



BURTON | LAW LLC

Limited Liability Company Formation Questionnaire

1. **Name of Company.** This will be the name of your new company and it must be distinct and distinguishable from any existing LLC in Wisconsin. Please list your ideas below and I will perform a search with the State of Wisconsin to confirm the name is available. If you need suggestions on a name, please discuss with me and I will provide suggestions. The name must include “LLC” at the end Ex: “Smith Painting LLC”.

A. First Choice: _____

B. Second Choice: _____

Are you aware of any other businesses in the United States or globally who use a similar name or phrase online or in their advertising? ____ Yes ____ No

If yes, please list such business and their web address (if available) as a federal trademark search may be prudent in your situation. Even if your name is available in Wisconsin, if another business has used the name in commerce, they may have common law rights to the name even if they have not filed a federal trademark registration.

2. **Registered Agent Name, Registered Office Address, and Email.** This is the person who is designated to receive all official correspondence on behalf of the LLC (Ex: from the State of Wisconsin or IRS) as well as accept service of process if the LLC is ever sued. The Registered Agent and Registered Office address must be located in the state of Wisconsin. Many single member LLCs name the sole member as the initial Registered Agent and use the Registered Agent’s home address and email. You can also hire a company to serve as registered agent for you by paying them an annual fee.

Name of Registered Agent: _____

(First Name, Middle Initial, Last Name)

Email Address of Registered Agent: _____

Complete Mailing Address of Registered Office: _____

(Please list the complete mailing address as you would like it to appear on Articles of Organization filed with the State of Wisconsin. The Registered Office is the mailing address where the Registered Agent is located)

Registered Office Definition: The registered office of a limited liability company or registered foreign limited liability company may, but need not, be the same as any of the company's places of business or activity. The registered office must be an actual physical location with a street address and not solely a post office box, mailbox service, or telephone answering service.

- 3. Street and Mailing Address of Principal Office.** This is the address the company designates as their principal office. If you are a single member LLC and starting your business out of your home, you can use your home address for this address (meaning this address can be the same as the Registered Office address). If you are renting office space, you can use the office mailing address as the principal office. The principal office address can be the same as the Registered Agent address or it can be different, the choice is up to you how many addresses you want to list and keep track of. You will need to update these addresses (registered office and principal office) online with the state of Wisconsin if you ever move or change addresses for the LLC, so take this into consideration if you are renting office space and think you may move in the near future.

If principal office street address is different from the mailing address, then please list both below. If the street address is the same as the mailing address, then you may write "same" on the principal office mailing address line.

PRINCIPAL OFFICE STREET ADDRESS:

PRINCIPAL OFFICE MAILING ADDRESS:

Principal Office Definition: "Principal office" means the principal executive office of a limited liability company or foreign limited liability company, whether or not the office is located in this state.

- 4. Would you like to be Member Managed or Manager Managed?** The default under the Wisconsin statutes is that all LLCs are member managed unless they elect Manager Management. For many single member LLCs, since there is only one member who will

hold all the membership interests (voting interests) of the LLC, the default option of member management often makes good sense. If you plan to name one or two people to manage the LLC, while other people hold ownership interest(s) in the LLC but are not active in the business (more passive members), then I might recommend a Manager Managed LLC. If only one (single member LLC) or two people are members of the LLC and both plan to be active in the business, then member management is likely appropriate. Please indicate your initial choice below:

Member Managed _____ **Manager Managed** _____
(Default under Statutes)

5. Name, Address & Email of Each Member:

1) **Name:** _____
Address: _____

Email: _____
Phone: _____

2) **Name:** _____
Address: _____

Email: _____
Phone: _____

Client Name: _____

Client Address: _____

Client Phone: _____

Client Email: _____

By completing this form, and signing this authorization, I authorize and nominate Burton Law LLC, by Attorney Thomas B. Burton, as Organizer, to electronically file Articles of Organization with the State of Wisconsin to form an LLC as indicated above on my behalf. Burton Law LLC shall be known as the Organizer and Drafter of the Article of Organization but shall not be a member of said company. Burton Law LLC, by Attorney Thomas B. Burton agrees to pay the filing fee with the State of Wisconsin (\$130 online, or \$170 by mail) at the time of filing as an advance on my behalf, but I understand that I am responsible for reimbursing Burton Law LLC for this cost by check within 5 days of filing. I understand that I am also responsible for paying

Attorney Thomas B. Burton's legal fees at his current hourly rate for performing these services, unless we have agreed to some other fee arrangement in a separate written fee agreement.

After Attorney Burton has successfully obtained Articles of Organization from the State of Wisconsin for the LLC named above, I also authorize Attorney Thomas B. Burton, as my third-party designee, to apply for an Employee Identification Number (EIN) with the Internal Revenue Service and answer questions regarding completion of the form, on my behalf. I further authorize Attorney Thomas B. Burton to receive the Employee Identification Number on my behalf. This Employee Identification Number will be used in the operation of the above mentioned LLC of which I am a member.

Client Signature/Date

Client Signature/Date

EIN Third Party Designee Authorization

Client's Full Name (First, Middle, Last): _____

Client's Social Security Number: _____

I, the above-named client, authorize Burton Law LLC, by Attorney Thomas B. Burton, as my third party designee, to apply for an Employee Identification Number (EIN) with the Internal Revenue Service and answer questions regarding completion of the form, on my behalf. I further authorize Attorney Thomas B. Burton to receive the Employee Identification Number on my behalf. This Employee Identification Number will be used in the operation of the above mentioned LLC I am forming of which I am a member.

Client Signature/Date

Instructions: Please complete this form, sign and date and return to my office via U.S. Mail to the following address:

Burton Law LLC
310 Pinnacle Way, Suite 301
Eau Claire, WI 54701