

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	MERGER		
EFFECTIVE DATE:	12/02/2003		
<b>CONVEYING PARTY DATA</b>			
	<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>
	Ernest Health, Inc.		11/20/2003
			<b>Entity Type</b>
			CORPORATION: ALABAMA
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Ernest Health, Inc.		
<b>Street Address:</b>	7770 Jefferson St. NE		
<b>City:</b>	Albuquerque		
<b>State/Country:</b>	NEW MEXICO		
<b>Postal Code:</b>	87109		
<b>Entity Type:</b>	CORPORATION: DELAWARE		
<b>PROPERTY NUMBERS Total: 1</b>			
	<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>
	Registration Number:	2995535	ERNEST HEALTH
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	(505)768-7395		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
<b>Phone:</b>	5057687375		
<b>Email:</b>	dmorgagn@rodey.com		
<b>Correspondent Name:</b>	DeWitt M. Morgan		
<b>Address Line 1:</b>	201 3rd St. NW		
<b>Address Line 2:</b>	Suite 2200		
<b>Address Line 4:</b>	Albuquerque, NEW MEXICO 87102		
ATTORNEY DOCKET NUMBER:	15211-67030		
NAME OF SUBMITTER:	DeWitt M. Morgan		
Signature:	/DeWitt M. Morgan/		

CH \$40.00 2995535

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**TRADEMARK**  
 REEL: 004418 FRAME: 0326

Date:

11/18/2010

Total Attachments: 3

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# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"ERNEST HEALTH, INC.", A ALABAMA CORPORATION,  
WITH AND INTO "ERNEST HEALTH, INC." UNDER THE NAME OF  
"ERNEST HEALTH, INC.", A CORPORATION ORGANIZED AND EXISTING  
UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED  
IN THIS OFFICE THE SECOND DAY OF DECEMBER, A.D. 2003, AT 2:35  
O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE  
NEW CASTLE COUNTY RECORDER OF DEEDS.



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

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030770081

AUTHENTICATION: 2781154

DATE: 12-02-03

TRADEMARK

REEL: 004418 FRAME: 0328

CERTIFICATE OF MERGER

OF

ERNEST HEALTH, INC.  
(an Alabama corporation)

AND

ERNEST HEALTH, INC.  
(a Delaware corporation)

It is hereby certified that:

1. The constituent business corporations participating in the merger herein certified are:

(i) ERNEST HEALTH, INC., which is incorporated under the laws of the State of Alabama (the "Predecessor Company"); and

(ii) ERNEST HEALTH, INC., which is incorporated under the laws of the State of Delaware (the "Company").

2. A Plan and Agreement of Merger has been approved, adopted, certified, executed, and acknowledged by each of the aforesaid constituent corporations in accordance with the provisions of subsection (c) of Section 232 of the General Corporation Law of the State of Delaware, to wit, by the Predecessor Company in accordance with the laws of the State of its incorporation and by the Company in the same manner as is provided in Section 251 of the General Corporation Law of the State of Delaware.

3. The name of the surviving corporation in the merger herein certified is Ernest Health, Inc., which will continue its existence as said surviving corporation under its present name upon the effective date of said merger pursuant to the provisions of the General Corporation Law of the State of Delaware.

4. The Certificate of Incorporation of the Company, as now in force and effect, shall continue to be the Certificate of Incorporation of said surviving corporation until amended and changed pursuant to the provisions of the General Corporation Law of the State of Delaware.

5. The executed Plan and Agreement of Merger between the aforesaid constituent corporations is on file at an office of the aforesaid surviving corporation, the address of which is as follows: 101 Indian Trail, Indian Springs, Shelby County, Alabama 35124.


6. A copy of the aforesaid Plan and Agreement of Merger will be furnished by the aforesaid surviving corporation, on request, and without cost, to any stockholder of each of the aforesaid constituent corporations.

7. The authorized capital stock of the Predecessor Company consists of 100,000 shares of common stock, par value of \$.01 each.

Dated: November 20, 2003

THE PREDECESSOR COMPANY:


ERNEST HEALTH, INC.,  
an Alabama corporation

By:   
Name: Robert E. Thomson  
Title: President

Dated: November 20, 2003

THE COMPANY:

ERNEST HEALTH, INC.,  
a Delaware corporation

By:   
Name: Robert E. Thomson  
Title: President

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