STATE OF FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

DOAH CASE NO.: 15-4413, 15-4427 DMS CASE NO.: 15-1279, 15-1280 FINAL ORDER #: HSMV-15-<u>1282</u>-S-MS

GMVT MOTORS, LLC, d/b/a DAVID MAUS CHEVROLET,

Petitioner,

vs.

GENERAL MOTORS, LLC AND STARLING CHEVROLET-CADILLAC, LLC,

Respondents.

SAI ORLANDO CS, LLC

Petitioner,

vs.

GENERAL MOTORS, LLC AND STARLING CHEVROLET-CADILLAC, LLC,

Respondents.

____/

FINAL ORDER

This matter came before the Department for entry of a Final Order upon submission of an Order Closing File by the Honorable G.W. Chisenhall, Administrative Law Judge of the Division of Administrative Hearings, pursuant to Respondent's Motion to Dismiss for Mootness Based Upon Withdrawal of Relocation Request, a copy of which is attached and incorporated by reference in this order. The Department hereby adopts the Order Closing File as its Final Order in this matter.

Filed October 19, 2015 8:25 AM Division of Administrative Hearings

Accordingly, it is hereby

ORDERED and **ADJUDGED** that Respondent, Starling Chevrolet-Cadillac, LLC, shall not be permitted to relocate its dealership from 2800 South Highway 17 92, Deland, Florida 32720 to the corner of Graves and Interstate 4, Deltona, Florida 32720.

į

DONE AND ORDERED this $\cancel{B^{+}}$ day of October, 2015, in Tallahassee, Leon County, Florida.

Julie W. Gentr

Julie W. Gentry, Chief Bureau of Dealer Services Department of Highway Safety and Motor Vehicles Neil Kirkman Building, Room B372 Tallahassee, Florida 32399

Filed with the Clerk of the Division of Motorist Services this _____ day of October, 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:

C. Davis Bauman Berkshire Hathaway Automotive 1550 East Missouri Avenue, Suite 300 Phoenix, Arizona 85014 Carlos Latour General Motors, LLC 100 GM Renaissance Center Mail Code: 482-A16-C66 Detroit, Michigan 48265

John C. Starling Starling Chevrolet-Cadillac, LLC 2800 South Highway 17-92 Deland, Florida 32720

Frank H. Killgore, Esquire
Killgore, Pearlman, Stamp
Ornstein & Squires, P.A.
2 South Orange Avenue, 5th Floor
Orlando, Florida 32802

Mark L. Ornstein, Esquire Killgore, Pearlman, Stamp Ornstein & Squires, P.A. Post Office Box 1913 Orlando, Florida 32802

Steven I. Klein, Esquire Rumberger, Kirk & Caldwell 300 South Orange Avenue Orlando, Florida 32801

The Honorable G.W. Chisenhall Administrative Law Judge Division of Administrative Hearings The Desoto Building 1230 Apalachee Parkway Tallahassee, Florida 32399-3060

Nalini Vinayak Dealer License Administrator