

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

DOAH CASE NO.: 14-2700
DMV CASE NO.: 14-1016
FINAL ORDER #: HSMV-15-233-FOF-MS

RECOVERY RACING, LLC D/B/A
MASERATI OF FORT LAUDERDALE

Petitioners,

vs.

MASERATI NORTH AMERICA, INC.,
AND RICK CASE WESTON, LLC D/B/A
RICK CASE MASERATI,

Respondents.

FINAL ORDER

This matter came before the Department for entry of a Final Order upon submission of a Recommended Order by Jessica E. Varn, Administrative Law Judge of the Division of Administrative Hearings, a copy of which is attached and incorporated by reference in this order¹. The Department hereby adopts the Recommended Order as its Final Order in this matter. Accordingly, it is

ORDERED and ADJUDGED that Respondent's, Recovery Racing, LLC d/b/a Maserati of Fort Lauderdale, protest of the proposed establishment of an additional dealer is **DISMISSED** for lack of standing.

¹ Petitioners, Recovery Racing, LLC d/b/a Maserati of Fort Lauderdale, filed exceptions to the Recommended Order. These exceptions are ruled on in the Appendix to this Order.

DONE AND ORDERED this 30 day of January, 2015, in Tallahassee, Leon County,
Florida.



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

Filed with the Clerk of the
Division of Motorist Services
this 30 day of January, 2015.

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:

J. Andrew Bertron, Esquire
Nelson, Mullins, Riley,
and Scarborough, LLP
3600 Maclay Boulevard South
Suite 202
Tallahassee, Florida 32312

Robert E. Sickels, Esquire
Hinshaw and Culbertson, LLP
100 South Ashley Drive, Suite 500
Tampa, Florida 33602

Elias C. Schwartz, Esquire
Schwartz and Englander, P.A.
1900 Glades Road, Suite 102
Boca Raton, Florida 33431

Robert D. Cultice, Esquire
Wilmer Culter Pickering
Hale and Door, LLP
60 State Street
Boston, Massachusetts 02109

Richard N. Sox, Esquire
Jason T. Allen, Esquire
Bass Sox Mercer, P.A.
2822 Remington Green Circle
Tallahassee, Florida 32308

Nalini Vinayak
Dealer License Administrator