



REPRESENTING
ALEX SINK
CHIEF FINANCIAL OFFICER
STATE OF FLORIDA

FILED

SEP 13 2007

Deleted by: SS

IN THE MATTER OF:

ALBERTA MITCHELL

Case No. 84545-05-AD

DIVISION OF
ADMINISTRATIVE
HEARINGS

2007 SEP 17 P 12:34

FILED

FINAL ORDER

THIS CAUSE came on for consideration of and final agency action on the Recommended Order rendered on July 10, 2007. On August 3, 2006, the Department of Financial Services issued an Administrative Complaint against the Respondent, alleging that the Respondent had violated the anti-sliding statutes in the Insurance Code. [Sections 626.9541(1)(z) Fla. Stat.]

The Respondent replied in writing to the allegations of the Administrative Complaint, and timely requested a formal hearing pursuant to Section 120.57(1), Florida Statutes. Pursuant to notice the matter was heard before Administrative Law Judge Linda M. Rigot of the Division of Administrative Hearings on March 23, 2007, by video teleconference at sites in Lauderdale Lakes and Tallahassee, Florida.

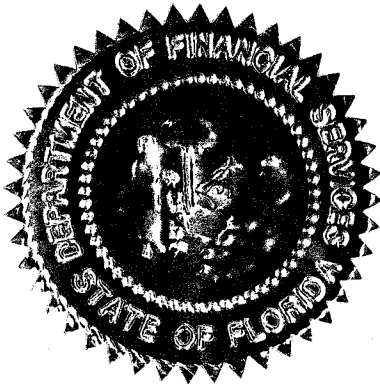
After consideration of the evidence, argument, and testimony presented at the hearing, the Administrative Law Judge issued her Recommended Order on July 10, 2007. A true and correct copy of the Recommended Order is attached hereto as Exhibit "A". In her Recommended Order the ALJ concluded that the Department of Financial Services should enter a final order finding Respondent not guilty of each count and

dismissing the Amended Administrative Complaint. No exceptions were filed by either party.

A review of the complete record shows that the ALJ's Findings of Fact are based on competent, substantial evidence, and are therefore adopted as the Department's Findings of Fact in this particular case. This adoption, however, does not preclude the Department from making alternative findings of fact in future cases based on the testimony and other evidence material to the determination of those future cases. The ALJ's Conclusions of Law are adopted as the Department's Conclusions of Law.

IT IS THEREFORE ORDERED that the Amended Administrative Complaint previously filed herein is DISMISSED.

DONE and ORDERED this 13th day of September, 2007.




KAREN CHANDLER
Deputy Chief Financial Officer

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of the Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Fla.R.App.P. Review proceedings must be instituted by filing a petition or Notice of Appeal with the General Counsel, acting as the agency clerk, at 200 East Gaines Street, Tallahassee, FL 32399-0333, and a copy of the same and the filing fee with the appropriate District Court of Appeal within thirty (30) days of the rendition of this Order.

COPIES FURNISHED TO:

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**Greg S. Marr, Esquire
Department of Financial Services
Division of Legal Services
200 East Gaines Street
Tallahassee, Florida 32399-0333**

**Honorable Linda M. Rigot
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-1550**

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