

CHARLIE CRIST
Governor



LEO DIBENIGNO
Secretary

FLORIDA LOTTERY

VIA FACSIMILE 850-921-6847

August 27, 2009

Honorable T. Kent Wetherell, II
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, FL 32399-3060

Re: Zimmerman Advertising, LLC v. Department of the Lottery and St. John & Partners
Advertising and Public Relations, Inc., Case No. 09-3801BID

Dear Judge Wetherell:

Enclosed for Division of Administrative Hearings files is a copy of Final Order No.
LOT09-01 FOF, entered today by the Department of the Lottery in the above matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Hart".

Kenneth H. Hart, Jr.
General Counsel

KHH/ck

Enclosure

Copies furnished: see next page



Honorable T. Kent Wetherell, II
August 27, 2009
Page 2

Copies furnished:

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STATE OF FLORIDA
DEPARTMENT OF THE LOTTERY

ZIMMERMAN ADVERTISING, LLC

Petitioner,

v.

Case No. LOT09-01 FOF

DEPARTMENT OF LOTTERY,

Respondent,

and

ST. JOHN & PARTNERS ADVERTISING
AND PUBLIC RELATIONS, INC.,

Intervenor.

FINAL ORDER

This matter is before the Department of the Lottery following entry of Order on Agreed Motion to Remand and Relinquish Jurisdiction Without Prejudice in Division of Administrative Hearings Case No. 09-3801BID, on August 26, 2009.

Following entry of the foregoing Order, Zimmerman Advertising, LLC, filed a Notice of Voluntary Dismissal with Prejudice on August 26, 2009, of its Formal Written Protest and Petition for Formal Administrative Proceeding of the Notice of Responsiveness and Responsibility and Notice of Intended Agency Decision posted for Invitation to Negotiate for General Market Advertising Services and Related Commodities and Services for the Florida Lottery (ITN 011-08/09).

Accordingly, the protest filed by Zimmerman Advertising, LLC, is hereby dismissed with prejudice.

DONE AND ORDERED in Tallahassee, Florida this 27 day of August, 2009.



Leo DiBenigno
Secretary

Filed: 
Agency Clerk

Date: 8-27-09 10:11 AM

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF THE LOTTERY AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

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