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**STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS**

BERNARD SPINRAD and MARIEN SPINRAD,

Petitioners,

vs.

DOAH CASE NO.: 13-2254

OGC CASE NO.: 13-0858

**WILLIAM GUERRERO, CHRISTINA
BANG, A/K/A CHRISTINA GUERRERO
and STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,**

Respondents.

_____ /

MOTION FOR CLARIFICATION ON ORDER REGARDING OCTOBER 17, 2013,
MOTION FOR JUDICIAL NOTICE/OFFICIAL RECOGNITION

COMES NOW, Respondent, the Department of Environmental Protection
("Department"), by and through the undersigned counsel hereby files the following Motion for
Clarification:

1. On October 17, 2013, the Department filed a Motion for Judicial Notice/Official Recognition. The Department requested Judicial Notice/Official Recognition of several Department Emergency Orders, which were attached to the Motion as items a-u and were also included in the Department's exhibit list as Department Exhibit 34 a-u.
2. The undersigned counsel for the Department believes that the Order was granted, but since the Department does not have transcripts of all hearings with the ALJ at this time, seeks an order clarifying whether the Motion was granted.

3. The Department's undersigned counsel has conferred with counsel for all other parties to this proceeding. On April 9, 2014, the Department's undersigned counsel emailed counsel for the Petitioners, Barnard and Marien Spinrad, to determine whether the Petitioners object to this request. Counsel for the Petitioners indicated that she also believes that the October 17th Motion was granted, but was not clear as to whether the Petitioners object to this request. The Department's undersigned counsel sought further clarification from Petitioners counsel, but has not received clarification at the time of this filing. Counsel for the Respondents, William and Chirstina Guerrero, indicated that the Respondent Guerreros have no objection to this request.

Respectfully submitted this 10th day of April, 2014.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

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CERTIFICATE OF SERVICE

I CERTIFY that a copy of the foregoing was electronically mailed to **Patricia Silver**, Esquire, P.O. Box 710, Islamorada, FL 336036 at psilver@silverlawgroup.com; linda@silverlawgroup.com; and service@silverlawgroup.com; to **John Annesser** at JAnnesser@silverlawgroup.com; to **Luna E. Phillips** at lphillips@gunster.com; and to **Deborah K. Tyson** at dtyson@gunster.com on this 10th day of April, 2014.

Brynna J. Ross

BRYNNA J. ROSS

Senior Assistant General Counsel

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