

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

FINAL ORDER #: HSMV-14-398-S-MS

PROCTOR MOTOR COMPANY, INC.
D/B/A PROCTOR HONDA,

Petitioners,

DOAH Case No. 13-4659
MS Case No. MS-13-1179

vs.

AMERICAN HONDA MOTOR CO.,
INC.,

Respondent.

_____ /

FINAL ORDER

This matter came before the Department for entry of a Final Order upon submission of an Order Closing File and Relinquishing Jurisdiction by F. Scott Boyd, an Administrative Law Judge of the Division of Administrative Hearings, and the Petitioner's Withdrawal of Protest and Consent to Entry of Final Order Dismissing Protest, copies of which are attached and incorporated by reference in this order.

Accordingly, it is hereby

ORDERED that this case is **DISMISSED**.

DONE AND ORDERED this 25th day of March, 2014, in Tallahassee, Leon County,

Florida.

Filed in the official records of the Division of
Motorist Services this 25th day of March,
2014.

Nalini Vinayak

Nalini Vinayak, Dealer License Administrator

Julie Baker

Julie Baker, Chief
Bureau of Issuance Oversight
Division of Motorist Services
Department of Highway Safety and
Motor Vehicles
Neil Kirkman Building, Room A338
Tallahassee, Florida 32399

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.

Copies furnished:

Nicholas A. Bader, Esquire
Bass Sox Mercer
2822 Remington Green Circle
Tallahassee, Florida 32308
nbader@dealerlawyer.com

Dean Bunch, Esquire
Nelson Mullins Riley & Scarborough LLP
3600 Maclay Boulevard South
Tallahassee, Florida 32312-1267
Dean.bunch@nelsonmullins.com

F. Scott Boyd
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-1550

Nalini Vinayak
Dealer License Administrator

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

PROCTOR MOTOR COMPANY, INC.,
d/b/a PROCTOR HONDA,

Petitioner,

vs.

Case No. 13-4659

AMERICAN HONDA MOTOR CO., INC.,

Respondent.

ORDER CLOSING FILE AND RELINQUISHING JURISDICTION

This cause having come before the undersigned on Petitioner's Withdrawal of Protest and Consent to Entry of Final Order Dismissing Protest filed on March 10, 2014, and the undersigned being fully advised, it is, therefore,

ORDERED that:

1. The final hearing scheduled for April 16 through 18, 2014, is canceled.
2. The file of the Division of Administrative Hearings is closed. Jurisdiction is relinquished to the Florida Department of Highway Safety and Motor Vehicles.

DONE AND ORDERED this 12th day of March, 2014, in
Tallahassee, Leon County, Florida.

F. Scott Boyd

F. SCOTT BOYD
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 12th day of March, 2014.

COPIES FURNISHED:

Jennifer Clark, Agency Clerk
Department of Highway Safety and Motor Vehicles
Neil Kirkman Building, Room A430
2900 Apalachee Parkway, MS 61
Tallahassee, Florida 32399
(eServed)

Richard N. Sox, Esquire
Bass Sox Mercer, P.A.
2822 Remington Green Circle
Tallahassee, Florida 32308
(eServed)

David Adair
American Honda Motor Co., Inc.
1919 Torrance Boulevard
Torrance, California 90501

Dean Bunch, Esquire
Nelson, Mullins, Riley,
and Scarborough LLP
3600 Maclay Boulevard, South, Suite 202
Tallahassee, Florida 32312
(eServed)

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

Proctor Motor Company, Inc., d/b/a
Proctor Honda

Petitioner,

vs.

DOAH Case No. 13-4659

American Honda Motor Co., Inc.,

Respondent.

**WITHDRAWAL OF PROTEST AND CONSENT TO ENTRY
OF FINAL ORDER DISMISSING PROTEST**

Proctor Motor Company, Inc., d/b/a Proctor Honda, by and through its undersigned attorneys, hereby voluntarily withdraws its protest in the above referenced Case No. 13-4659 and consents to the entry of a final order of dismissal with prejudice by the Department of Highway Safety and Motor Vehicles, with each party to bear its own attorneys fees and costs.

DATED this 10th day of March 2014.

/s/ Nicholas A. Bader
RICHARD N. SOX, FL Bar No. 982156
rsox@dealerlawyer.com
NICHOLAS A. BADER, FL Bar No. 55351
nbader@dealerlawyer.com
BASS SOX MERCER
2822 Remington Green Circle
Tallahassee, FL 32308
Phone: (850) 878-6404
Facsimile: (850) 942-4869

*Attorneys for Petitioner
Proctor Motor Company, Inc. d/b/a
Proctor Honda*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by e-mail on March 10, 2014, to the following:

Dean Bunch
Nelson Mullins Riley & Scarborough LLP
3600 Maclay Blvd. South
Tallahassee, FL 32312-1267
dean.bunch@nelsonmullins.com

Jennifer Clark, Agency Clerk
Department of Highway Safety and Motor Vehicles
Neil Kirkman Building, Room A-430
2900 Apalachee Parkway, Mail Stop 61
Tallahassee, FL 32399
clark.jennifer@hsmv.state.fl.us

/s/ Nicholas A. Bader
Attorney