

Interested parties should request a pre-qualification form by mail, e-mail, or by faxing a letter of interest to:

Katie Chesney
 Elkins Constructors, Inc.
 Student Union Jobsite
 1 UNF Dr.
 Jacksonville, FL 32224
 Fax: (904)642-1131
 E-mail: katie@elkinsconstructors.com

Bids for Theatre Seating are due in Elkins' field office by Friday, February 29, 2008, at 2:00 p.m.

Bids for Landscape, Irrigation and Hardscape are due in Elkins' field office by Friday, March 14, 2008, at 2:00 p.m.

There will be a pre-bid meeting for Landscape, Irrigation and Hardscape on Thursday, March 6, 2008, at 10:00 a.m., at the UNF Student Union Jobsite Trailer.

Elkins Constructors Inc., highly encourages participation by all minority subcontractors, suppliers, vendors, and manufacturers.

Section XII Miscellaneous

DEPARTMENT OF EDUCATION

NOTIFICATION OF INTENT TO OPERATE THE SUMMER FOOD SERVICE PROGRAM FOR CHILDREN

In accordance with Title 7 Code of Federal Regulations, Part 225, it is the intent of the Florida Department of Education, Office of Food and Nutrition Management, to continue to administer the Summer Food Service Program for the fiscal year 2008. The primary purpose of the program is to provide food service to children from low-income areas during periods when schools are closed for vacation.

Eligible children are those 18 years of age and under and persons over 18 years of age who are determined by the state educational agency or local public educational agency to be mentally or physically handicapped and who participate in a public or nonprofit private school program established for the mentally or physically handicapped.

The program will be made available throughout Florida by state-approved sponsors. Sponsors for the program may be a public or nonprofit private school, nonprofit private organization, residential or non-residential camp, government organization, or a National Youth Sports Program.

For more information, please contact the Office of Food and Nutrition Management, Summer Food Service Program for Children at 1(800)622-5985.

“In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.”

To file a complaint of discrimination, write: USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S. W., Washington, D.C. 20250-9410 or call 1(800)795-3272 or 1(202)720-6382 (TTY). “USDA is an equal opportunity provider and employer.”

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS INTERLOCAL AGREEMENT INCONSISTENT WITH SECTIONS 163.3177(2) and (3), FLORIDA STATUTES DCA DOCKET NO. 27-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Hernando County, the City of Brooksville and Hernando County School Board, pursuant to Section 163.31777, F.S., to be inconsistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at Hernando County Planning Department, 20 North Main Street, Room 262, Brooksville, Florida 34601-2828.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is inconsistent with the minimum requirements of Sections 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Hernando County and Hernando School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action and will be forwarded to the Administration Commission, which may impose sanctions pursuant to Section 163.31777(3)(c), F.S.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and

contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
Office of Local Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that MVP Enterprises, Inc., intends to allow the establishment of Affordable Space, Inc., as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycle Group Corporation (QINJ) at 4129 Old Winter Garden Road, Orlando (Orange County), Florida 32805, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Affordable Space, Inc. are dealer operator(s): Steven M. Austad, Sr., 4129 Old Winter Garden Road, Orlando, Florida 32805; principal investor(s): Steven M. Austad, Sr., 4129 Old Winter Garden Road, Orlando, Florida 32805.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Amy Davis, MVP Enterprises, Inc., Post Office Box 1779, Russellville, Arkansas 72811.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for the Relocation of a
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, American Suzuki Motor Corporation ("American Suzuki") gives notice of its intent to permit the reestablishment of a successor dealership at a different location. This relocation does not qualify for any of the exemptions from notice and protest provided in Section 320.642(5), Florida Statutes. The existing dealership is King Motor Company of Fort Lauderdale d/b/a King Suzuki which is currently located at 700-900 East Sunrise Boulevard, Fort Lauderdale, Florida 33304. Subsequent to sale of the dealership, the existing dealership will close and the successor dealership, Alliance Autoplaza, Inc. d/b/a Pompano Suzuki, will be established at 1080 – 1150 South Federal Highway, Pompano Beach, FL 33062.

