

01-25-2001

FORM PTO-1594
1-31-92

RE



EET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

101592854

BOX ASSIGNMENTS, Commissioner of Patents and Trademarks, Washington, D.C. 20231
Please record and index the attached original documents or copy thereof.

1. Name of conveying party(ies): **David White, Inc.**
State of Wisconsin Corporation

1.9.01

3. Nature of Conveyance: Record of Action Taken By Consent of the Sole Director and Sole Shareholder of FC Sub Corporation

Execution Date: **July 30, 1997**

2. Name and address of receiving party(ies):
Name: **David White, L.L.C.**
Address: W209 N11845 Insurance Place
City: Germantown State: WI Zip: 53022
Type of Company: LLC
Corporation-State: Wisconsin

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No
(Designation must be a separate document from Assignment)
Additional name(s) & address(es) attached? Yes No

4. A. Trademark Application No.(s) _____ B. Trademark Registration No.(s) 1,630,688

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Dyann L. Kostello
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4108

6. Total number of applications and registrations involved: 1

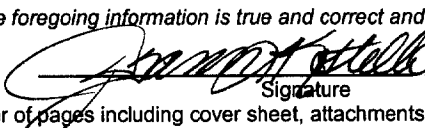
7. Total fee (37 CFR 3.41):.....\$ 40.00
 Enclosed
 Deficiencies in fee charged to deposit account

8. Deposit account number: 13-3080

01/24/2001 DBYRNE 00000123 1630688 DO NOT USE THIS SPACE
01 FC:481 40.00 00

9. Statement and signature.
To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Dyann L. Kostello
Name of Person Signing

 Signature
January 5, 2001 Date

Total number of pages including cover sheet, attachments, and document: 4

OMB No. 0651-0011 (exp. 4/94) TFORM/TMASSIGN Attorney File 79011/9037

United States Postal Service Express Mail Mailing Label No. EL716053212US

cc: Docketing

TRADEMARK
REEL: 002219 FRAME: 0381

RECORD OF ACTION TAKEN BY CONSENT
OF THE SOLE DIRECTOR AND SOLE SHAREHOLDER
OF FC SUB CORPORATION

The undersigned, who are the sole director and sole shareholder of FC SUB CORPORATION, a Wisconsin corporation (the "Company"), consent to the adoption of the following resolutions without a meeting, in accordance with Wisconsin Statutes sections 180.0704 and 180.0821:

RESOLUTIONS

1. The Agreement and Plan of Merger, dated as of April 30, 1997 (the "Merger Agreement"), by and among the Company, Choucroute Partners, LLC, a Wisconsin limited liability company and the sole shareholder of the company, and David White, Inc., a Wisconsin corporation ("David White"), is hereby approved and ratified in all respects.

2. The President and Secretary of the Company hereby is authorized and directed for, on behalf and in the name of the Company to execute and file Articles of Merger with the Department of Financial Institutions of the State of Wisconsin to effect the merger contemplated by the Merger Agreement.

3. The President and Secretary of the Company hereby is authorized and directed for, on behalf and in the name of the Company to execute and deliver all other documents and instruments contemplated by the Merger Agreement, with each of such documents and instruments to be in such form and to contain such provisions as the President and Secretary of the Company shall approve and his signature appearing thereon shall constitute conclusive evidence of his approval thereof.

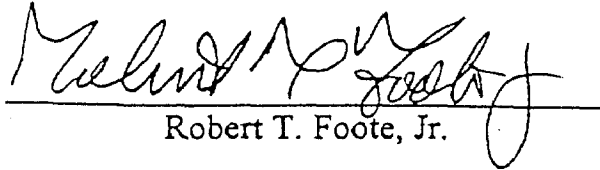
4. All prior actions taken by the officers of the Company in connection with the negotiation or execution and delivery of the Merger Agreement which have not been specifically authorized and approved are hereby ratified and approved in all respects.

5. The President and Secretary of the Company hereby is authorized and directed on behalf and in the name of the Company, to execute and deliver any and all such other agreements and documents and to take any and all such other actions as the President and Secretary of the Company deems necessary or appropriate to effectuate the intent of the above resolutions, such agreements and documents to be in such form and to contain such provisions as the President

and Secretary shall approve and his signature appearing thereon shall be conclusive evidence of his approval.

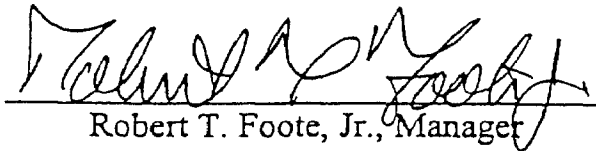
Dated this 30th day of July, 1997.

SOLE DIRECTOR:


Robert T. Foote, Jr.

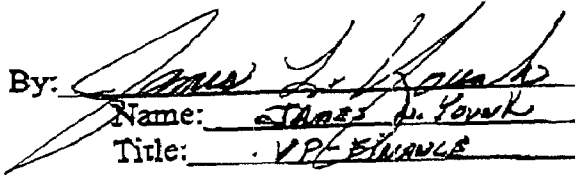
SOLE SHAREHOLDER:

CHOUROUTE PARTNERS, LLC


Robert T. Foote, Jr., Manager

14146110000 1-101 P.02 P-088

The name of the surviving corporation is David White, L.L.C., a State of Wisconsin limited liability company, by virtue of the Record of Action Taken by Consent of the Sole Director and Sole Shareholder of FC Sub Corporation, dated July 30, 1997.

By: 
Name: James D. Young
Title: V.P. Finance