

E. Is not a private club organized primarily for social purposes.

VJSL satisfies the first criteria since it is a Georgia nonprofit corporation that is certified as exempt from federal income tax as a charitable organization under Section 501(c)(3) of Title 26 of the Internal Revenue Code.⁷ Importantly, VJSL has successfully held this status since 1966.

As to the Resolution's second criteria, the VJSL's Charter, as amended, provides the objectives and purpose of the VJSL are to improve social, welfare, civic, and educational conditions in the community and to cooperate with other organizations performing similar services. The Charter and the stated objects and purpose of the VJSL therefore satisfy the second criteria of the 1978 Resolution.⁸

As to the Resolution's third criteria, VJSL does not provide as a part of "its principal function recreational activities exclusively for its membership and invited guests" (Resolution, Para. 2(C); Ex. I, Affidavit of Rico Tucker ¶ 2).⁹

Fourth, VJSL is not "a secret, ritualistic society or fraternal organization" (Resolution, Para. 2(D); Ex. I, Affidavit of Rico Tucker ¶ 3).

Lastly, VJSL is not "a private club organized primarily for social purposes" (Resolution, Para. 2(E); Ex. I, Affidavit of Rico Tucker ¶ 4).

⁷ A copy of VJSL's tax exempt letter from the Internal Revenue Service is attached as Exhibit "G."

⁸ A copy of VJSL's 1963 Charter, as amended in 1966, is attached hereto as Exhibit "H."

⁹ The Affidavit of VJSL President Rico Tucker is attached hereto as Exhibit "I."