

Department of Business and Professional Regulation
AGENCY CLERK
Sarah Wachman, Agency Clerk

By: Sarah Wachman

**Department of Business and Professional Regulation
Division of Alcoholic Beverages and Tobacco
Northwood Centre
1940 North Monroe Street
Tallahassee, Florida 32399-1020**

FILED
07 JAN -9 PM 1:44
DIVISION OF
ADMINISTRATIVE
HEARINGS

Department of Business and Professional Regulation
Division of Alcoholic Beverages and Tobacco
PETITIONER

vs.

Lauderdale Copa, Inc.
d/b/a The Copa

RESPONDENT

DOAH Case No.06-1927
CASE NO. 2006-015450
LICENSE NO. 16-00516
SERIES: 4COP

FINAL ORDER

This matter comes before me for final Agency Order.

The issue before me is whether Respondent, Lauderdale Copa, Inc., d/b/a The Copa should pay an alcoholic beverage surcharge in the amount of \$18,960.48 as alleged by the Administrative Action issued by Petitioner, Department of Business and Professional Regulation, Division of Alcoholic Beverages, on March 27, 2006,

PRELIMINARY STATEMENT

1. On March 27, 2006, the Division issued an administrative action against Respondent.
2. Respondent filed a timely request for hearing, citing disputed issues of fact.
3. A Formal Hearing was conducted by Administrative Law Judge J. D. Parrish on August 4, 2006.
4. A Recommended Order was issued by the Administrative Law Judge Parrish on December 6, 2006.

5. Exceptions to the Recommended Order were not received from either party.

FINDINGS OF FACT

6. A thorough review of the entire record of this matter reveals that the findings of fact contained in the Recommended Order are based on competent, substantial evidence and that the proceedings on which the findings were based complied with the essential requirements of the law.

7. The Division hereby adopts and incorporates by reference the Findings of Fact as set forth in the Recommended Order.

CONCLUSIONS OF LAW

8. A thorough review of the entire record in this matter indicates that the Conclusions of Law contained in the Recommended Order are reasonable and correct interpretations of the law based on the Findings of Fact.

9. The Division hereby adopts and incorporates by reference the Conclusions of Law as set forth in the Recommended Order.

10. This Final Order is entered after a review of the complete record.


ORDER

Having fully considered the complete record of this case, the Recommended Order of the presiding officer and the exceptions filed, I hereby adopt the Recommended Order of the Administrative Law Judge.

It is ORDERED that Respondent remit surcharge principal in the amount of \$11,257.52; penalties in the amount of \$5,425.04; and interest in the amount of \$2,277.92; for a total surcharge liability of \$18,960.48. Payment, in full, must be received on or before March 2, 2007. If payment is not received on or before March 2, 2007, the license will be revoked.

DONE and ORDERED at Tallahassee, Florida, this 3 day of December, 2006.




STEVEN M. HOUGLAND, Ph. D., Director
Division of Alcoholic Beverages and Tobacco

This *Order* of the Director of the Division of Alcoholic Beverages and Tobacco will become final unless judicial review is initiated within 30 days of the date of rendition. The rendition date is the date the *Order* is filed by the Agency Indexing Clerk. Judicial review may be commenced by filing an original *Notice of Appeal* with the Clerk of the Division of Alcoholic Beverages and Tobacco and a copy, accompanied by filing fees prescribed by law, with the appropriate District Court of Appeal, pursuant to Section 120.68, Florida Statutes and Rule 9.110, F.R.A.P. A transcript of the informal hearing may be obtained upon written request received no later than 60 days from the rendition date of this *Order*.

Mail Certification: This Final Order was sent by Certified Mail
7005 182 0002 9910 2888 to:
Gregg Bernard
Lauderdale Copa, Inc., d/b/a The Copa
Post Office Box 22961
Fort Lauderdale, Florida 33335

By: _____ Mail Date: _____

Additional copies mailed to:

District Enforcement/Licensing Office

Michael J. Wheeler
Assistant General Counsel
Department of Business and Professional Regulation
1940 North Monroe Street
Tallahassee, FL 32399

Josefina Tamayo, General Counsel
Department of Business and Professional Regulation
Northwood Centre
1940 North Monroe Street
Tallahassee, Florida 32399-0792