

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

**APEX PEST CONTROL, GARY
R. COLERIDER, Certified Operator,
and GARY HARRIS, Applicator,**

Petitioners,

**DOAH Case No: 2001-1100
DACS Case No: 2001-0003**

vs.

**DEPARTMENT OF AGRICULTURE
AND CONSUMER SERVICES,**

Respondent.

_____ /

JOINT SETTLEMENT AGREEMENT

IT IS HEREBY AGREED AND STIPULATED by and between the **FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES** (hereinafter referred to as the "Department") and **APEX PEST CONTROL, GARY R. COLERIDER, Certified Operator, and GARY HARRIS, Applicator**, (hereinafter referred to as the "Petitioners") as follows:

1. The Department has jurisdiction over the parties and the subject matter, and it is an agency of the State of Florida with the authority to enforce the provisions of Sections 482.011-482.242, Florida Statutes, cited as the "Structural Pest Control Act", Florida Statutes.
2. All parties hereby waive any further hearing or notice of hearing in connection with this matter, and further, all parties waive notice of entry of a Consent Order incorporating the terms of this Joint Settlement Agreement.
3. By execution of this Settlement Agreement, the Department and Petitioners intend

to, and do so, resolve all issues related to the administrative matters involving the Petitioners named herein, more specifically, in the case number as stated above.

4. All parties agree to waive any and all appeals of this Joint Settlement Agreement hereafter in this matter.

5. All parties agree to each bear their own costs and attorneys fees.

6. The parties acknowledge that this agreement is subject to the approval of the Commissioner of Agriculture and the General Counsel of the Department of Agriculture and Consumer Services.

7. Upon approval by the signing of this agreement all parties agree to the following:

A. Incorporation by reference of all the terms and conditions of this Joint Settlement Agreement into a Consent Order if needed.

B. That Petitioners, APEX PEST CONTROL and GARY R. COLERIDER do not admit to any liability or wrongdoing in connection with this matter; and to avoid the costs of litigation, the parties agree to settle as outlined herein.

C. The Petitioner, APEX PEST CONTROL, is hereby dismissed from the above action.

D. The Petitioner, GARY R. COLERIDER, is hereby dismissed from the above action.

E. The Petitioner, GARY HARRIS, is hereby fined and shall pay the sum of One Thousand Dollars (\$1000.00) for the violation of a use inconsistent with labeling in the above action which shall be paid to the Department of Agriculture and Consumer Services, the receipt of which is hereby acknowledged as being received by the Department.

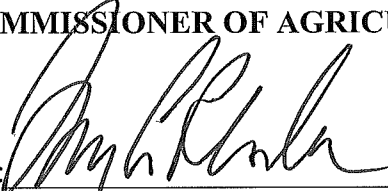
F. The Petitioner, GARY HARRIS, hereby agrees to pay a total of Six

Hundred Dollars (\$600.00) for costs of investigation which shall be paid to the Department of Agriculture and Consumer Services, the receipt of which is hereby acknowledged as being received by the Department.

G. The failure of the Petitioner to meet any of the terms and conditions of this Joint Settlement Agreement may result in further action by the Department against the Petitioner as provided by law.

WHEREFORE, all parties by and through counsel have entered into this Joint Settlement Agreement this 23rd day of April, 2002.

CHARLES H. BRONSON
COMMISSIONER OF AGRICULTURE

BY: 
TERRY L. RHODES
Assistant Commissioner
Florida Department of Agriculture
and Consumer Services

Filed with the Agency Clerk this 23rd day of April, 2002.



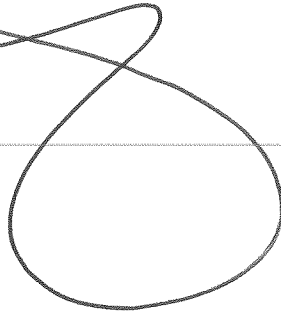
Agency Clerk

APEX PEST CONTROL, INC.,
GARY R. COLERIDER, and
GARY HARRIS, Petitioners

FOR THE PETITIONERS

BY: _____

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