

The Commonwealth of Massachusetts

William Francis Galvin

Secretary of the Commonwealth

One Ashburton Place, Boston, Massachusetts 02108-1512

ARTICLES OF ORGANIZATION

(General Laws, Chapter 180)

ARTICLE I

The exact name of the corporation is:

STRUCKBYLIGHTNING.ORG, INC.

ARTICLE II

The purpose of the corporation is to engage in the following activities:

- (1) To educate the public about lightning and electrical safety and to promote safe practices for the prevention of injuries, by a variety of means including presentations to school children and general audiences; public service announcements; internet postings and the development of websites; and the distribution of all types of educational materials.
- (2) All such other purposes as are permissible for a corporation formed under Chapter 180 of the Massachusetts General Laws.

The corporation is organized exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended.

Note: If the space provided under any article or item on this form is insufficient, additions shall be set forth on one side only of separate 8 1/2 x 11 sheets of paper with a left margin of at least 1 inch. Additions to more than one article may be made on a single sheet so long as each article requiring each addition is clearly indicated.

ARTICLE III

A corporation may have one or more classes of members. If it does, the designation of such classes, the manner of election or appointments, the duration of membership and the qualification and rights, including voting rights, of the members of each class, may be set forth in the by-laws of the corporation or may be set forth below:

The corporation has no members.

ARTICLE IV

**Other lawful provisions, if any, for the conduct and regulation of the business and affairs of the corporation, for its voluntary dissolution, or for limiting, defining, or regulating the powers of the corporation, or of its directors or members, or of any class of members, are as follows:

See Continuation Sheet, attached.

ARTICLE V

The by-laws of the corporation have been duly adopted and the initial directors, president, treasurer and clerk or other presiding, financial or recording officers, whose names are set out on the following page, have been duly elected.

***If there are no provisions, state "None".*

Note: The preceding four (4) articles are considered to be permanent and may only be changed by filing appropriate Articles of Amendment.

ARTICLES OF ORGANIZATION

ARTICLE IV

CONTINUATION SHEET

1. No Officer or Director shall be personally liable to the Corporation for monetary damages for any breach of fiduciary duty as an Officer or Director, notwithstanding any provision of law imposing such liability, except (to the extent provided by applicable law) for liability (a) for breach of the Officer's or Director's duty of loyalty to the Corporation, (b) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, or (c) for any transaction from which the Officer or Director derived an improper personal benefit.
2. The Corporation shall make no contribution for other than civic, religious, charitable, scientific, artistic, literary, or educational purposes.
3. The Corporation may solicit and receive contributions from any and all sources and may receive and hold, in trust or otherwise, funds received by gifts or bequest.
4. The Corporation may be a partner to the maximum extent permitted by law in any business enterprise that it would have the power to conduct by itself.
5. The Corporation must act, or refrain from acting, in any manner as is specified in Chapter 68A of the Massachusetts General Laws.
6. The Directors may make, amend, or repeal the By-Laws in whole or in part.
7. No part of the net earnings or the assets of the Corporation shall inure to the benefit of, or be distributable to, any Officer or Director of the Corporation or any private individual, except that the Corporation may pay reasonable compensation for services rendered and make payments and distributions in furtherance of its exempt purposes.
8. No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, except to the extent permitted by Section 501(h) of the Internal Revenue Code, and the Corporation shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.
9. Notwithstanding any other provisions of these Articles of Organization, all powers of the Corporation shall be exercised exclusively in accordance with its charitable, scientific, and educational purposes, and the Corporation shall not carry on any activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170 of the Internal Revenue Code, or corresponding section of any future tax code.

10. In the event of the dissolution of the Corporation, the Board of Directors, after paying or making provision for the payment of all liabilities of the Corporation, shall distribute, in any proportion considered prudent, all the assets of the Corporation to such organization or organizations organized and operated exclusively for charitable, scientific, or educational purposes, and at the time qualifying as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code, as the Board of Directors shall determine. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

11. All references herein to the Internal Revenue Code shall be deemed to refer to the Internal Revenue Code of 1986, as now in force or hereafter amended; references to the General Laws of the Commonwealth of Massachusetts, or any chapter thereof, shall be deemed to refer to said General Laws or chapter as now in force or hereafter amended; and references to particular sections of the Internal Revenue Code or the General Laws of the Commonwealth of Massachusetts shall be deemed to refer to similar or successor provisions hereafter adopted.

ARTICLE VI

The effective date of organization of the corporation shall be the date approved and filed by the Secretary of the Commonwealth. If a *later* effective date is desired, specify such date which shall not be more than *thirty days* after the date of filing.

ARTICLE VII

The information contained in Article VII is not a permanent part of the Articles of Organization.

a. The street address (post office boxes are not acceptable) of the principal office of the corporation *in Massachusetts* is:
32 Jacqueline Circle, West Yarmouth, MA 02673

b. The name, residential address and post office address of each director and officer of the corporation is as follows:

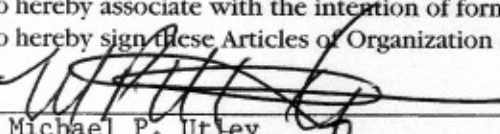
	NAME	RESIDENTIAL ADDRESS	POST OFFICE ADDRESS
President:	Michael P. Utley	32 Jacqueline Circle West Yarmouth, MA 02673	Same
Treasurer:	Michael P. Utley	32 Jacqueline Circle West Yarmouth, MA 02673	Same
Clerk:	Michael P. Utley	32 Jacqueline Circle West Yarmouth, MA 02673	Same
Directors: (or officers having the powers of <i>directors</i>)	Michael P. Utley	32 Jacqueline Circle West Yarmouth, MA 02673	Same

c. The fiscal year of the corporation shall end on the last day of the month of: December

d. The name and business address of the resident agent, if any, of the corporation is: N/A

I/We, the below signed incorporator(s), do hereby certify under the pains and penalties of perjury that I/we have not been convicted of any crimes relating to alcohol or gaming within the past ten years. I/We do hereby further certify that to the best of my/our knowledge the above-named officers have not been similarly convicted. If so convicted, explain.

IN WITNESS WHEREOF AND UNDER THE PAINS AND PENALTIES OF PERJURY, I/we, whose signature(s) appear below as incorporator(s) and whose name(s) and business or residential address(es) are clearly typed or printed beneath each signature, do hereby associate with the intention of forming this corporation under the provisions of General Laws, Chapter 180 and do hereby sign these Articles of Organization as incorporator(s) this 24 day of July, 20 04.



Michael P. Utley
32 Jacqueline Circle, West Yarmouth, MA 02673

Note: If an existing corporation is acting as incorporator, type in the exact name of the corporation, the state or other jurisdiction where it was incorporated, the name of the person signing on behalf of said corporation and the title he/she holds or other authority by which such action is taken.

THE COMMONWEALTH OF MASSACHUSETTS

ARTICLES OF ORGANIZATION

(General Laws, Chapter 180)

I hereby certify that, upon examination of these Articles of Organization, duly submitted to me, it appears that the provisions of the General Laws relative to the organization of corporations have been complied with, and I hereby approve said articles; and the filing fee in the amount of \$ _____ having been paid, said articles are deemed to have been filed with me this _____ day of _____ 20 _____.

Effective date: _____

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

TO BE FILLED IN BY CORPORATION

Contact information:

Andrea V. Doukas, Esq.

Six Beacon Street, Suite 800

Boston, MA 02108

Telephone: _____ (617) 523-8635

Email: _____

A copy this filing will be available on-line at www.state.ma.us/sec/cor once the document is filed.