

STATE OF FLORIDA
DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

RE: M.E. Stephens & Sons Fruit
Company, Inc.,
COMPLAINANT,

VS.

CITRUS CASE NO. CLB-0004
DOAH CASE NO. 06-2508
AGENCY CLERK #A51616

NOTICE OF CLOSING FILE

George Mason Citrus, Inc., a licensed
Citrus Fruit Dealer during the
2004-2005 citrus shipping season,
RESPONDENT,

AND

Western Surety Company,
CO-RESPONDENT.

2007 OCT -5 A 11:00
DIVISION OF
ADMINISTRATIVE
HEARINGS
FILED

This is in reference to the above-captioned amended complaint filed against the Respondent, a licensed citrus fruit dealer under Chapter 601, Florida Statutes during the 2004-2005 citrus shipping season, in the amount of \$10,000.

The complaint was referred to the Division of Administrative Hearings (DOAH) for the scheduling of a hearing. A formal hearing was conducted on April 10, 2007. A Recommended Order was entered on August 22, 2007, recommending the Department enter a Final Order in favor of the Complainant for \$10,000.

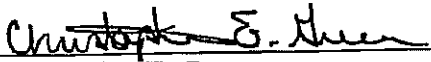
Subsequent to the entry of DOAH's Recommended Order and prior to the Department entering its Final Order, the attorney representing the Complainant advised the Department by letter dated September 22, 2007 that the above-referenced complaint has been settled. Attached to the letter from the Complainant's attorney were two (2) reciprocal GENERAL RELEASE documents, both signed by the respective presidents of the Complainant and Respondent companies. The respective GENERAL RELEASE documents executed by the Complainant and Respondent releases the Respondent from any liability related to DOAH Case No.: 06-2508 and Mason Fruit Contract 3-307.

The Complainant received two (2) checks from the Respondent to settle the complaint and the closing of the file in this matter was contingent upon the checks clearing the bank. On October 2, 2007, the Department received a faxed letter from the Complainant's attorney dated September 22, 2007 stating that the checks from the Respondent have cleared [the bank] and the settlement in this cause is now complete.

Page 2
October 3, 2007

Based on the information provided above, it is therefore ordered and adjudged that the captioned complaint is hereby closed without contemplation of further action.

Signed this 3 day of October, 2007.


Christopher E. Green
Office of Citrus License and Bond
Florida Department of Agriculture
and Consumer Services
Mayo Building, M-38
Tallahassee, FL 32399-0800

cc: Judge Daniel Manry, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, FL 32399-3060

Bert J. Harris, III, Esquire, SWAINE, HARRIS, SHEEHAN & MCCLURE, P.A.,
401 Dal Hall Boulevard, Lake Placid, FL 33852

Mr. Robert Sobraske, Authorized Representative, Western Surety Company, 101
South Phillips Avenue, Sioux Falls, SD 57104 (Claim No. 9A 309202)

Thomas V. Infantino, Esquire, Infantino & Berman, Attorneys at Law, P. O. Drawer
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Ms. Alice Wiggins, Florida Department of Citrus, P. O. Box 148, Lakeland, FL
33802-0148

Mr. Jim Ellis, Office of Citrus License and Bond