

STATE OF FLORIDA
DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Uma Rosenthal
Janet McMahon

DEPARTMENT OF CHILDREN AND
FAMILY SERVICES,

Petitioner,

CASE NO. 03-0007
RENDITION NO. DCF-03-085-FO

v.

T. B. A.,

Respondent.

FILED

MAR 03 2003

ORDER

DCF Department Clerk

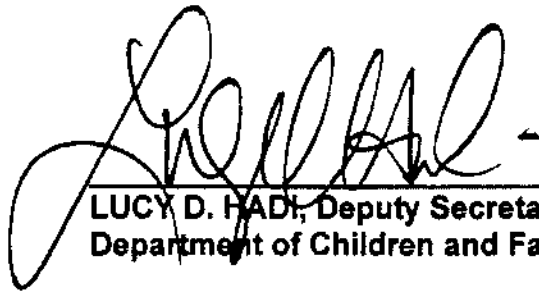
THIS CAUSE is before me as the result of the attached Order Closing File issued by the Administrative Law Judge assigned to case by the Division of Administrative Hearings (DOAH). Based upon the Settlement Agreement, the case file at DOAH has been closed per the terms of the settlement. This matter will be held in abeyance until August, 2003, and the undersigned being fully advised, it is therefore,

ORDERED that the Settlement Agreement between the parties is accepted, adopted.

DONE and **ORDERED** this 26th day of February, 2003 in Tallahassee,

Leon County, Florida.

DEPT. OF CHILDREN AND FAMILY SERVICES
MAR 10 2003



LUCY D. HADI, Deputy Secretary
Department of Children and Family Services

Copies of this Final Order are being furnished to:

Roger L. D. Williams
District 4 Asst. Legal Counsel
Department of Children and Family Services
Post Office Box 2417
Jacksonville, FL 32231-0083


Paul Flounlacker
Asst. General Counsel
Department of Children and Family Services
1317 Winewood Blvd., Bldg. 2, Room 204
Tallahassee, FL 32399-0700

Linda Rosenthal
Family Service Counselor
Department of Children and Family Services
Post Office Box 2417
Jacksonville, FL 32231

T.B.A.
(address of record)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing **ORDER** has been sent by U.S.
Mail or by hand delivery to each of the persons named above on this 3rd day of
March, 2003.


Karen Kugell, Acting Agency Clerk
Department of Children and Families
1317 Winewood Blvd. Bldg. 2, Room 204X
Tallahassee, FL 32399-0700

SETTLEMENT AGREEMENT

This agreement made this 31st day of January, 2003, is between Tedi Bear Adoptions, Inc. and the Department of Children and Families (Department).

The Department seeks to revoke Tedi Bear Adoptions, Inc. license as a child-placing agency, said license issued to its Executive Director, Tedi Hedstrom, (licensee) on the grounds as alleged in Amended Administrative Complaint dated December 12, 2002. (Attached as Exhibit "A" and incorporated herein by reference). There is now pending in the Division of Administrative Hearings, State of Florida, Case No.: 03-0007, based upon the referenced Amended Administrative Complaint, entitled **DEPARTMENT OF CHILDREN AND FAMILY SERVICES, Petitioner, vs. TEDI BEAR ADOPTIONS, INC., Respondent.**

Both parties to this agreement wish to reach a full and final settlement of all matters and all causes of action arising out of the facts and claims as set forth in Exhibit "A".

