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Office of Secretary of State

Secretary of States

I, MICHAEL HARKINS, SECRETARY OF STATE OF THE STATE OF DELAWARE DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF THE ANESTHESIA PATIENT SAFETY FOUNDATION FILED IN THIS OFFICE ON THE FOURTEENTH DAY OF JANUARY, A.D. 19/8, AT 9 O'CLOCK A.M.

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AUTHENTICATION: 11578494

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CERTIFICATE OF AMENDMENT TO THE CERTIFICATE OF INCORPORATION OF

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THE ANESTHESIA PATIENT SAFETY FOUNDATION

THE ANESTHESIA PATIENT SAFETY FOUNDATION is hereby amending its Certificate of Incorporation as follows:

A new Article is hereby added and shall follow immediately after the existing Article EIGHTH and shall read in its entirety as follows:

NINCH: No director of the corporation shall be personally liable to the corporation or its members for monetary damages for breach of fiduciary duty as a director except for (a) any breach of the director's duty of loyalty to the corporation or its members, (b) acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, or (c) any transaction from which the director derived an improper personal benefit.

Article NINTH and Article TENTH as presently designated in The Anesthesia Patient Safety Foundation Certificate of Incorporation shall be redesignated Article TENTH and Article ELEVENTH, respectively, with no change in those Articles other than such redesignation.

WE, THE UNDERSIGNED, do make, file, and record this Certificate of Amendment, and do certify that the foregoing Amendment has been duly adopted in accordance with the provisions of Section 242 of the Delaware General Corporation Law; and we have accordingly hereunto set our respective hands.

DATE: 14/3/87

ATTEST:

E.S. Siker, M.D.

Secretary

Ellican C Punicy

Ellison C. Pierce, Jr., M.D.

President

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