The dealer operator and principal investor of Alliance Autoplaza, Inc. d/b/a Pompano Suzuki will be Dimitry Agrachov, whose address is 3101 N. W. 36th Street, Miami, Florida 33142.

Alliance Autoplaza, Inc. d/b/a Pompano Suzuki intends to engage in business at its new location on or after February 15, 2008.

The notice indicates an intent to permit the relocation of a dealership location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-makes may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application. Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Ms. Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635. A copy of such petition or complaint must also be sent by U.S. Mail to: John Walsh, American Suzuki Motor Corporation, 3251 East Imperial Highway, Brea, CA 92821.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership location, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that KTM North America, Inc., intends to allow the establishment of Ameri-Recreational Sports, LLC d/b/a ARS Powersports, as a dealership for the sale of KTM motorcycles (KTM) at 4163 U.S. Highway 27, Sebring (Highlands County), Florida 33870, on or after January 31, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ameri-Recreational Sports, LLC d/b/a ARS Powersports are dealer operator(s): Larry J. Woerner, 4163 U.S. Highway 27, Sebring, Florida 33870; principal investor(s): Larry J. Woerner, 4163 U.S. Highway 27, Sebring, Florida 33870.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jon-Erik Burleson, KTM North America, Inc., 1119 Milan Avenue, Amherst, Ohio 44001.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Spyker of North America, LLC, intends to allow the establishment of C.M.Z. Enterprises, Inc., as a dealership for the sale of Spyker Automobielen B.V. automobiles (SPYK) at 6870 Okeechobee Boulevard, West Palm Beach (Palm Beach County), Florida 33411, on or after March 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of C.M.Z Enterprises, Inc. are dealer operator(s): Craig M. Zinn, 16150 Pines Boulevard, Pembroke Pines, Florida 33027; principal investor(s): Craig M. Zinn, 16150 Pines Boulevard, Pembroke Pines, Florida 33027.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Carsten F. Preisz, Spyker of North America, LLC, 3075 East Thousand Oaks Boulevard, Suite 32, Westlake Village, California 91362.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that MVP Enterprises, Inc., intends to allow the establishment of Cycles Unlimited, Inc., as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycle Group Corporation (QINJ) at 302 6th Street Northwest, Winter Haven (Polk County), Florida 33881, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Cycles Unlimited, Inc. are dealer operator(s): Jimel Baz, 302 6th Street Northwest, Winter Haven, Florida 33881 and Shane Baz, 302 6th Street Northwest, Winter Haven, Florida 33881; principal investor(s): Jimel Baz, 302 6th Street Northwest, Winter Haven, Florida 33881 and Shane Baz, 302 6th Street Northwest, Winter Haven, Florida 33881.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Amy Davis, MVP Enterprises, Inc., Post Office Box 1779, Russellville, Arkansas 72811.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that KTM North America, Inc., intends to allow the establishment of Douglas Powersports of Sarasota, Inc., as a dealership for the sale of KTM motorcycles (KTM) at 6051 North Washington Boulevard, Sarasota (Sarasota County), Florida 34243, on or after January 31, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Douglas Powersports of Sarasota, Inc. are dealer operator(s): Gregory Douglas, 6051 North Washington Boulevard, Sarasota, Florida 34243; principal investor(s): Gregory Douglas, 6051 North Washington Boulevard, Sarasota, Florida 34243.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jon-Eric Burlison, KTM North America, Inc., 1119 Milan Avenue, Amherst, Ohio 44001.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that MVP Enterprises, Inc., intends to allow the establishment of Grandpa's Cycle Center, Inc., as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycle Group Corporation (QINJ) at 3596 Fowler Street, Fort Myers (Lee County), Florida 33901, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Grandpa's Cycle Center, Inc. are dealer operator(s): Marion Stewart, 3596 Fowler Street, Fort Myers, Florida 33901 and Lynda Stewart, 3596 Fowler Street, Fort Myers, Florida 33901; principal investor(s): Marion Stewart, 3596 Fowler Street, Fort Myers, Florida 33901 and Lynda Stewart, 3596 Fowler Street, Fort Myers, Florida 33901.