

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

RICK CASE WESTON, LLC,

Petitioner,

vs.

FCA US LLC,

Respondent.

\_\_\_\_\_ /

TAMPA BAY LUXURY IMPORTS LLC d/b/a  
ALFA ROMEO OF ST. PETERSBURG,

Petitioner,

vs.

FCA US LLC,

Respondent.

\_\_\_\_\_ /

HSMV Case No.: MS-17-2373  
DOAH Case No.: 17-1808

**FINAL ORDER NO. : FLHSMV 2021**  
**HSMV-21-0258-FOI-MS**  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

HSMV Case No.: MS-17-2374  
DOAH Case No.: 17-1809

**FINAL ORDER**

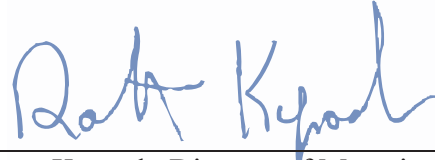
This matter comes before the Department of Highway Safety and Motor Vehicles upon Petitioners' Notice of Voluntary Dismissal with Prejudice filed August 27, 2021. The petitions in this matter were originally filed March 16, 2017, and the Department referred the petitions to the Division of Administrative Hearings on March 21, 2017. By Order of Consolidation, dated March 31, 2017, the cases styled above were consolidated with a third case.<sup>1</sup> Before a date was set for the formal hearing, the parties filed a Joint Motion to Relinquish Jurisdiction to Agency on April 6, 2017, seeking an opportunity for the parties to engage in settlement negotiations.

On April 7, 2017, the Honorable J. Lawrence Johnston, Administrative Law Judge of the Division of Administrative Hearings, issued an Order Closing Files and Relinquishing Jurisdiction. At the request of the parties, since that date, the cases have remained in abeyance before the Department while the parties have engaged in settlement negotiations.

<sup>1</sup> See *The Collection LLC d/b/a The Collection Alfa Romeo v. FCA US LLC*, HSMV Case No. MS-17-2375, DOAH Case No. 17-1810, which was severed from the above-styled causes by the Department's Order Severing Cases, issued September 15, 2021.

On August 27, 2021, Petitioners filed their Notice of Voluntary Dismissal with Prejudice, which is attached and incorporated by reference, dismissing both protests. Petitioners' protests having been withdrawn, and upon review of the record in the above-styled causes and being fully advised in the premises, it is **ORDERED** that the petitions are **DISMISSED**. Accordingly, the cases are **CLOSED**.

**DONE AND ORDERED** this 17th day of September, 2021, at Tallahassee, Leon County, Florida.



Robert Kynoch, Director of Motorist Services  
Department of Highway Safety and Motor Vehicles  
2900 Apalachee Parkway  
Tallahassee, Florida 32399

FILED FLHSMV AGENCY CLERK  
SEP 17 2021  
MS-17-2373 & MS-17-2374

**COPIES FURNISHED** this 17th day of September, 2021, to:

Nicholas A. Bader, Esquire  
Bass Sox Mercer  
2822 Remington Green Circle  
Tallahassee, Florida 32308-3769  
[nbader@dealerlawyer.com](mailto:nbader@dealerlawyer.com)  
[hhodges@dealerlawyer.com](mailto:hhodges@dealerlawyer.com)

Richard Sox  
Bass Sox Mercer  
2822 Remington Green Circle  
Tallahassee, Florida 32308-3769  
[rsox@dealerlawyer.com](mailto:rsox@dealerlawyer.com)

J. Andrew Bertron, Esquire  
Nelson Mullins Riley & Scarborough LLP  
215 South Monroe Street, Suite 400  
Tallahassee, Florida 32301-1804  
[andy.bertron@nelsonmullins.com](mailto:andy.bertron@nelsonmullins.com)  
[bev.cowart@nelsonmullins.com](mailto:bev.cowart@nelsonmullins.com)

Edward D. Broyles, Chief of Dealer Services  
Department of Highway Safety  
and Motor Vehicles  
Neil Kirkman Building, Room A-312  
2900 Apalachee Parkway, MS 65  
Tallahassee, Florida 32399-0635  
[edbroyles@flhsmv.gov](mailto:edbroyles@flhsmv.gov)

### **NOTICE OF APPEAL RIGHTS**

A party adversely affected by this final order may seek judicial review as provided in § 120.68, Fla. Stat., and Fla. R. App. P. 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 Fla. R. App. P. 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 by U.S. mail, express overnight delivery, hand delivery, facsimile transmission, or electronic mail. The address for overnight delivery or hand delivery is Joseph Gillespie, DHSMV Agency Clerk, Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, A-432, MS-2, Tallahassee, Florida 32399. The facsimile number is (850) 617-5112. The email address is [OGCFiling@flhsmv.gov](mailto:OGCFiling@flhsmv.gov).