

**STATE OF FLORIDA
DEPARTMENT OF BUSINESS & PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING**

VOLUSIA JAI-ALAI, INCORPORATED,

Petitioner,

vs.

DBPR CASE No. 2010035959

**DEPARTMENT OF BUSINESS &
PROFESSIONAL REGULATION, DIVISION
OF PARI-MUTUEL WAGERING,**

Respondent.

FINAL ORDER

The State of Florida, Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (Division) hereby enters this Order for the above styled matter.

FINDINGS OF FACT

1. The Division is the state agency charged with regulating pari-mutuel wagering pursuant to Chapter 550, Florida Statutes.
2. On July 1, 2010, Volusia Jai-Alai, Inc., made application to convert the jai alai permit located in Volusia County, Florida, from a jai alai permit to a greyhound permit, in accordance with Section 550.054(14)(a), Florida Statutes (2010).
3. The Division has only issued two pari-mutuel permits in Volusia County pursuant to Section 550.054, Florida Statutes.
4. The jai alai permit has not been previously converted from any other class of permit.
5. Volusia Jai-Alai, Inc., has not conducted jai alai games under the permit during a period of 10 years preceding the date of the conversion application.

6. Volusia Jai-Alai, Inc., has remained in compliance with the provisions of Chapter 550, Florida Statutes.

CONCLUSIONS OF LAW

7. The Division has jurisdiction over the parties and subject matter regarding the conversion application pursuant to Chapter 550, Florida Statutes.

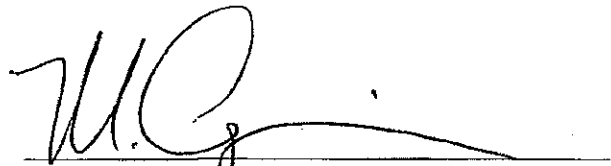
8. Respondent meets the qualifications for conversion set forth in Section 550.054(14)(a), Florida Statutes (2010).

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law it is hereby ORDERED and ADJUDGED that:

That said permit for the conduct of jai alai shall be and is hereby converted to the conduct of the greyhound racing, in the County of Volusia, State of Florida, upon the premises known to the State of Florida, and in accordance with the rules and regulations of the Division of Pari-Mutuel Wagering.

DONE AND ORDERED this 20th day of July, 2010, in Tallahassee, Florida.



MILTON CHAMPION, DIRECTOR
Division of Pari-Mutuel Wagering
Department of Business & Professional Regulation
1940 North Monroe Street
Tallahassee, Florida 32399-1035

NOTICE OF RIGHT TO APPEAL UNLESS WAIVED

Unless expressly waived, any party substantially affected by this final order may seek judicial review by filing an original Notice of Appeal with the Clerk of the Department of

Business and Professional Regulation, and a copy of the notice, accompanied by the filing fees prescribed by law, with the clerk of the appropriate District Court of Appeal within thirty (30) days of rendition of this order, in accordance with Rule 9.110, Florida Rules of Appellate Procedure, and Section 120.68, Florida Statutes.

CERTIFICATE OF SERVICE

I hereby certify this 22nd day of July, 2010, that a true copy of the foregoing "Final Order" has been provided by regular U.S. Mail to:

JOHN M. LOCKWOOD, ESQ.
Rutledge, Ecenia, Purnell & Hoffman, P.A.
119 South Monroe Street, Suite 202
Tallahassee Florida 32301-1529


for: **RONDA BRYAN, AGENCY CLERK**
Department of Business & Professional Regulation

Copies furnished to:

Ralf E. Michels, Assistant General Counsel

RUTLEDGE, ECENIA & PURNELL

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MARGARET A. MENDUNI

July 1, 2010

Mr. Milt Champion, Director
Division of Pari-Mutuel Wagering
1940 North Monroe Street, Suite 40
Tallahassee, Florida 32399

Re: Volusia County Jai Alai Permit Conversation

Dear Mr. ^{Milt} Champion:

Pursuant to Section 6 of Chapter 2009-170, Laws of Florida (the "Conversion Law"), please accept this application for conversion of the Volusia County jai alai permit (the "Permit") owned by Volusia Jai-Alai, Inc., to a greyhound racing permit. As you are aware, the Conversion Law authorizes the conversion of certain jai alai permits if the following conditions are met:

1. Such permit is located in a county in which the division has issued only two pari-mutuel permits pursuant to this section;
2. Such permit was not previously converted from any other class of permit; and
3. The holder of the permit has not conducted jai alai games during a period of 10 years immediately preceding his or her application for conversion under this subsection.

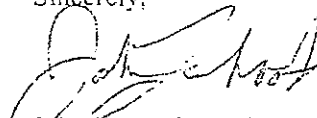
Ch. 2009-170, § 6, Laws of Fla.

The Permit meets all of the conditions outlined above and is eligible for conversion to a greyhound racing permit. The Permit is located in Volusia County, Florida. There are only two permits issued in such county pursuant to Section 550.054, Florida Statutes, the Permit and the greyhound racing permit operated at the Daytona Beach Kennel Club. In addition, the Permit was originally issued as a jai alai permit and was not previously converted from any other class of permit. Further, the Permit and its holder have not conducted jai alai games during a period of 10 years immediately preceding this application for conversion. The Permit's last year of operation was the 1991-1992 state fiscal year.

Mr. Milt Champion
July 1, 2010
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Please contact me should you have any questions.

Sincerely,



John M. Lockwood