCATION: Brown County Circuit Courtroom
25 Brown County Courthouse
Aberdeen, South Dakota, 57401

CIV 10-260

MOTION TO WITHDRAW
&
MOTION TO APPROVE
ACCOUNTING

COPY

- 1 office?
- 2 A. Yeah, sure.
- 3 Q. And that would include records of deposits and
4 withdrawals?
- 5 A. Uh-huh.
- 6 Q. And statements received periodically from the bank?
- 7 A. Yes.
- 8 Q. And all that's in paper form or electronic form?
- 9 A. Paper form.
- 10 Q. Sir, you mentioned during your testimony earlier that
11 you're no longer actively in the practice of law; is that
12 correct?
- 13 A. Correct.
- 14 Q. And yet your letterhead says Harvey C. Jewett, attorney
15 at law, Aberdeen, South Dakota.
- 16 A. Correct.
- 17 Q. And you're currently listed on the Siegel, Barnett and
18 Schutz, LLP website as an attorney with that firm, as well;
19 correct?
- 20 A. I am.
- 21 Q. What is your affiliation with Siegel, Barnett & Schutz?
22
- 23 A. And Schutz.
- 24 Q. Schutz, I'm sorry.
- 25 A. It's kind of a combination affiliation. I haven't done
any work down there in years and I don't share in any of the

AA-073

013

1 proceeds of the firm, unless by some odd duck I'd actually
2 produce some money down there, and that's been a long time. But
3 I still remain on their health insurance policy.

4 Q. Okay. And is it fair to say you're a fairly prominent
5 and recognized attorney in this state?

6 A. I'm from this state and there aren't very many of us,
7 so...

8 Q. You don't have to be modest. Is it fair to say you're
9 a prominent attorney in this state?

10 A. Well, maybe at one time, yeah.

11 Q. And is it fair to say that having your name and your
12 photograph on the Siegel, Barnett, Schutz website is a benefit to
13 that firm?

14 A. Maybe at one time.

15 Q. You don't think it is today?

16 A. Not really.

17 Q. Your reputation isn't what it used to be, is that what
18 you're saying?

19 A. I just think those things only last so long.

20 Q. If the Court were inclined to issue an order that would
21 require you to put the defendants back in the position they were
22 prior to your receivership, are the documents and records that
23 you submitted to the Court today in connection with your motion
24 to approve a final accounting sufficient to accomplish that
25 purpose?

AA-074

014

1 the show.

2 Q. And regardless of your motives or beliefs, you were an
3 interested person when had you accepted the appointment as
4 Receiver; correct?

5 A. No.

6 Q. You were affiliated with Siegel, Barnett; correct?

7 A. I had an affiliation that Siegel, Barnett was not in
8 the case.

9 Q. You knew that Jeff Sveen took sides in the case, didn't
10 you?

11 A. No, I didn't. Not when I -- I did not know that
12 Jeff Sveen was participating in this case. I had two other
13 lawyers; talked to Jim McMahon, who is ex U.S. Attorney and a
14 very good lawyer. I don't believe I talked to anybody from the
15 Theeler Law Firm, but I know those people and they're good
16 lawyers.

17 Q. Well, you know Jeff Sveen and Rod Tobin and yourself
18 and Siegel, Barnett, for more than 30 years, has represented
19 Hutterville and some of its individual members; correct?

20 A. Have represented all of the Hutterites.

21 Q. Okay. And knowing that Siegel, Barnett and Rod Tobin
22 and Jeff Sveen and yourself have represented Hutterville for over
23 30 years, you didn't consider yourself to be an interested person
24 when you were appointed as Receiver?

25 A. I was -- that's why I was appointed, because I was