

**STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**DOAH CASE NO.: 09-2716
DMV CASE NO. 09-0968
FINAL ORDER #: HSMV-09-1467-S-DMV**

**MOTO DEALER IMPORT, LLC AND
SCOOTER DEPOT, LLC**

Petitioners,

vs.

**WILD HOGS SCOOTERS AND
MOTORSPORTS, LLC**

Respondent.

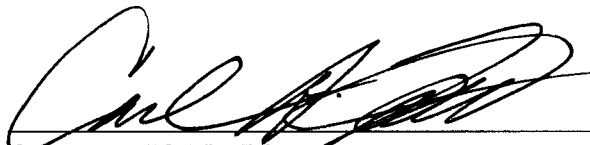
FINAL ORDER

This matter came before the Department for entry of a Final Order upon submission of a Recommended Order of Dismissal by Lawrence P. Stevenson, Administrative Law Judge of the Division of Administrative Hearings. 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 a license may be issued to Scooter Depot, LLC to sell motorcycles manufactured by Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 250 East Lake Mary Boulevard, Sanford (Seminole County), Florida 32773, upon compliance with all applicable requirements of Section 320.27, Florida Statutes, and all applicable Department rules.

DONE AND ORDERED this 29th 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 30th day of September, 2009.


Malini 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:

Jack Lin
Moto Dealer Import, LLC
4998B South Royal Atlanta Drive
Tucker, Georgia 30084

Jason Rupp
Wild Hogs Scooters & Motorsports, LLC
3311 West Lake Mary Boulevard
Lake Mary, Florida 32746

Alan Norris
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250 East Lake Mary Boulevard
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Lawrence P. Stevenson
Administrative Law Judge
Division of Administrative Hearings
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Nalini Vinayak
Dealer License Administrator

Florida Administrative Law Reports
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STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOTO DEALER IMPORT, LLC AND)
SCOOTER DEPOT, LLC,)
)
Petitioners,)
)
vs.) Case No. 09-2716
)
WILD HOGS SCOOTERS AND)
MOTORSPORTS, LLC,)
)
Respondent.)
_____)

RECOMMENDED ORDER OF DISMISSAL

On July 15, 2009, the undersigned issued an Order Canceling Hearing and Placing Case in Abeyance, which directed the parties to comply with the Order no later than the close of business on August 14, 2009, and advised the parties that failure to comply with the terms of the Order would result in a recommended order of dismissal. The parties having failed to comply with the terms of the Order, it is

RECOMMENDED that the Department of Highway Safety and Motor Vehicles enter a final order dismissing Respondent's complaint filed pursuant to Section 320.642, Florida Statutes (2008).

DONE AND ENTERED this 3rd day of September, 2009, in Tallahassee, Leon County, Florida.

Lawrence P. Stevenson

LAWRENCE P. STEVENSON
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
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Filed with the Clerk of the
Division of Administrative Hearings
this 3rd day of September, 2009.

COPIES FURNISHED:

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Alan Norris
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Sanford, Florida 32773

NOTICE OF RIGHT TO SUBMIT EXCEPTIONS

All parties have the right to submit written exceptions within 15 days from the date of this Recommended Order. Any exceptions to this Recommended Order should be filed with the agency that will issue the Final Order in this case.

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOTO DEALER IMPORT, LLC AND)	
SCOOTER DEPOT, LLC,)	
)	
Petitioners,)	
)	
vs.)	Case No. 09-2716
)	
WILD HOGS SCOOTERS AND)	
MOTORSPORTS, LLC,)	
)	
Respondent.)	
_____)	

ORDER CANCELING HEARING AND PLACING CASE IN ABEYANCE

The parties have not filed a notice of compliance with the Order of Pre-Hearing Instructions issued on June 5, 2009. Therefore, it is

ORDERED that:

1. The final hearing scheduled for August 7, 2009, is canceled, and this case is placed in abeyance until August 14, 2009.

2. No later than the close of business on August 14, 2009, the parties shall file with the Division of Administrative Hearings a list of witnesses and exhibits, an estimate of the length of time required to complete each party's side of the case, and mutually available dates for the hearing. Failure to comply with the terms of this Order will result in a recommended order of dismissal.

DONE AND ORDERED this 15th day of July, 2009, in
Tallahassee, Leon County, Florida.

Lawrence P. Stevenson

LAWRENCE P. STEVENSON
Administrative Law Judge
Division of Administrative Hearings
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Filed with the Clerk of the
Division of Administrative Hearings
this 15th day of July, 2009.

COPIES FURNISHED:

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