

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

DOAH CASE NO.: 09-2971
DMV CASE NO. 09-1138
FINAL ORDER #: HSMV-09-1082-S-DMV

FILED
2009 JUL -9 A 10:42

DIVISION OF
ADMINISTRATIVE
HEARINGS

RED STREAK SCOOTERS, LLC AND
AUSTIN GLOBAL ENTERPRISES, LLC
d/b/a NEW SCOOTERS 4 LESS,

Petitioners,

vs.

SWAMP CYCLES LLC,

Respondent.

FINAL ORDER

This matter came before the Department for entry of a Final Order upon submission of an Order Closing File by Barbara J. Staros, Administrative Law Judge of the Division of Administrative Hearings, pursuant to Petitioner's request for dismissal, 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 that this case is CLOSED and no license will be issued to Red Streak Scooters, LLC and Austin Global Enterprises, LLC d/b/a New Scooters 4 Less to sell motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 118 Northwest 14th Avenue, Suite D, Gainesville (Alachua County), Florida 32601.

DONE AND ORDERED this 6th day of July, 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 6th day of July, 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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STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

FILED
2009 JUN 22 A 10:46
DIVISION OF
ADMINISTRATIVE
HEARINGS

RED STREAK SCOOTERS, LLC and AUSTIN GLOBAL ENTERPRISES, LLC,
d/b/a NEW SCOOTERS 4 LESS

Petitioner,

Case Number: 09-2971

v.

SWAMP CYCLES, LLC

Respondent.

NOTICE OF VOLUNTARY DISMISSAL

COMES NOW, Petitioner, Austin Global Enterprises, LLC is stating a notice of voluntary dismissal. Since Swamp Cycles, LLC, already has the ZHNG line make established on their license, Austin Global Enterprises, LLC d/b/a New Scooters 4 Less no longer wishes to continue with the hearing and pursue establishing the ZHNG line make at its location.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by US Mail to Robert S. Cohen, Director and Chief Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, FL 32399-3060; Shawn Glasser, as agent for Respondent Swamp Cycles, LLC, 633 Northwest 13th Street, Gainesville, FL 32601 on June 18, 2009.

AUSTIN GLOBAL ENTERPRISES, LLC



Collin Austin, Managing Member
Representative for Petitioner
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