

**STATE OF FLORIDA  
STATE BOARD OF ADMINISTRATION**

FELICIA MCDADE	)	
	)	
Petitioner,	)	
	)	
vs.	)	SBA Case No. 2019-0249
	)	
STATE BOARD OF ADMINISTRATION,	)	
	)	
Respondent.	)	
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**FINAL ORDER OF DISMISSAL**

During her scheduled hearing on September 24, 2019, the Petitioner, Felicia McDade, decided to withdraw her Petition for Hearing, claiming that she would pursue other avenues to resolve her situation, including attempting to change the law that provides that a default into remaining in the Pension Plan, when the Florida Retirement System Investment Plan began in 2002, was an initial plan choice election. In response, the Presiding Officer entered a Recommended Order of Dismissal, which is attached as Exhibit A. The matter is now pending before the Chief of Defined Contribution Programs for final agency action.

**ORDERED**

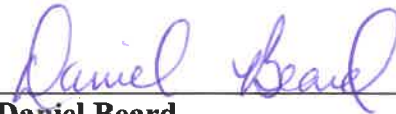
This Final Order of Dismissal is entered, based on Petitioner's voluntary withdrawal of her Petition for Hearing that initiated the case.

Any party to this proceeding has the right to seek judicial review of the Final Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the State

Board of Administration in the Office of the General Counsel, State Board of Administration, 1801 Hermitage Boulevard, Suite 100, Tallahassee, Florida, 32308, and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within thirty (30) days from the date the Final Order is filed with the Clerk of the State Board of Administration.

DONE AND ORDERED this 9<sup>th</sup> day of January, 2020, in Tallahassee, Florida.

**STATE OF FLORIDA  
STATE BOARD OF ADMINISTRATION**



**Daniel Beard**  
Chief of Defined Contribution Programs  
State Board of Administration  
1801 Hermitage Boulevard, Suite 100  
Tallahassee, Florida 32308  
(850) 488-4406

FILED ON THIS DATE PURSUANT TO SECTION 120.52, FLORIDA STATUTES WITH THE DESIGNATED CLERK OF THE STATE BOARD OF ADMINISTRATION, RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED.



Tina Joanos  
Agency Clerk

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order of Dismissal was sent via electronic mail to [REDACTED], and by U.P.S. to [REDACTED] and by email transmission to Deborah Minnis, Esq. (dminnis@ausley.com) and Ruth Vafek (rvafek@ausley.com), Ausley & McMullen, P.A., 123 South Calhoun Street, P.O. Box 391, Tallahassee, Florida 32301, this 9th day of January, 2020.



Ruth A. Smith  
Assistant General Counsel  
State Board of Administration of Florida  
1801 Hermitage Boulevard  
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Tallahassee, FL 32308

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FELICIA MCDADE

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vs.

CASE NO. 2019-0249

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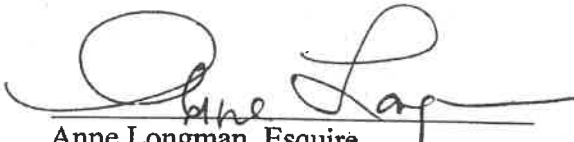
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**RECOMMENDED ORDER OF DISMISSAL**

At the scheduled hearing on September 24, 2019, Petitioner Felicia McDade stated that she had reviewed the Respondent's Exhibits R1-6, which were admitted into evidence without objection. After reviewing those exhibits, she decided to withdraw her Petition for Hearing filed August 15, 2019. She still asserts that her default into remaining in the Pension Plan, when the Florida Retirement System (FRS) Investment Plan began in 2002, was not an initial election, and that her later election into the Investment Plan was a first and not a second election and therefore permissible. But Petitioner determined that she will follow other avenues to dispute and attempt to change the law governing this issue.

I therefore recommend that the State Board of Administration enter a final order dismissing the petition in this case.

DONE AND ORDERED at Tallahassee, Leon County, Florida, and this 26<sup>th</sup> day  
of September, 2019.

  
Anne Longman, Esquire

Presiding Officer  
For the State Board of Administration  
Lewis, Longman & Walker, P.A.  
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COPIES FURNISHED via mail and electronic mail to:

Felicia McDade



Petitioner

and via electronic mail only to:

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Counsel for Respondent