

**STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
BOARD OF PILOT COMMISSIONERS  
PILOTAGE RATE REVIEW COMMITTEE**

<b>FILED</b>	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	<b>4/24/2015</b>
File #	

In re: Application for a Change in

Rates of Pilotage at Port of Miami,  
filed by the Florida-Caribbean  
Cruise Association

Case No.: PRRC 2014-A  
DCA Case No. 1D14-3974

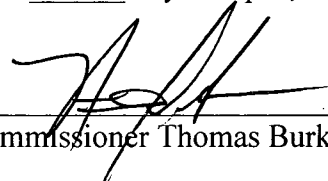
ORDER OF COMMISSIONER THOMAS BURKE ON THE  
BISCAYNE BAY PILOTS' ASSOCIATION MOTION TO DISQUALIFY

On July 24, 2014, the Biscayne Bay Pilots Association (BBP) filed its MOTION AND SUGGESTION TO DISQUALIFY COMMISSIONERS BURKE AND MIGUEZ AND REQUEST FOR CONTINUANCE OF PUBLIC HEARING. On July 31, 2014 at a duly noticed and convened meeting of the Board of Pilot Commissioners, Pilotage Rate Review Committee, the Committee denied that Motion on procedural grounds. That denial was challenged by Biscayne Bay Pilots, Inc. in a Petition for Writ of Prohibition which was denied by the First District Court of Appeal in Case No. 1D14-3974 on April 8, 2015.

At the July 31, 2014 meeting, in consideration of the aforementioned motion, I stated on the record that I declined to disqualify myself in this matter. In the interest of efficiently moving this case forward, I will now treat the Motion as one to disqualify myself and Commissioner Miguez individually. **THEREFORE:**

Insofar as the above referenced motion relates to my participation in the above styled matter, said motion is DENIED.

By ORDER of Commissioner Thomas Burke this 23<sup>rd</sup> day of April, 2015.

  
\_\_\_\_\_  
Commissioner Thomas Burke

**NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW**

Pursuant to Section 120.68(1), Florida Statutes, any party that is adversely affected by this Order, which is preliminary, procedural or intermediate in nature, may request judicial review if review of the final agency action would not provide an adequate remedy on appeal.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic mail to: **Donna E. Blanton**, Radey Law Firm, 301 South Bronough, Ste. 200, Tallahassee, Florida 32301 [dblanton@radeylaw.com](mailto:dblanton@radeylaw.com); **Robert D. Peltz**, The Peltz Law Firm, P.O. Box 56-0003, Miami, FL 33256, [rpeltzlaw@gmail.com](mailto:rpeltzlaw@gmail.com); and **Warren H. Husband**, Metz, Husband & Daughton, 215 S. Monroe St., Suite 505, Tallahassee, FL 32301; **Thomas F. Panza** and **Greg McDermott**, Panza Maurer & Maynard, 3600 North Federal Highway, 3d Floor, Ft. Lauderdale, Florida 33308, [tpanza@panzamaurer.com](mailto:tpanza@panzamaurer.com), [gmcdermott@panzamaurer.com](mailto:gmcdermott@panzamaurer.com); and **George Meros**, **Andy Bardos** and **James Timothy Moore, Jr.**, GrayRobinson, P.A., P.O. Box 11189, Tallahassee, FL 32302-3189, [George.Meros@gray-robinson.com](mailto:George.Meros@gray-robinson.com), [Andy.Bardos@gray-robinson.com](mailto:Andy.Bardos@gray-robinson.com), [Tim.Moore@gray-robinson.com](mailto:Tim.Moore@gray-robinson.com), on this 24<sup>th</sup> day of ~~January~~ <sup>April</sup>, 2015.

*Brandon M. Nicks* <sup>April</sup> *Bme*