



**FOWLER WHITE
BOGGS BANKER**

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DIVISION OF
ADMINISTRATIVE
HEARINGS

Kathryn L. Kasprzak
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October 26, 2006

The Honorable Claude B. Arrington
Division of Administrative Hearings
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

Re: AHCA v. Medical Services Consortium, DOAH Case No. 04-4450MPI, on appeal
as Medical Services Consortium v. AHCA, Case No. 1D06-2969; Our File No.
1032777

Dear Judge Arrington::

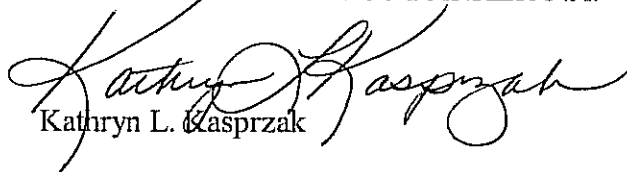
Please find enclosed our draft Order for your review and consideration in connection with the telephonic conference held on October 17, 2006, to resolve the record issue remanded from the First District Court of Appeal regarding exhibits to a Motion in Limine filed in the above-referenced matter. Please accept my apologies for the delay in forwarding same to you. as I was out of the office for three days due to personal illness.

Should the order meet with your approval, I respectfully request that you enter same and forward copies to the First District Court of Appeal and those individuals referenced on the service list.

Thank you for your prompt attention to this matter.

Sincerely,

FOWLER WHITE BOGGS BANKER P.A.


Kathryn L. Kasprzak

Enclosure

cc: Garnet Chisenhall, AHCA
Richard Shoop, Clerk, AHCA
Ann Cole, Clerk, DOAH
Ralph E. Breitfeller, Esquire

FOWLER WHITE BOGGS BANKER P.A.

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STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

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MEDICAL SERVICES CONSORTIUM,
INC., d/b/a MEDICAL SERVICES
CONSORTIUM,

DIVISION OF
ADMINISTRATIVE
HEARINGS

Petitioner,

vs.

Case No. 04-4450MPI
Appellate Case No. 1D06-2969

AGENCY FOR HEALTH CARE
ADMINISTRATION,

Respondent.

_____)

ORDER ON REMAND

This cause came to be heard by telephone conference call on the Order of the District Court of Appeal, First District, relinquishing jurisdiction to the Division of Administrative Hearings for a determination of whether Medical Services Consortium's Motion in Limine filed on December 23, 2004 in this matter was accompanied by the four exhibits described in paragraph 5 of the motion. The premises considered, and based upon specific recollection, the undersigned finds that the Motion in Limine was accompanied by the four exhibits described in paragraph 5 of the motion and these exhibits were considered in the issuance of the Order Denying Motion in Limine of January 28, 2005.

DONE AND ORDERED this _____ day of October, 2006, in Tallahassee, Leon County,
Florida.

CLAUDE B. ARRINGTON
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3-6-
(850) 488-9675 SUNCOM 278-9675
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Filed with the Clerk of the
Division of Administrative Hearings
this _____ day of October, 2006.

COPIES FURNISHED:

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Jon S. Wheeler, Clerk
District Court of Appeal, First District
301 S. Martin Luther King, Jr. Blvd.
Tallahassee, Florida 32399-1850