

**STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**DOAH CASE NO.: 14-4087 and 14-4088
MS CASE NO.: 14-1248 and 14-1249
FINAL ORDER NO.: HSMV-14- 1474 -S-MS**

MOTOFINO USA, INC.,

Petitioner,

vs.

**NAVITAS FINANCIAL GROUP, INC. D/B/A
POMPANO PATS DELAND,**

Respondent.

MOTOFINO USA, INC.,

Petitioner,

vs.

**BEACH STREET BIKES, INC., D/B/A
POMPANO PATS DELAND,**

Respondent.

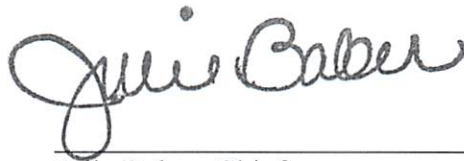
FINAL ORDER

This matter came before the Department for entry of a Final Order upon submission of an Order Closing File and Relinquishing Jurisdiction by Suzanne Van Wyk, an Administrative Law Judge of the Division of Administrative Hearings, pursuant to Respondent's withdrawal of Request for Hearing by failing to appear at the duly-noticed final hearing. The Department hereby adopts the Order Closing File and Relinquishing Jurisdiction as its Final Order in this matter.

Accordingly, it is hereby

ORDERED that the Dealer Sales and Service Agreement between MotoFino USA, Inc. and Navitas Financial Group, Inc. d/b/a Pompano Pats Deland and Beach Street Bikes, Inc. d/b/a Pompano Pats Deland is terminated.

DONE AND ORDERED this 17 day of December, 2014, 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 17 day of December, 2014.

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.

JB:wev

Copies furnished:

Patrick M. Johnson
The Navitas Financial Group, Inc.
2075 South Woodland Boulevard
Deland, Florida 32720

Jessica Richeson
MotoFino, USA, Inc.
2167 Gordon Highway
Augusta, Georgia 30909

Thomas Simpson, President
MotoFino USA, Inc.
2167 Gordon Highway
Augusta, Georgia 30909

Suzanne Van Wyk
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399

Nalini Vinayak
Dealer License Section

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOTOFINO USA, INC.,

Petitioner,

vs.

Case No. 14-4087

NAVITAS FINANCIAL GROUP, INC.,

d/b/a POMPANO PATS DELAND,

Respondent.

_____ /

MOTOFINO USA, INC.,

Petitioner,

vs.

Case No. 14-4088

BEACH STREET BIKES, INC., d/b/a

POMPANO PATS DELAND,

Respondent.

_____ /

ORDER CLOSING FILE AND RELINQUISHING JURISDICTION

This cause comes before the undersigned on Respondents' Request for Hearing dated August 27, 2014. The final hearing was duly noticed for November 12, 2014, at 9:30 a.m. via video teleconference in Tallahassee and Jacksonville, Florida, and commenced as scheduled. Petitioner appeared and was represented by its President, Tom Simpson. Respondents did not appear at the final hearing. Respondents did not communicate with any other party or the Division regarding their participation in the final hearing. The Division attempted to contact Respondent at approximately 9:50 a.m., twenty minutes after the hearing convened, but was not successful.

The undersigned's Notice of Hearing states, "Failure to appear at this hearing may be grounds for closure of the file without further proceedings." The undersigned finds that

Respondents have withdrawn their Request for Hearing by failing to appear at the duly-noticed final hearing.

It is, therefore,

ORDERED that the files of the Division of Administrative Hearings are closed. Jurisdiction is relinquished to the Department of Highway Safety and Motor Vehicles.

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



SUZANNE VAN WYK
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 November, 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
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STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MOTOFINO USA, INC.,

Petitioner,

vs.

Case No. 14-4087

NAVITAS FINANCIAL GROUP, INC.,
d/b/a POMPANO PATS DELAND,

Respondent.
_____ /

MOTOFINO USA, INC.,

Petitioner,

vs.

Case No. 14-4088

BEACH STREET BIKES, INC., d/b/a
POMPANO PATS DELAND,

Respondent.
_____ /

NOTICE OF HEARING BY VIDEO TELECONFERENCE

A hearing will be held in this case on November 12, 2014, at 9:30 a.m., or as soon thereafter as can be heard by video teleconference at sites in Jacksonville and Tallahassee, Florida. The Jacksonville site will be at the Office of the Judges of Compensation Claims, Video Teleconferencing Room, 1809 Art Museum Drive, Suite 200. The Tallahassee site will be at the Division of Administrative Hearings, (check the reception area for hearing room assignment), the DeSoto Building, 1230 Apalachee Parkway. Witnesses, parties, representatives, and/or attorneys may report to either site. The Administrative Law Judge will be at the Tallahassee site. Continuances will be granted only by order of the Administrative Law Judge for good cause shown.

ISSUE: As stated in Petitioner's Notices of Intent to Terminate Dealership Agreement with Respondents.

AUTHORITY: Chapter 120, Florida Statutes; and Florida Administrative Code Chapter 28-106, Parts I and II.

The parties shall arrange to have all witnesses and evidence present at the time and place of hearing. Subpoenas will be issued by the Administrative Law Judge upon request of the parties. All parties have the right to present oral argument and to cross-examine opposing witnesses. All parties have the right to be represented by counsel or other qualified representative, in accordance with Florida Administrative Code Rule 28-106.106. Failure to appear at this hearing may be grounds for closure of the file without further proceedings.

On or before November 5, 2014, the parties shall provide the Administrative Law Judge with copies of all of the proposed exhibits. A notice of filing the proposed exhibits shall be filed electronically through the eALJ system and shall be served on all parties. The proposed exhibits, along with a copy of the electronically filed notice of filing, shall be submitted by mail or hand-delivery to the Division of Administrative Hearings and shall be served on all parties. The exhibits will not be considered until they are admitted into evidence during the final hearing.

The agency shall be responsible for preserving the testimony at the final hearing. The court reporter, if one is used, will be at the Jacksonville site. If a court reporter is not used, the agency shall arrange for a notary public to be at the Jacksonville site, and all witnesses who testify at the Jacksonville site shall be sworn in by a notary public with a written confirmation of the oath filed after the hearing. Fla. Admin. Code R. 28-106.213(5)(b).

September 16, 2014



SUZANNE VAN WYK
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

COPIES FURNISHED:

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Department of Highway Safety and Motor Vehicles
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MotoFino USA, Inc.
2167 Gordon Highway
Augusta, Georgia 30909
(eServed)

ROOM CONFIRMATION COPY:

Noreen Lusco
Office of the Judges of Compensation Claims
1809 Art Museum Drive, Suite 200
Jacksonville, Florida 32207-2840
(904) 348-2790 Ext. 121
(eServed)

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Judge's secretary no later than seven days prior to the hearing. The Judge's secretary may be contacted at (850) 488-9675, via 1-800-955-8771 (TDD), or 1-800-955-8770 (Voice) Florida Relay Service.