STATE OF FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

2009 SEP 14 A II: 15

DOAH CASE NO.: 09-0382 DMV CASE NO. 09-0546 FINAL ORDER #: HSMV-09-<u>/353</u>-S-DMV

DIVISION OF ADMINISTRATIVE HEARINGS

GALAXY POWERSPORTS, LLC d/b/a JCL INTERNATIONAL, LLC AND WILD HOGS SCOOTERS AND MOTORSPORTS, LLC,

Petitioners,

vs.

ACTION ORLANDO MOTORSPORTS,

Respondent.

FINAL ORDER

This matter came before the Department for entry of a Final Order upon submission of a Recommended Order of Dismissal by Administrative Law Judge Jeff B. Clark, of the Division of Administrative Hearings, pursuant to non-compliance to the requirements set out in the Order to Show Cause—for both parties to file responses no later than August 7, 2009 as to why this matter should not be closed based on lack of response to the Initial Order. The Department hereby adopts the Recommended Order of Dismissal as its Final Order in this matter.

Accordingly, it is hereby

ORDERED that this case is CLOSED and no license will be issued to Galaxy Powersports, LLC d/b/a JCL International, LLC and Wild Hogs Scooters and Motorsports, LLC to sell motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 3311 West Lake Mary Boulevard, Lake Mary (Seminole County), Florida 32746.

DONE AND ORDERED this day of September, 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 10th day of September, 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:

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