

**FILED**

JAN 20 2015

Docketed by 



CHIEF FINANCIAL OFFICER  
JEFF ATWATER  
STATE OF FLORIDA

**FILED**  
2015 JAN 22 AM 10 47  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS

IN THE MATTER OF:

AUSTERMAN, INC.

CASE NO.:13-496-D3-WC  
DOAH CASE NO.: 14-1419

FINAL ORDER

THIS CAUSE came on for consideration of and for final agency action on the Recommended Order issued by Administrative Law Judge Linzie F. Bogan on October 28, 2014, and attached as Exhibit A.

Pursuant to section 120.57(1), Florida Statutes, a video-teleconference hearing was conducted by the Division of Administrative Law on July 22, 2014.

After a review of the record, including admitted exhibits, and considering applicable law, and otherwise being fully apprised in all material premises:

IT IS HEREBY ORDERED that the Findings of Fact and Conclusions of Law of the Administrative Law Judge are adopted in full as the Department's Findings of Fact and Conclusions of Law.

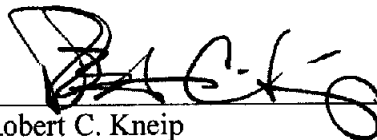
IT IS HEREBY FURTHER ORDERED that the Administrative Law Judge's recommendation that a Final Order be entered affirming the 3<sup>rd</sup> Amended Order of Penalty Assessment, issued by the Department of Financial Services, Division of Workers' Compensation (the "Department"), imposing a penalty in the amount of \$99,571.67 is ACCEPTED.

ACCORDINGLY, it is ORDERED that the 3<sup>rd</sup> Amended Order of Penalty Assessment issued by the Department is AFFIRMED and AUSTERMAN, INC., shall pay a penalty in the

amount of \$99,571.67 or enter into a Payment Agreement Schedule for Periodic Payment of Penalty (minus any payments made to date).

DONE AND ORDERED this 20<sup>th</sup> day of January, 2015.



  
Robert C. Kneip  
Chief of Staff

NOTICE OF RIGHT TO APPEAL

A party adversely affected by this final order may seek judicial review as provided in section 120.68, Florida Statutes, and Florida Rule of Appellate Procedure 9.190. Judicial review is initiated by filing a notice of appeal with the Agency Clerk, and a copy of the notice of appeal, accompanied by the filing fee, with the appropriate district court of appeal. The notice of appeal must conform to the requirements of Florida Rule of Appellate Procedure 9.110(d), and must be filed (i.e., received by the Agency Clerk) within thirty days of rendition of this final order.

Filing with the Department's Agency Clerk may be accomplished via U.S. Mail, express overnight delivery, hand delivery, facsimile transmission, or electronic mail. The address for overnight delivery or hand delivery is Julie Jones, DFS Agency Clerk, Department of Financial Services, 612 Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0390. The facsimile number is (850) 488-0697. The email address is [Julie.Jones@myfloridacfo.com](mailto:Julie.Jones@myfloridacfo.com).

Copies furnished to:

Linzie F. Bogan, Administrative Law Judge  
Bennett M. Miller, Attorney for Austerman, Inc., Respondent  
Alexander Brick, Counsel for Petitioner