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Amy Davis, MVP Enterprises, Inc., Post Office Box 1779, Russellville, Arkansas 72811.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corporation, intends to allow the establishment of Jelsea Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Deceste, S.A. (DECE) at 512 East Osceola Parkway, Kissimmee, (Osceola County), Florida 34744, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Jelsea Scooters, Inc. are dealer operator(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744; principal investor(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corporation, intends to allow the establishment of Jelsea Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Qingqi Group Ningbo Cycles (NING) at 512 East Osceola Parkway, Kissimmee (Osceola County), Florida 34744, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Jelsea Scooters, Inc. are dealer operator(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744; principal investor(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corporation, intends to allow the establishment of Jelsea Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 512 East Osceola Parkway, Kissimmee (Osceola County), Florida 34744, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Jelsea Scooters, Inc. are dealer operator(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744; principal investor(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corporation, intends to allow the establishment of Jelsea Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Zongshen Industrial Group (ZONG) at 512 East Osceola Parkway, Kissimmee, (Osceola County), Florida 34744, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Jelsea Scooters, Inc. are dealer operator(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744; principal investor(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Javier Opoczynski, General Manager, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Flyscooters, LLC, intends to allow the establishment of Mopeds and More, Inc., as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (BAMC) at 6191 South Pine Avenue, Ocala (Marion County), Florida 34480, on or after January 10, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mopeds and More, Inc. are dealer operator(s): Ronda Castongue, 6191 South Pine Avenue, Ocala, Florida 34480 and Brian Martin, 6191 South Pine Avenue, Ocala, Florida 34480; principal investor(s): Ronda Castongue, 6191 South Pine Avenue, Ocala, Florida 34480 and Brian Martin, 6191 South Pine Avenue, Ocala, Florida 34480.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Daniel Pak, Flyscooters, LLC, 4804 Lawton Avenue, Oakland, California 94609.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Big Bear American Made Choppers, Inc., intends to allow the establishment of PMA Customs, LLC d/b/a Haus of Trikes & Bikes, as a dealership for the sale of motorcycles manufactured by Big Bear American Made Choppers, Inc. (BGCH) at 4607A Fowler Street, Fort Myers (Lee County), Florida 33907, on or after March 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of PMA Customs, LLC d/b/a Haus of Trikes & Bikes are dealer operator(s): Paul Skrzyniarz, 1740 Southeast 44th Street, Cape Coral, Florida 33904; principal investor(s): Paul Skrzyniarz, 1740 Southeast 44th Street, Cape Coral, Florida 33904, Deborah Skrzyniarz, 1740 Southeast 44th Street, Cape Coral, Florida 33904, Manfred Glanzner, 1434 Argyle Drive, Fort Myers, Florida 33919 and Axel W. Schulz, 926 3rd Street, Fort Myers Beach, Florida 33931.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Dena Valenzuela, Big Bear American Made Choppers, Inc., Post Office Box 1741, Big Bear Lake, California 92315.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that MVP Enterprises, Inc., intends to allow the establishment of Palm City Corporation, Inc. d/b/a Dragon Cycle, as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycle Group Corporation (QINJ) at 11100 South Cleveland Avenue, Fort Myers (Lee County), Florida 33907, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Palm City Corporation, Inc. d/b/a Dragon Cycle are dealer operator(s): Jim Wilson, 11100 South Cleveland Avenue, Fort Myers, Florida 33907; principal investor(s): Jim Wilson, 11100 South Cleveland Avenue, Fort Myers, Florida 33907.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Amy Davis, MVP Enterprises, Inc., Post Office Box 1779, Russellville, Arkansas 72811.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that MVP Enterprises, Inc., intends to allow the establishment of Palm City Corporation, Inc. d/b/a Dragon Cycle, as a dealership for the sale of motorcycles manufactured

