FILED DHSMV AGENCY CLERK MAY 15 2019 Page 1 of 6

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

PALM CHEVROLET OF GAINESVILLE, LLC d/b/a DAVIS GAINESVILLE MAZDA,

Petitioner,

VS.

HSMV Case No.:

MS-19-042

DOAH Case No.:

19-1079

MAZDA MOTOR OF AMERICA, INC.,

Respondent.

FINAL ORDER NO.:

HSMV-19-0341-FOF-MS

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

## **FINAL ORDER**

This matter comes before the Department of Highway Safety and Motor Vehicles for entry of a final order upon submission of an Order Closing File issued April 16, 2019, by the Honorable James H. Peterson III, Administrative Law Judge of the Division of Administrative Hearings, based on the Petitioner's Notice of Dismissal filed April 15, 2019, copies of which are attached and incorporated by reference in this order.

Upon review of the Order and record in the above-styled case, and being fully advised in the premises, the Department hereby dismisses the petition. Accordingly, it is **ORDERED** that the case is **CLOSED**.

**DONE AND ORDERED** this

day of May, 2019.

Robert Kynoch, Director of Motorist Services

Department of Highway Safety and Motor Vehicles

2900 Apalachee Parkway

Tallahassee, Florida 32399

Page 1 of 2
PALM CHEVROLET OF GAINESVILLE, LLC v. MAZDA MOTOR OF AMERICA, INC. HSMV Case No. MS-19-042
DOAH 19-1079

## **COPIES FURNISHED** this <u>/5</u><sup>th</sup> day of May, 2019, to:

Joseph R. Gillespie, Agency Clerk
Department of Highway Safety
and Motor Vehicles
Room A432, Mail Stop 2
2900 Apalachee Parkway
Tallahassee, Florida 32399
ogcfiling@flhsmv.gov
joegillespie@flhsmv.gov

John W. Forehand, Esquire Kurkin, Forehand & Brandes, LLP 315 South Calhoun Street, Suite 850 Tallahassee, Florida 32301 jforehand@kfb-law.com awylie@kfb-law.com

Robert Craig Spickard, Esquire Kurkin, Forehand & Brandes, LLP 315 South Calhoun Street, Suite 850 Tallahassee, Florida 32301 cspickard@kfb-law.com awylie@kfb-law.com J. Andrew Bertron, Esquire
Nelson Mullins Riley & Scarborough, LLP
215 South Monroe Street, Suite 400
Tallahassee, Florida 32301
andy.bertron@nelsonmullins.com
susan.orach@nelsonmullins.com

C. Everett Boyd, Esquire
Nelson Mullins Riley & Scarborough, LLP
215 South Monroe Street, Suite 400
Tallahassee, Florida 32301
everett.boyd@nelsonmullins.com
kathi.mcmillan@nelsonmullins.com

Palmer Brand, Chief of Dealer Services
Department of Highway Safety
and Motor Vehicles
Neil Kirkman Building, Room A-312, MS 65
2900 Apalachee Parkway
Tallahassee, Florida 32399-0635
palmerbrand@flhsmv.gov

## **NOTICE OF APPEAL RIGHTS**

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 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.

Page 2 of 2 PALM CHEVROLET OF GAINESVILLE, LLC v. MAZDA MOTOR OF AMERICA, INC. HSMV Case No. MS-19-042 DOAH 19-1079