The parties to this agreement, in consideration of all the mutual covenants and agreements to be performed, as set forth below, agree as follows:

1. Respondent, Tedi Hedstrom, (hereafter "licensee") doing business as Tedi Bear Adoptions, Inc., agrees to voluntarily relinquish the child placing agency license issued to her by the Department.
2. The Department agrees to hold in abeyance, any action to be taken in connection with Exhibit "A", for a period of six (6) months.
3. The licensee agrees to provide services to only those clients currently in the adoption process, as contained on the client-in-process list, which is attached as Exhibit "B" and incorporated herein by reference.
4. The licensee informs the Department it has not acquired any new clients since the time it was served with the initial Administrative Complaint and it agrees to acquire no other clients.
5. The licensee will make all diligent efforts to finalize the adoption process for the clients identified in Exhibit "B", within the six-month period as set forth in this agreement.
6. Within 30 days of the date of execution of this agreement, the licensee shall provide the Department with a transition plan which sets-forth action steps and time frames by which the licensee will fulfill its obligations to those clients listed in Exhibit "B". The plan shall specifically include action steps necessary for clients whose services cannot be completed within six (6) months.
7. At the end of the six-month period, the licensee shall voluntarily relinquish the child placing agency license issued by the Department.

8. At the end of the six-month period, and upon the parties' substantial compliance with the terms of this agreement, the Department shall dismiss the administrative complaint as contained in Exhibit "A". If the licensee fails to relinquish its license, then the licensee consents to its revocation.

9. Licensee will not make application for a child placing agency license in Florida for a period of four (4) years from the date of relinquishment or revocation of her current license."

10. By entering into this agreement, the licensee, now and forever, waives any right to an administrative hearing in connection with Exhibit "A", with the exception of the issue of substantial compliance with the terms of this agreement.

11. In entering into this agreement, the parties represent that they have relied upon the advise of their attorney, or that the terms of this agreement have been completely read and is fully understood by them.

12. In entering this agreement, the parties represent that they do so freely, voluntarily, knowingly and intelligently, and with full understanding of the consequences of doing so.

13. The parties agree that the terms of this agreement bind the parties to this agreement, their heirs, executors, administrators, assigns, and agents.

14. Each party has cooperated in the drafting and preparation of this agreement. Hence, in any construction to be made of this agreement, the same shall not be construed against any party on the basis the party was the drafter.

15. All terms and conditions of this settlement are as fully set forth in this document and there are no other material terms.

16. Each party shall bear its own fees and costs as to this administrative proceeding and for any litigation in connection with or concerning an alleged breach of this agreement.

Tedi Hedstrom 11/31/02 Tedi Hedstrom
Tedi Hedstrom Date NAME IN PRINT

Betty S. Carley 10/31/02 Betty S. Carley
Betty S. Carley Date NAME IN PRINT
Acting District Administrator
Department of Children and
Families, District Four

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

DEPARTMENT OF CHILDREN AND)
FAMILY SERVICES,)
)
Petitioner,)
)
vs.)
)
TEDI BEAR ADOPTIONS, INC.,)
)
Respondent.)
_____)

Case No. 03-0007

FILED

JAN 28 2003

DCF Department

ORDER CLOSING FILE

This cause having come before the undersigned on
Petitioner's Motion to Hold Administrative Hearing in Abeyance
to engage in settlement negotiations filed on January 23, 2003,
see Section 120.57(4), Florida Statutes, and on ~~Jan 28 2003~~
being fully advised, it is, therefore, DCF Department

ORDERED that:

1. The final hearing will not be set as the parties have
negotiated a settlement which will be presented to the Office of
Licensure and Certification.

2. The file of the Division of Administrative Hearings in
the above-captioned matter is hereby closed with leave for
either party to request the Division to reopen the case, should
the settlement be disapproved by the Office of Licensure and
Certification. See Section 120.569(2)(a), Florida Statutes.

DONE AND ORDERED this 27th day of January, 2003, in Tallahassee, Leon County, Florida.

Diane Cleavinger

DIANE CLEAVINGER
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675 SUNCOM 278-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 27th day of January, 2003.

COPIES FURNISHED:

Tedi Bear Adoptions, Inc.
1415 Atlantic Boulevard
Neptune Beach, Florida 32266

Paul Flounlacker, Esquire
Department of Children and
Family Services
1317 Winewood Boulevard
Building 2, Room 204B
Tallahassee, Florida 32399-0700