

**FILED**

Department of Business and Professional Regulation  
Deputy Agency Clerk

CLERK Brandon Nichols  
Date 11/20/2013  
File # 2013-07024

**FILED**

2013 NOV 22 PM 12 01

**Department of Business and Professional Regulation  
Division of Alcoholic Beverages and Tobacco  
Northwood Centre  
1940 North Monroe Street  
Tallahassee, Florida 32399-1020**

**Department of Business and Professional Regulation  
Division of Alcoholic Beverages and Tobacco  
PETITIONER**

vs.

**Eden Supply LLC  
d/b/a Eden Supply LLC**

**RESPONDENT**

DBPR CASE NO. 2012-008677  
DOAH CASE NO. 13-1227  
LICENSE NO. 58-10597  
SERIES: 13CT

**FINAL ORDER**

This matter comes before me for final Agency Order.

The issue before me is whether the allegations set forth in the Second Amended Administrative Complaint filed by the Department of Business and Professional Regulation (Petitioner) against Eden Supply, LLC (Respondent), are correct, and, if so, what penalty should be imposed.

**PRELIMINARY STATEMENT**

1. On or about August 24, 2012, the Petitioner issued an Administrative Action against Respondent.
2. On or about November 9, 2012, Respondent filed a timely request for hearing, citing disputed issues of fact.
3. On or about February 12, 2013, via e-mail, the Petitioner served Respondent an Amended Administrative Complaint.

4. On or about April 9, 2013, the case was referred to the Division of Administrative Hearings and assigned to Administrative Law Judge William F. Quattlebaum.

5. On or about June 28, 2013, the Petitioner moved, without objection, to amend the Amended Administrative Complaint, and the motion was granted on July 3, 2013.

6. The Second Amended Administrative Complaint was filed on July 3, 2013.

7. The Second Amended Administrative Complaint alleged that the Respondent had committed violations of Section 561.20(2) (a) 5., Florida Statutes.

8. A formal administrative hearing was held by video teleconference on August 7 and 8, 2013, in Tallahassee and Orlando, Florida, before Administrative Law Judge William F. Quattlebaum.

9. Judge Quattlebaum issued a Recommended Order on October 30, 2013.

10. The parties had the right to submit written exceptions within 15 days from the date of the Recommended Order.

11. The Respondent submitted written exceptions to the Recommended Order on November 14, 2013.

#### **FINDINGS OF FACT**

12. A thorough review of the entire record of this matter reveals that the findings of fact contained in the recommended order are based on competent, substantial evidence and that the proceedings on which the findings were based complied with the essential requirements of the law.

13. The Division hereby adopts and incorporates by reference the Findings of Fact as set forth in the Recommended Order and rejects Respondent's exceptions.

#### **CONCLUSIONS OF LAW**

14. A thorough review of the entire record in this matter indicates that the Conclusions of Law contained in the Recommended Order are reasonable and correct interpretations of the law based on the Findings of Fact.

15. The Division hereby adopts and incorporates by reference the Conclusions of Law as set forth in the Recommended Order and rejects Respondent's exceptions.

16. This Final Order is entered after a review of the complete record.

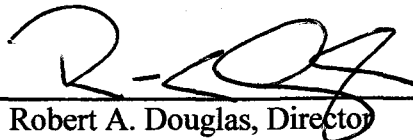
**ORDER**

Having fully considered the complete record of this case, the Recommended Order of the administrative law judge, and the exceptions filed, I hereby adopt the Recommended Order of the administrative law judge and reject all exceptions.

It is ORDERED that Respondent pay a civil penalty in the amount of \$1,000.00 and that alcoholic beverage license number 58-10597 be REVOKED effective December 20, 2013. Payment of the civil penalty must be received by the Petitioner on or before December 20, 2013, and must be submitted to the ABT Enforcement Office located at 400 West Robinson Street, Hurston Building, North Tower, Room 709, Orlando, Florida 32801.

**DONE and ORDERED** at Tallahassee, Florida, this 19 day of November 15, 2013.



  
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Robert A. Douglas, Director  
Division of Alcoholic Beverages and Tobacco


**NOTICE OF RIGHT TO JUDICIAL REVIEW**

This *Order* of the Director of the Division of Alcoholic Beverages and Tobacco will become final unless judicial review is initiated within 30 days of the date of rendition. The rendition date is the date the *Order* is filed by the Agency Indexing Clerk. Review Proceedings are governed by Rules 9.110 and 9.190, *Florida Rules of Appellate Procedure*. Such proceedings may be commenced by filing one copy of a *Notice of Appeal* with the Department of Business and Professional Regulation, Attn: Ronda L. Bryan, Agency Clerk, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399 and a Second copy, accompanied by filing fees prescribed by law, with the District Court of Appeal in the Florida Appellate District where the Party resides.

Respondent may petition the Director to amend this Final Order pursuant to Rule 61A-2.022(10), *Florida Administrative Code*. Petitions filed shall not stay any effective dates in this Order unless the Director authorizes the stay or amendment requested in the Petition.

I HERBY CERTIFY that a true and correct copy of the foregoing has been mailed by regular US mail to:

Jed Berman, Esquire  
Infantino and Berman  
Post Office Box 30  
Winter Park, Florida 32790-0030

By:  Mail Date: 11/21/13

*Additional copies mailed to:*

William F. Quattlebaum  
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