

FILED

FEB 23 2011

Chief Financial Officer
Docketed by: asa



REPRESENTING
CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

FILED
11 FEB 24 PM 1:23
DIVISION OF
ADMINISTRATIVE
HEARINGS

IN THE MATTER OF:

CALDWELL TANKS, INC.
_____ /

10-2332

W.C. Case No. 10-097-1A-WC

FINAL ORDER

THIS CAUSE came on for consideration of and final agency action on the Recommended Order rendered by Administrative Law Judge Suzanne F. Hood on December 8, 2010, subsequent to a hearing held on September 29, 2010, in Tallahassee, Florida. No exceptions were filed.

After review of the record, including the transcript of proceedings and admitted exhibits, and being otherwise fully apprised in all material premises,

IT IS HEREBY ORDERED that the ALJ's Findings of Fact and Conclusions of Law set forth in the Recommended Order are adopted as the Department's Findings of Fact and Conclusions of Law.

IT IS HEREBY FURTHER ORDERED that the Amended Order of Penalty Assessment entered by the Division of Workers' Compensation against Caldwell Tanks, Inc. is imposed, and that Caldwell Tanks, Inc. shall pay to the Department the assessment penalty of \$122,242.23, in monthly installments in accordance with the Payment Agreement Schedule in which Caldwell Tanks, Inc. entered into and agreed upon. During the period of compliance with the installment payment schedule, the Stop-Work order previously entered in this cause by the Department is lifted. Default on any installment payment shall cause the penalty to become immediately due and payable,

and shall cause the Stop-Work Order to again become effective as of the date of the default.

IT IS HEREBY FURTHER ORDERED that so long as Caldwell Tanks, Inc. is not in default of its installment payments it may continue all business operations provided it demonstrates to satisfaction of the Division of Workers' Compensation of having now complied with the workers' compensation law by securing the necessary workers' compensation insurance coverage for covered employees.

DONE AND ORDERED this 23rd day of February, 2011.



A handwritten signature in black ink, appearing to read "Robert C. Kneip". The signature is written in a cursive style and is positioned above a horizontal line.

Robert C. Kneip
Chief of Staff

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Fla. R. App. P. Review proceedings must be instituted by filing a petition or notice of appeal with Julie Jones, DFS Agency Clerk, at 612 Larson Building, Tallahassee, Florida, 32399-0390 and a copy of the same with the appropriate district court of appeal within thirty (30) days of rendition of this Order.

Copies to:

Jamila Georgette Gooden, Esquire (For the Department)
Claude M. Harden, Esquire (For the Respondent)
Suzanne F. Hood, ALJ