

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

**DOAH CASE NO.: 09-3149
DMV CASE NO.: 09-1133
FINAL ORDER NO.: HSMV-09- 1803 -S-DMV**

**RED STREAK SCOOTERS, LLC AND
POWER AND PLAY WAREHOUSE, INC.,**

Petitioner,

vs.

PRO CYCLE II ENTERPRISES, INC.,

Respondent.

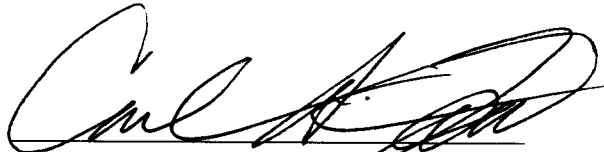
FINAL ORDER

This matter came before the Department for entry of a Final Order upon submission of an Order Closing File by Stuart M. Lerner, Administrative Law Judge of the Division of Administrative Hearings, 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. Said Order Closing File was predicated upon Respondent's withdrawal of petition to deny establishment of dealership, filed December 08, 2009. Further, the Petitioner's proposed new point location, 120 South Federal Highway, Pompano Beach (Broward County), Florida 33062, has been closed.

Accordingly, it is hereby

ORDERED and ADJUDGED that this case is DISMISSED.

DONE AND ORDERED this 15th day of December, 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 11th day of December, 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:

Beverly Fox
Red Streak Scooters, LLC
427 Doughty Boulevard
Inwood, New York 11096

Durval Hernandez
Pro Cycle II Enterprises, Inc.
110 South Federal Highway
Pompano Beach, Florida 33062

Thomas R. McMahon
Power and Play Warehouse, Inc.
120 South Federal Highway
Pompano Beach, Florida 33062

Stuart M. Lerner
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-1550

Michael J. Alderman, Esquire
Assistant General Counsel
Department of Highway Safety and Motor Vehicles
Neil Kirkman Building, Room A-432
Tallahassee, Florida 32399-0504

Florida Administrative Law Reports
Post Office Box 385
Gainesville, Florida 32602

Nalini Vinayak
Dealer License Section