

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

METRO TRAFFIC SCHOOL,)	
)	
Petitioner,)	
)	
vs.)	Case No. 11-1563RP
)	
DEPARTMENT OF HIGHWAY SAFETY)	
AND MOTOR VEHICLES,)	
)	
Respondent.)	
_____)	

FINAL ORDER AWARDING ATTORNEY'S FEES

This came before the undersigned on Petitioner's Motion for Award of Attorney's Fees pursuant to section 120.595(2), Florida Statutes. On July 3, 2012, the parties filed a Joint Motion and Stipulation Regarding Attorney's Fees, in which the following stipulations were entered:

"1. The First District Court of Appeal has denied Respondent's appeal of the Summary Final Order finding the proposed amendment to Rule 15A-10.009(4) Fla. Admin. Code to be an invalid exercise of delegated legislative authority pursuant to s. 120.56(2), Fla. Stats."

"2. Petitioner has previously filed a Motion for Award of Attorney's Fees under s. 120.595(2) Fla. Stats., to which the Department has responded."

"3. The parties have resolved the issue by the Department's agreement to pay and Petitioner's agreement to accept the amount of \$19,342.19, inclusive of attorney's fees and costs, in full settlement of such fees and costs incurred in this case both at the administrative and appellate level, subject to entry of an order approving same. Upon entry of such order, Respondent will institute its internal procedures for payment to Petitioner's attorneys with payment anticipated within thirty days of the order."

The undersigned having reviewed the record in this cause, and being otherwise fully apprised, it is, therefore,

ORDERED that:

1. The parties' stipulation for the award of attorney's fees and costs is accepted and incorporated herein;

2. Attorney's fees and costs in the amount of \$19,342.19 are awarded in favor of Petitioner in full settlement of such fees and costs incurred in this case both at the administrative and appellate level. The parties are instructed to comply with the terms of payment as set forth in paragraph 3 of the stipulation.

DONE AND ORDERED this 5th day of July, 2012, in Tallahassee, Leon County, Florida.



W. DAVID WATKINS
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 5th day of July, 2012.

COPIES FURNISHED:

Amy W. Schrader, Esquire
Gray Robinson, P.A.
Post Office Box 11189
Tallahassee, Florida 32302
aschrader@gray-robinson.com

Judson Chapman, Esquire
Department of Highway Safety
and Motor Vehicles
2900 Apalachee Parkway
Neil Kirkman Building, Room A-432
Tallahassee, Florida 32399
juddchapman@flhsmv.gov

Julie L. Jones, Executive Director
Department of Highway Safety
and Motor Vehicles
Neil Kirkman Building
2900 Apalachee Parkway
Tallahassee, Florida 32399-0635

Douglas Sunshine, Esquire
Department of Highway Safety
and Motor Vehicles
Neil Kirkman Building, Room A-432
2900 Apalachee Parkway
Tallahassee, Florida 32399
dougsunshine@flhsmv.gov

Steve Hurm, General Counsel
Department of Highway Safety
and Motor Vehicles
Neil Kirkman Building
2900 Apalachee Parkway
Tallahassee, Florida 32399-0635

Liz Cloud, Program Administrator
Administrative Code
Department of State
R. A. Gray Building, Ste. 101
Tallahassee, Florida 32399

Mr. Ken Plante, Coordinator
Joint Administrative Proced. Committee
Room 680, Pepper Building
111 West Madison Street
Tallahassee, Florida 32399-1400

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 the original notice of administrative appeal with the agency clerk of the Division of Administrative Hearings within 30 days of rendition of the order to be reviewed, and a copy of the notice, accompanied by any filing fees prescribed by law, with the clerk of the District Court of Appeal in the appellate district where the agency maintains its headquarters or where a party resides or as otherwise provided by law.