STATE OF FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

DOAH CASE NO.: 07-4551 FINAL ORDER #: HSMV-08-589-S-DMIX

VENTO NORTH AMERICA, LLC, AND DK CYCLE, INC.,

Petitioners,

VS.

UVM TRADING INC., d/b/a CUBI-K, SCOOTERS,

Respondent.

FINAL ORDER

This matter came before the Department for entry of a Final Order upon submission of an Order Closing File by Stuart M. Lerner, Administrative Law Judge of the Division of Administrative Hearings, a copy of which is attached and incorporated by reference in this order. The Department hereby adopts the Recommended Order as its Final Order in this matter.

Accordingly, it is hereby

ORDERED that Vento North America, LLC's request to establish a new Qianjiang motorcycle dealership at 1333 Washington Avenue, Miami Beach, Florida is DENIED.

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DONE AND ORDERED this <u>Jo</u> day of April, 2008, in Tallahassee, Leon County, Florida.

CARL A. FORD, Director Division of Motor Vehicles Department of Highway Safety and Motor Vehicles Neil Kirkman Building Tallahassee, Florida 32399

Filed with the Clerk of the Division of Motor Vehicles this 30 day of April, 2008.

NOTICE OF APPEAL RIGHTS

Judicial review of this order may be had pursuant to section 120.68, Florida Statutes, in the District Court of Appeal for the First District, State of Florida, or in any other district court of appeal of this state in an appellate district where a party resides. In order to initiate such review, one copy of the notice of appeal must be filed with the Department and the other copy of the notice of appeal, together with the filing fee, must be filed with the court within thirty days of the filing date of this order as set out above, pursuant to Rules of Appellate Procedure. Copies furnished:

Manuel A. Ramirez, Esquire Castro and Ramirez, LLC 1200 Brickell Avenue, Suite 1440 Miami, Florida 33131 Alma Gonzalez Vento North America 6190 Cornerstone Court E, Suite 200 San Diego, California 92121

David Buzaglo DK Cycle, Inc. 1341 Washington Avenue Miami Beach, Florida 33139

Michael J. Alderman, Esquire Department of Highway Safety and Motor Vehicles Neil Kirkman Building 2900 Apalachee Parkway, Room A432 Tallahassee, Florida 32399

Stuart M. Lerner Administrative Law Judge Division of Administrative Hearings The DeSoto Building 1230 Apalachee Parkway Tallahassee, Florida 32399-1550

Nalini Vinayak Dealer License Administrator

Florida Administrative Law Reports Post Office Box 385 Gainesville, Florida 32602