

STATE OF FLORIDA  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

DOAH CASE NO.: 09-0118  
DMV CASE NO. 09-0770  
FINAL ORDER #: HSMV-09-995-S-DMV

FILED  
2009 JUN 30 A 10:37  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS

CLASSIC MOTORCYCLES AND  
SIDECARS, INC., AND SCOOTER  
CITY USA, LLC,

Petitioners,

vs.

ACTION ORLANDO MOTORSPORTS,

Respondent.

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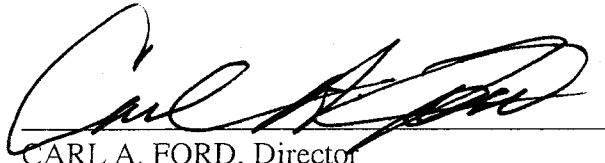
FINAL ORDER

This matter came before the Department for entry of a Final Order upon submission of an Order Closing File by Daniel Manry, Administrative Law Judge of the Division of Administrative Hearings, pursuant to Respondent's request for withdrawal, 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.

Accordingly, it is hereby

ORDERED and ADJUDGED that Petitioner, Scooter City USA, LLC, be granted a license as a dealer for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd (ZHNG) at 2650 West Fairbanks Avenue, Winter Park (Orange County), Florida 32789 upon compliance with all applicable requirements of Section 320.27, Florida Statutes, and all applicable Department rules.

DONE AND ORDERED this 26<sup>th</sup> 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 26<sup>th</sup> 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.

CAD/vlg

Copies furnished:

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

Maureen McCarthy Daughton, Esquire  
Broad and Cassel  
215 South Monroe Street, Suite 400  
Post Office Drawer 11300  
Tallahassee, Florida 32301

Thomas Lynott  
Classic Motorcycles and Sidecars, Inc.  
Post Office Box 969  
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Michael J. Alderman, Esquire  
Department of Highway Safety  
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2900 Apalachee Parkway, Room A432  
Tallahassee, Florida 32399

Daniel Manry  
Administrative Law Judge  
Division of Administrative Hearings  
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1230 Apalachee Parkway  
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Nalini Vinayak  
Dealer License Administrator

Florida Administrative Law Reports  
Post Office Box 385  
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STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

FILED

2009 JUN 15 A 11: 04  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS

CLASSIC MOTORCYCLES AND  
SIDECARS, INC., AND SCOOTER  
CITY USA, LLC,  
Petitioner,

vs.

Case Nos. 09-0118  
09-0119

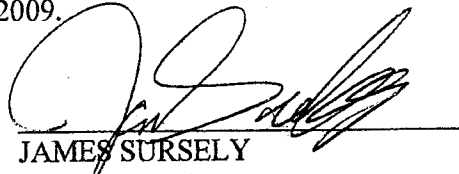
JAMES SURSELY, d/b/a ACTION ORLANDO  
MOTORSPORTS,  
Respondent.

NOTICE OF WITHDRAWAL

I, James Sursely d/b/a Action Orlando Motorsports, would like to officially withdraw my protest against Classic Motorcycles and Sidecars Inc., and Scooter City USA, LLC, located at 2650 West Fairbanks Avenue, Winter Park, Florida 32789 to carry the (ZHNG) Taizhou Zhongneng Motorcycle Co. Ltd.

I still however, am continuing my protest against Classic Motorcycles and Sidecars, Inc., and Scooter City USA, LLC. to carry the (ZHNG) Taizhou Zhongneng Motorcycle Co. Ltd. line make at the following address 2164 Platinum road, unit K, Apopka, Florida 32703.

Respectfully submitted this 11<sup>TH</sup> day of May, 2009.



JAMES SURSELY  
306 W. Main St.  
Apopka, Florida 32712  
(407) 889-7300

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Unilateral Response to Initial Order has been furnished via Fax (850) 921-6847 and U.S mail to:

Honorable DANIEL MANRY, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060

Michael James Alderman, Esquire, Department of Highway Safety and Motor Vehicles, Neil Kirkman Building, room A-432, 2900 Apalachee Parkway, Tallahassee, Florida 32344

Maureen McCarthy Daughton, Esquire, Broad and Cassel, 215 South Monroe Street, Suite 400, Post Office Drawer 11300, Tallahassee, Florida 32301

Randy Lazarus, Scooter City USA, LLC., 2650 W Fairbanks Avenue, Winter Park Florida 32789

Thomas Lynott, Classic Motorcycles and Sidecars, Inc., Post Office Box 969 Preston, Washington 98050