

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

FILED

2009 JUN 30 A 10:38

DIVISION OF
ADMINISTRATIVE
HEARINGS

DOAH CASE #: 08-5494
DMV CASE #: 09-0668
FINAL ORDER #: HSMV-09-994-S-DMV

FLYSCOOTER, LLC AND SUNSTATE
POWERSPORTS, LLC,

Petitioner,

vs.

MEGA POWER SPORTS, CORP.,

Respondents.

FINAL ORDER

This matter came on for determination by the Department upon submission of an Order Closing File by P. Michael Ruff, an 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 Order Closing File as its Final Order in this matter.

ORDERED that this case is CLOSED and no license will be issued to Flyscooter, LLC and Sunstate Powersports, LLC to sell motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 825 Mason Avenue, Daytona Beach (Volusia County), Florida 32117.

DONE AND ORDERED this 26th day of June, 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 26th day of June, 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:

Siegfried Kientoff
Sunstate Powersports, LLC
825 Mason Avenue
Daytona Beach, Florida 32117

David Levison
Mega Powersports Corp.
390 North Beach Street
Daytona Beach, Florida 32114

Daniel Pak
Flyscooters, Inc.
7307 Edgewater Drive, Building H
Oakland, California 94621

Michael J. Alderman, Esquire
Assistant General Counsel
Department of Highway Safety
and Motor Vehicles
Neil Kirkman Building, Rm. A-432
Tallahassee, Florida 32399-0504

P. Michael Ruff
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