

FILED

NOV 28 2018

Chief Financial Officer
Docketed by: *J. Johnson*



CHIEF FINANCIAL OFFICER
JIMMY PATRONIS
STATE OF FLORIDA

DEPARTMENT OF FINANCIAL
SERVICES, DIVISION OF
WORKERS' COMPENSATION,

Petitioner,

vs.

Case No. 17-294-1A-WC

TJB CONSTRUCTION, LLC,

Respondent.

FINAL ORDER CLOSING FILE

The parties have resolved this administrative proceeding through execution of the attached Settlement Agreement. The Settlement Agreement is approved and adopted.

DONE AND ORDERED on this 28 day of November, 2018.

E. S. Holloman

E. TANNER HOLLOMAN, DIRECTOR
Division of Workers' Compensation



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.

COPY FURNISHED TO:

TJB Construction, LLC
306 Allen Lake Road
Sopchoppy, Florida 32358

Adrian Middleton
1469 Market Street
Tallahassee, FL 32312

 **MAILED**
11.28.18
J. Johnson



CHIEF FINANCIAL OFFICER
JIMMY PATRONIS
STATE OF FLORIDA

DEPARTMENT OF FINANCIAL
SERVICES, DIVISION OF WORKERS'
COMPENSATION,

Petitioner,
vs.

Case No. 17-294-1A

TJB CONSTRUCTION LLC.,

Respondent.

SETTLEMENT AGREEMENT

This agreement is made and entered into by and between the Florida Department of Financial Services, Division of Workers' Compensation ("Department") and TJB Construction LLC. (Employer).

Upon the complete execution of this settlement agreement by both parties, the Department and Employer agree to the following:

1. The Department rescinds Stop-Work Order number 17-294-1A served against Employer in this matter. The rescission is final in this case. The Department will refund Employer \$1,000.00.
2. Employer's request for administrative review filed in this matter is dismissed with prejudice.
3. The Department and Employer agree that this settlement agreement is entered into voluntarily and with full authority of the parties, and with the intent to settle this matter without proceeding to litigation through a formal hearing.

4. For the purposes of this settlement agreement, "execution" refers to the time when both parties have signed the settlement agreement.

5. Employer expressly waives in this matter the right to any hearing pursuant to sections 120.569 or 120.57, Florida Statutes, and all other proceedings to which there may be entitlement by law or rule of the Department regarding the previously issued stop-work order in this matter, this proceeding, and any and all issues arising or that may arise from the action. Employer agrees not to challenge or contest this settlement agreement in any forum that may now or in the future be available to it, including any administrative proceeding, circuit or federal court action, or any appeal. Nothing herein shall be construed to limit any party's right to enforce the terms and conditions of this settlement agreement.

6. The Department's determination to enter into this Settlement Agreement is based on the specific facts and circumstances of this case, and has no applicability to any other matter arising or that may arise from actions taken by the Department against employers under section 440.107, Florida Statutes.

7. Each party agrees that it shall bear its own costs and attorney fees in this matter. Employer expressly waives any rights to claim attorney fees or costs under sections 57.041, 57.061, 57.105, 57.111, and 120.595, Florida Statutes, or any other statute or other authority.

Dated this 14th day of June, 2018.

Department of Financial Services,
Division of Workers' Compensation



Taylor Anderson
Attorney, Workers' Compensation
Department of Financial Services
200 East Gaines Street
Tallahassee, Florida 32399-4229

TJB Construction LLC.



Printed Name: Adrian S. Middleton
For TJB Construction LLC.
306 Allen Lake Rd.
Sopchoppy, Florida 32358