



**ARTICLES OF INCORPORATION
OF
THE FORMIDABLE FUND**

For Office Use Only

-FILED-

File No.: 6394816

Date Filed: 9/17/2024

**ARTICLE I
Corporate Name**

The name of the corporation (the "Corporation") is: The Formidable Fund.

**ARTICLE II
Corporate Purpose**

Section 2.01. Corporate Form and Purpose. The Corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for charitable purposes.

Section 2.02. General Exempt Purpose. The Corporation is organized and operated exclusively for charitable purposes within the meaning of Internal Revenue Code (the "Code") § 501(c)(3). The Corporation's assets and properties are hereby pledged for use in performing its exempt functions.

Section 2.03. Specific Exempt Purpose. The Corporation's specific purpose is to operate exclusively for the benefit of Edward Charles Foundation, a Delaware nonprofit, nonstock corporation ("ECF"), which (i) is exempt from federal income tax under Code § 501(c)(3) and (ii) is not a private foundation within the meaning of Code § 509(a). The Corporation shall be operated, supervised, or controlled by ECF within the meaning of Code § 509(a)(3). The Corporation shall support and benefit ECF by conducting and supporting charitable and other activities that carry out the exempt purposes of ECF.

**ARTICLE III
Service of Process**

The name and California street address of the Corporation's initial agent for service of process are:

John C. Peiffer II
40 Pacifica, Suite 1500
Irvine, CA 92618

B2934-8349 09/17/2024 5:00 PM Received by California Secretary of State

**ARTICLE IV
Corporate Address**

The initial street and mailing address of the Corporation is:

2095 N. Batavia Street
Orange, CA 92865

**ARTICLE V
Membership**

The Corporation will not have members.

**ARTICLE VI
Duration**

The Corporation's duration is perpetual.

**ARTICLE VII
Powers**

The Corporation is a nonprofit public benefit corporation and has all of the powers, duties, authorizations, and responsibilities as provided in the Nonprofit Public Benefit Corporation Law. Notwithstanding any other provision of these Articles, the Corporation may not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of the Corporation. Notwithstanding any other provision in these Articles, the Corporation may not carry on any other activities not permitted to be carried on by a corporation exempt from federal income tax under Code § 501(c)(3) or by a corporation, contributions to which are deductible under Code § 170(c)(2).

**ARTICLE VIII
Private Foundation Status**

Notwithstanding any other provision of these Articles of Incorporation, if the Corporation is, or is determined to be, a private foundation as described in Code § 509(a), then the Corporation must distribute assets in each taxable year at the time and in a manner that will avoid tax under Code § 4942(b), the Corporation is expressly prohibited from engaging in any act of self-dealing as defined in Code § 4941(d), from retaining any excess business holdings as defined in Code § 4943(c), from making any investments in a manner that will subject the Corporation to tax under Code § 4944, and from making any taxable expenditures as defined in Code § 4945(d).

**ARTICLE IX
Tax-Exempt Status**

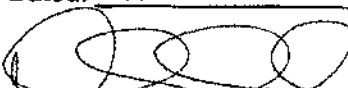
Section 9.01. Political Activities. No substantial part of the activities of the Corporation may consist of carrying on propaganda or otherwise attempting to influence legislation, and the

Corporation may not participate or intervene in (including publishing or distributing statements) any political campaign on behalf of any candidate for public office.

Section 9.02. Private Inurement. The property of the Corporation is irrevocably dedicated to charitable purposes and no part of the net income or assets of the Corporation will ever inure to the benefit of any director, officer, or member thereof or to the benefit of any private person.

Section 9.03. Dissolution. Upon the dissolution or winding up of this Corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this Corporation must be distributed to a nonprofit fund, foundation, or corporation that is organized and operated exclusively for charitable purposes and that has established its tax-exempt status under Code § 501(c)(3).

Dated: 09/14, 2024



Rajesh M. Shah, Incorporator