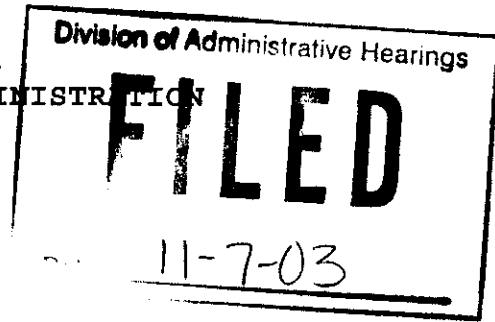


STATE OF FLORIDA  
AGENCY FOR HEALTH CARE ADMINISTRATION



STATE OF FLORIDA  
AGENCY FOR HEALTH CARE  
ADMINISTRATION,  
Petitioner,

Case No.: 2003001725  
03-2563

*DSM-CLOS*

vs.

ALTERRA HEALTHCARE CORPORATION,  
d/b/a ALTERRA WYNWOOD OF PALMER  
RANCH EAST,

Respondent.

MOTION TO VACATE FINAL ORDER

The Petitioner, AGENCY FOR HEALTH CARE ADMINISTRATION (hereinafter referred to as "Agency") hereby files a Motion to Vacate the Final Order and states the following:

1. A Final Order was entered in this case on September 11, 2003. (attached as Exhibit 1)
2. The Final Order contains the statement "A fine of \$563.00 is hereby imposed upon the Respondent."
3. The Stipulation and Settlement Agreement does not use the word "fine" and Respondent has objected to that language in the Final Order.
4. Petitioner has conferred with Respondent and they agree with this Motion and with the entering of a new Final Order without reference to a "fine".

Therefore, Petitioner requests that this Final Order be vacated and a new Final Order be entered without the word "fine".

Respectfully submitted this 13<sup>th</sup> day of October, 2003.

*Eileen O'Hara Garcia for*

Eileen O'Hara Garcia, Esq.  
AHCA, Senior Attorney  
525 Mirror Lake Drive N. #330D  
St. Petersburg, FL 33701  
(727) 552-1439

**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing instrument has been furnished via facsimile to Lealand McCharen, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, FL. 32308, and to David C. Ashburn, Esq., Greenberg Traurig, P.A., 101 East College Avenue, P.O. Drawer 1838, Tallahassee, FL 32302, this 13 day of October, 2003.

*Eileen O'Hara Garcia for*

Eileen O'Hara Garcia, Esquire