

FILED
09 JUN -2 PM 2:00
DIVISION OF
ADMINISTRATIVE
HEARINGS

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

DOAH CASE NO.: 08-4570
DMV CASE NO.: 09-0662
FINAL ORDER #: HSMV-09-755-FOF-DMV

LS MOTORSPORTS, LLC AND THE ORLANDO
SCOOTER SHOP, LLC,

Petitioners,

vs.

JAMES SURSELY D/B/A ACTION ORLANDO
MOTORSPORTS,

Respondent.

FINAL ORDER

This matter came before the Department for entry of a Final Order upon submission of a Recommended Order by, Daniel M. Kilbride, 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 Petitioner's, LS Motorsports, LLC, and The Orlando Scooter Shop, LLC, request to establish a new dealership for the sale of motorcycles manufactured by Chunfeng Holding Group Co. Ltd (CFHG) at 1710 West Fairbanks Avenue, Winter Park (Orange County), Florida 32789 is **DENIED**.

DONE AND ORDERED this 27th day of May, 2009, 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 27th day of May, 2009.

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.

CAF/vlg

Copies furnished:

Pierre Le Poureau
The Orlando Scooter Shop, LLC
1710 West Fairbanks Avenue
Winter Park, Florida 32789

James Sursely
Action Orlando Motorsports
306 West Main Street
Apopka, Florida 32712

Terry Nesbitt
LS Motor Sports, LLC
10215 South Sam Houston Parkway West, Suite 100
Houston, Texas 77071

Michael J. Alderman, Esquire
Department of Highway Safety and Motor Vehicles
Neil Kirkman Building, Room A-432
2900 Apalachee Parkway
Tallahassee, Florida 32399-0635

Daniel M. Kilbride
Administrative Law Judge
Division of Administrative Hearings
The Desoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399

Nalini Vinayak
Dealer License Administrator

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