



MINNESOTA
DEPARTMENT OF
COMMERCE



85 7th Place East, Suite 500
St. Paul, Minnesota 55101-3165
www.commerce.state.mn.us
651.296.4026 FAX 651.297.1959
An equal opportunity employer

July 12, 2010

HAROLD KESTENBAUM
RUSKIN MOSCOU FALTISCHEK PC
1425 REXCORP PLAZA EAST TOWER 14TH FLOOR
UNIONDALE, NY 11556-1425

Re: F-5908
FRESHBERRY FRANCHISE SYSTEM LLC
FRESHBERRY F/A

Dear Mr. Kestenbaum:

The Annual Report has been reviewed and is in compliance with Minnesota Statute Chapter 80C and Minnesota Rules Chapter 2860.

This means that there continues to be an effective registration statement on file and that the franchisor may offer and sell the above-referenced franchise in Minnesota.

The franchisor is not required to escrow franchise fees, post a Franchise Surety Bond or defer receipt of franchise fees during this registration period.

As a reminder, the next annual report is due within 120 days after the franchisor's fiscal year end, which is December 31, 2010.

Sincerely,

GLENN WILSON
Commissioner

By:

Daniel Sexton
Commerce Analyst Supervisor
Registration Division
(651) 296-4520

GW:DES:dlw

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Form A - Uniform Franchise Registration Application

UNIFORM FRANCHISE REGISTRATION APPLICATIONFile No. F-5908
(Insert file number of immediately preceding filing of Applicant)State: MinnesotaFee: \$200

APPLICATION FOR (Check only one):

 INITIAL REGISTRATION OF AN OFFER AND SALE OF FRANCHISES REGISTRATION RENEWAL STATEMENT OR ANNUAL REPORT PRE-EFFECTIVE AMENDMENT POST-EFFECTIVE MATERIAL AMENDMENTState of Minnesota
Dept. of Commerce

APR 28 2010

Rec'd \$ 200

1. Full legal name of Franchisor:

FreshBerry Franchise System, LLC

2. Name of the franchise offering:

FreshBerry

3. Franchisor's principal business address:

8801 S. Yale, Suite 400, Tulsa, Oklahoma 74137

4. Name and address of Franchisor's agent in this State authorized to receive service of process:

Minnesota Commissioner of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101

5. The states in which this application is or will be shortly on file:

CA, CT, FL, IL, IN, KY, MD, MI, MN, ND, NE, NY, RI, SC, SD, TX, UT, VA, WA

6. Name, address, telephone and facsimile numbers, and e-mail address of person to whom communications regarding this application should be directed:

Harold L. Kestenbaum, Esq., 1425 RXR Plaza, East Tower-14th Fl., Uniondale, NY 11556
Telephone: (516) 745-0099, Facsimile: (516) 745-0293, E-mail: hkestenbaum@rmfpc.com

7-12-10

AK

12/31



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April 29, 2010

Harold L. Kestenbaum
Ruskin Moscou Faltischek, PC
1425 RexCorp Plaza
East Tower-14th Floor
Uniondale, NY 11556-1425

Re: F-5908, Freshberry Franchise System, LLC

Dear Mr. Kestenbaum:

The annual report (renewal) application for the above-referenced franchise registration has been examined. Please correct or otherwise address the following deficiencies:

Please submit the franchisor's most recent audited financial statement and accountant's consent. Amend Item 21 in the Disclosure Document to disclose this financial statement.

Please respond to this letter within a reasonable time. Applications may be withdrawn or canceled if not diligently pursued.

Sincerely yours,

GLENN WILSON
Commissioner

BY:

DANIEL E. SEXTON
Commerce Analyst Supervisor
Market Assurance Division
(651) 296-4520
GW/DES/st

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