by Guangzhou Panyu Huanan Motors Group, LLC (GUNG) at 11100 South Cleveland Avenue, Fort Myers (Lee County), Florida 33907, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Palm City Corporation, Inc. d/b/a Dragon Cycle are dealer operator(s): Jim Wilson, 11100 South Cleveland Avenue, Fort Myers, Florida 33907; principal investor(s): Jim Wilson, 11100 South Cleveland Avenue, Fort Myers, Florida 33907.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Amy Davis, MVP Enterprises, Inc., Post Office Box 1779, Russellville, Arkansas 72811.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that MVP Enterprises, Inc., intends to allow the establishment of Pine Woods Center, Inc., as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycle Group Corporation (QINJ) at 10312 State Road 52, Hudson (Pasco County), Florida 34669, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Pine Woods Center, Inc. are dealer operator(s): Andrew Hennosy, 10312 State Road 52, Hudson, Florida 34669 and Connie Hennosy, 10312 State Road 52, Hudson, Florida 34669; principal investor(s): Andrew Hennosy, 10312 State Road 52, Hudson, Florida 34669 and Connie Hennosy, 10312 State Road 52, Hudson, Florida 34669.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Amy Davis, MVP Enterprises, Inc., Post Office Box 1779, Russellville, Arkansas 72811.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Group International, LLC, intends to allow the establishment of Southern Custom Carts, Inc., as a dealership for the sale of Tomberlin golfcars (TOMB) at 1015 West Broward Boulevard, Fort Lauderdale (Broward County), Florida 33312, on or after February 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Southern Custom Carts, Inc. are dealer operator(s): John H. Baker, 1015 West Broward Boulevard, Fort Lauderdale, Florida 33312; principal investor(s): John H. Baker, 1015 West Broward Boulevard, Fort Lauderdale, Florida 33312.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Michelle Nobles, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Classic Motorworks, Ltd., intends to allow the establishment of Thunder Cycle Design, Inc., as a dealership for the sale of Royal Enfield motorcycles (ENFI) at 550 West Sunrise Boulevard, Fort Lauderdale (Broward County), Florida 33311, on or after March 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Thunder Cycle Design, Inc. are dealer operator(s): Eddie Trotta, 1901 Southeast 19 Street, Fort Lauderdale, Florida 33708; principal investor(s): Eddie Trotta, 1901 Southeast 19 Street, Fort Lauderdale, Florida 33708.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Kevin Mahoney, President, Royal Enfield USA, a Division of Classic Motorworks, 1405 Cannon Circle, Suite 12, Faribault, Minnesota 55021.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that MVP Enterprises, Inc., intends to allow the establishment of Travanna Management, Inc. d/b/a KC Cycle Sports, as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group, LLC (GUNG) at 313 Commerce Center Drive, St. Cloud (Osceola County), Florida 34769, on or after January 25, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Travanna Management, Inc. d/b/a KC Cycle Sports are dealer operator(s): Chad Smith, 313 Commerce Center Drive, St. Cloud, Florida 34769; principal investor(s): Chad Smith, 313 Commerce Center Drive, St. Cloud, Florida 34769.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Amy Davis, MVP Enterprises, Inc., Post Office Box 1779, Russellville, Arkansas 72811.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Isuzu Commercial Truck of America, Inc., intends to allow the establishment of Parkway Auto Sales and Service, LLC d/b/a Truck Max Isuzu, as a dealership for the sale of Isuzu medium duty trucks at 29120 South Dixie Highway, Homestead (Dade County), Florida 33033, on or after March 10, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Parkway Auto Sales and Service, LLC d/b/a Truck Max Isuzu are dealer operator(s): Robert J. Dollar, 5651 Northwest 38 Terrace, Coconut Creek, Florida 33073; principal investor(s): Robert J. Dollar, 5651 Northwest 38 Terrace, Coconut Creek, Florida 33073.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Russ Sims, Isuzu Commercial Truck of America, Inc., 13340 183rd Street, Cerritos, California 90702-6007.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF LITIGATION

