

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

DOAH CASE NO.: 09-0624
DMV CASE NO. 09-0661
FINAL ORDER #: HSMV-09-1272-S-DMV

FILED
2009 AUG 27 A 10:27
DIVISION OF
ADMINISTRATIVE
HEARINGS

GALAXY POWERSPORTS, LLC d/b/a
JCL INTERNATIONAL, LLC AND
KITAI POWERSPORTS, INC.,

Petitioners,

vs.

ROAD POWER USA, LLC,

Respondent.

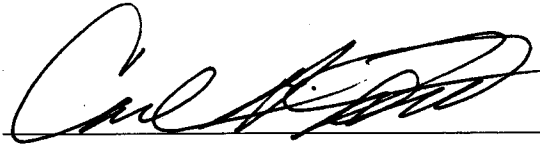
FINAL ORDER

This matter came before the Department for entry of a Final Order upon submission of an Order Closing File by P. Michael Ruff, Administrative Law Judge 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 July 26, 2009 as to why this matter should not be closed based on lack of response to the Order of Pre-Hearing Instructions. The Department hereby adopts the Order Closing File 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 Kitai Powersports, Inc. to sell motorcycles manufactured by Kaitong Motorcycle Manufacture Co. Ltd. (KAIT) at 228 North 3rd Street, Jacksonville, (Duval County), Florida 32250.

DONE AND ORDERED this 20th day of August, 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 25th day of August, 2009.



Nalini Vinayak, Dealer License Administrator

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:

Leo Su
Galaxy Powersports, LLC
d/b/a JCL International, LLC
2667 Northhaven Road
Dallas, Texas 75229

Jim Lee
Road Power USA, LLC
927 North 3rd Street
Jacksonville Beach, Florida 32250

Claudio Biltoc
Kitai Powersports, Inc.
143 Belmont Drive
St. Johns, Florida 32259

Pete Biltoc
Kitai Powersports, Inc.
13887 Sea Prairie Street
Jacksonville, Florida 32216

Rustin Murray
Kitai Powersports, Inc.
400 North Pimlico Street
St. Augustine, Florida 32090

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

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