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on January 18, 2008, concerning certificate of need decisions. No decision has been made as to the sufficiency of these petitions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine the substantial interest of persons. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 408.039, F.S. and Rule 59C-1.012, F.A.C. In deference to rights of substantially affected persons, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

- | CON# | INITIAL DECISION, PROJECT, CTY, APPLICANT, PARTY REQUEST HEARING (PRH) |
|------|--|
| 9990 | Denial, establish a long term acute care hospital within Edward White Hospital, Pinellas County, Tampa Bay Long Term Acute Care Hospital, LLC, (PRH) same as applicant |
| 9992 | Approval, construct a new hospital to replace and relocate existing hospital, Hillsborough County, Sun City Hospital, Inc. d/b/a South Bay Hospital, (PRH) St. Joseph's Hospital, Inc. d/b/a St. Joseph's Hospital |
| 9992 | Approval, construct a new hospital to replace and relocate existing hospital, Hillsborough County, Sun City Hospital, Inc. d/b/a South Bay Hospital, (PRH) Florida Health Sciences Center, Inc. d/b/a Tampa General Hospital |
| 9993 | Denial, establish a 90 bed acute care hospital, Hillsborough County, St. Joseph's Hospital, Inc. d/b/a St. Joseph's Hospital, (PRH) same as applicant |
| 9993 | Supports Denial, establish a 90 bed acute care hospital, Hillsborough County, St. Joseph's Hospital, Inc. d/b/a St. Joseph's Hospital, (PRH) Florida Health Sciences Center, Inc. d/b/a Tampa General Hospital |

9994 Approval, establish a 60 bed acute care hospital, Osceola County, Osceola Regional Hospital, Inc. d/b/a Osceola Regional Medical Center (PRH) Osceola, LLC d/b/a St. Cloud Regional Medical Center

providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

The Agency for Health Care Administration announces a change to the Consumer Directed Care Plus (CDC+) Program. The Agency has submitted an application to the Centers for Medicare and Medicaid Services requesting that effective February 28, 2008, the CDC+ Program, 1115 Waiver will end. Effective February 29, 2008, a Self Directed State Plan, 1915J Amendment will begin.

For additional information, please contact: Ms. Vennie Smith at (850)415-8599 or by email at smithv@ahca.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

City of Coral Springs

The Florida Department of Environmental Protection has determined that the City of Coral Springs's project involving rehabilitation of 10 existing wells, replacement of 6 old and deteriorated wells, water treatment plant improvements, replacement of old, corroded, leaking galvanized service lines, construction of additional utility interconnects will not adversely affect the environment. The total cost of the project is estimated to be \$ \$12,207,143. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal funds and state funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing to: Venkata Panchakarla, Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8366.

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for

DEPARTMENT OF HEALTH

On February 6, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Christine M. Falowski, L.M.T., license number MA 38731. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On February 6, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Miriam S. Acosta, L.C.S.W., license number LSW 3323. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On February 13, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Brandi Nicole Bishop, R.N., license number RN 3404042. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On February 11, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Kimberly Lee Woodruff, R.N., license number RN 9230924. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections

456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On February 11, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Paul M. Inkeles, Ph.D., license number PY 5479. This Emergency Suspension Order was predicated upon the Secretary’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES

IN THE MATTER OF:

CASE NO. 94216-07-AG

JUSTIN HOWARD STAIR

Petition for Variance From subparagraph 69B-211.042(10)(a)6.

MR. JUSTIN HOWARD STAIR
 7214 20TH AVENUE WEST
 BRADENTON, FL 34209
 (941)812-4224

COMES NOW Petitioner Justin Howard Stair, by and through his undersigned counsel, and files this Petition for Variance from subparagraph 69B-211.042(10)(a)6., F.A.C., which rule is implementing Section 626.621, et seq., Florida Statutes, as permitted under Section 120.542(2), Florida Statutes. Petitioner argues that a strict application of the Rule would produce an inequitable result without taking into account the alternative means available for safeguarding the public. In support thereof, Petitioner states as follows:

1. On or about June 1, 2007, Petitioner filed a license application with the Florida Department of Financial Services, seeking licensure as a residential customer representative agent.
2. On or about June 14, 2007, Petitioner received a letter from the Florida Department of Financial Services denying his application for lack of documentation of Petitioner’s previous criminal history and requesting a return of documents within sixty (60) calendar days of receipt of the letter.
3. Petitioner provided the requested documents to the Florida Department of Financial Services, along with a cover letter explaining his honorable discharge from the armed services due to a medical circumstances, the circumstances surrounding his arrests on criminal charges, the successful completion of his probationary requirements and the resulting early termination of his probation, the restoration of his civil rights, his current employment in the insurance field, and his desire to work as a residential customer representative agent in the insurance industry.
4. On September 20, 2007, the Florida Department of Financial Services sent Petitioner a Notice of Denial, stating that under the Rule, there would be a waiting period of nineteen (19) years before he could apply for licensure, due to his plea of guilty or no contest to past criminal charges. The Notice of Denial also stated that the Petitioner might be subject to a reduction of the waiting period under the Rule, but that he had to file a Petitioner In Support of Proceeding under Florida Statutes, Rule 28-106.201, F.A.C.
5. On or about October 15, 2007, Petitioner filed an Election of Proceeding Form requesting a telephonic hearing to review his license application before a Hearing Officer.
6. On December 11, 2007, a telephonic hearing was held before the Florida Department of Financial Services at the office of Petitioner’s counsel.
7. On December 26, 2007, Hearing Officer Donald A. Dowdell issued a Recommended Order, in which he recommended denial of the Petitioner’s license based on the mandatory provision of subsection 626.621(8), Florida Statutes, and the waiting period applied under Rule 69B-211.040, et seq, F.A.C. See attached exhibit. Petitioner was given a mitigation of four (4) years, the maximum allowed.
8. Petitioner is requesting a variance from subparagraph 69B-211.040(10)(a)6., F.A.C., because Petitioner feels the waiting period imposed by said rule creates a substantial hardship and is not necessary in this case as there are alternative means of accomplishing the goals of the licensing rules and regulations. Petitioner has studied to become a residential customer representative agent, passing all of the required courses, in anticipation of working as an agent and owning his own agency. The waiting period imposed by the Recommended Order is

sixteen (16) years, and will prevent the Petitioner from applying for a license in his chosen field until the year 2018. This would, of course, create an economic hardship.

9. Petitioner was under the age of 21 at the time of the criminal offenses in 2000. Petitioner had joined the U.S. National Guard after high school in 1998, but was forced to resign after suffering an epileptic seizure. Although given an honorable discharge, this was a blow to Petitioner's self-esteem and resulted in feelings of hopelessness and despair that led to poor choices and criminal behavior. After accepting responsibility and actively cooperating with law enforcement, Petitioner complied with all of his probationary requirements and was granted an early termination of supervision. Petitioner has been steadily employed for the past several years. Petitioner has worked in a clerical capacity for Atlantis Insurance Company for the past one and one-half years and has passed all of the courses required to become licensed as a residential customer representative agent.
10. Petitioner feels that a variance from the Rule, with certain restrictions on Petitioner's license, would serve the underlying purpose of the statute. Petitioner's mother, Jean McNaught, has been a licensed insurance agent for approximately forty years, owns her own insurance agency, and could actively supervise Petitioner as a residential customer representative agent. Petitioner proposes that this supervision as an alternate means to the imposition of the Rule's sixteen (16) year waiting period for license application.
11. Petitioner is willing to accept, in the alternative, a provisional license, should the Florida Department of Financial Services be amenable. Petitioner feels this

would allow his activities to be adequately monitored by the Department of Financial Services in a way that would insure compliance with both the Rules and the Statutes.

WHEREFORE, Petitioner requests that the Department of Financial Services grant his Petition for Variance from subparagraph 69B-211.042(10)(a)6., F.A.C. Petitioner request a permanent variance.

Respectfully,
JODAT LAW GROUP,P.A.

Melanie A. Newby, Esq.
FBN: 0870481
521 Ninth Street West
Bradenton, FL 34205
(941)749-1901
Fax No. (941)751-8642

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent via U.S. Mail, First Class, Postage Prepaid to: Alex Sink, Chief Financial Officer, Florida Department of Financial Services, 200 E. Gaines Street, Tallahassee, FL 32399-0319; Regina Keenan, Esq., Division of Legal Services, 612 Larson Building, Tallahassee, FL 32399-0333; Joint Administrative Review Procedures Committee, Room 120, The Holland Building, Tallahassee, FL 32399-1300; and Donald A. Dowdell, Hearing Officer, 2142 Deerfield Drives, Tallahassee, FL 32308 on this 18th day of January, 2008

Melanie A. Newby, Esq.
