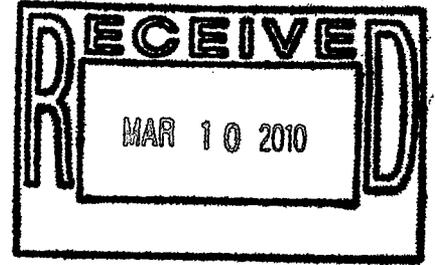


STATE OF ALABAMA
BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND
LAND SURVEYORS



IN RE THE MATTER OF:

RICK CALDWELL
CALENCO LLC

Case No. 10-08-C

CONSENT ORDER

Rick Caldwell, an unlicensed individual (hereinafter referred to as "Respondent") and his Firm Calenco, LLC, a non-certificated Alabama company (hereinafter referred to as "Firm") hereby stipulates and agrees, subject to approval of the State of Alabama Board of Licensure for Professional Engineers and Land Surveyors (hereinafter referred to as the "Board") as follows:

STIPULATED FACTS

Respondent stipulates he has never held a valid license from the Board authorizing him to practice or offer to practice engineering in the State of Alabama. Respondent also stipulates at no time has Firm held a valid Certificate of Authorization for engineering from the Board allowing it to practice or offer to practice engineering in the State of Alabama.

Respondent stipulates on December 21, 2009, the Board received a complaint from Mr. Billy Mitchell, an Alabama licensed professional engineer, alleging Respondent and Firm may be practicing or offering to practice engineering services in the State of Alabama without obtaining a valid professional engineer license from the Board. The complaint further indicated the Firm was being advertised as "Caldwell Engineering Company" without obtaining a Certificate of Authorization for engineering from the Board or hiring an Alabama Licensed Professional Engineer.

Respondent stipulates Firm operated multiple vehicles that displayed signage containing the language "Caldwell Engineering Company" which made it appear Firm was a licensed professional engineering firm in the State of Alabama. Respondent further stipulates Firm has not been issued a Certificate of Authorization for engineering from the Board and does not employ an Alabama licensed professional engineer.

STIPULATED CONCLUSIONS OF LAW

Respondent, in his capacity as President and owner of the Firm, admits in such capacity he and Firm are subject to the provisions of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11 and the jurisdiction of the Board.

Respondent stipulates his conduct as set forth in the foregoing "Stipulated Facts" constitutes violations of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-15(b), § 34-11-16(a)2.

Respondent stipulates the conduct of Firm set forth in the "Stipulated Facts" is a violation of those rules and statues set forth above, and that Firm is subject to disciplinary action under Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11.

STIPULATED DISPOSITION

1. Respondent and Firm shall not in the future violate the provisions of Title 34, Chapter 11, Code of Alabama 1975.

2. Respondent understands this Consent Order and subsequent Final Order will become a matter of public record.

3. Respondent shall pay to the General Fund of the State of Alabama a civil penalty of \$500.00 (five hundred dollars) within thirty (30) days of date of Final Order.

4. Respondent shall pay to the Board \$144.30 (one hundred and forty-four dollars and thirty cents) for expenses incurred during the investigation within thirty (30) days of date of Final Order.

5. Respondent agrees Firm shall **cease and desist** using the term "engineering" in the State of Alabama until Firm employs a licensed Alabama professional engineer and obtains a Certificate of Authorization for engineering from the Board.

6. Respondent understands this Consent Order is subject to the approval of the Board and has no force and effect until a Final Order based upon it is rendered by the Board.

7. Respondent agrees any violation of the terms of this Consent Order, may result in the Board filing additional charges in accordance with the Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11.

8. Respondent understands in order to make a decision relative to approving this Consent Order discussions must take place between Board members, Board Staff and Board Counsel. Respondent understands that this discussion will take place at the Board's regularly scheduled meeting on **March 25-26, 2010** in Montgomery Alabama. Respondent understands he has the right to be present when this matter is discussed but hereby waives that right.

9. Respondent understands he has the right to seek the advice of legal counsel. Respondent also understands he has the right to a formal fact finding hearing before the Board, to compel the testimony of witnesses, to cross-examine witnesses against him, and to obtain judicial review of the Board's decision in said formal hearing but expressly waives these rights with execution of this Consent Order and Final Order of the Board.

10. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Consent Order, the stipulated facts, conclusions of law and imposition of administrative action contained herein, and the Final Order of the Board incorporating said Consent Order.

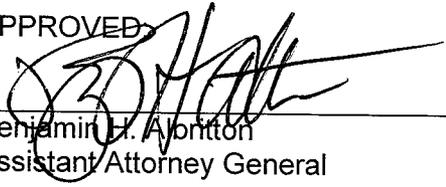
11. Respondent, for the purpose of avoiding further administrative action with respect to this cause executes this Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation in or resolution of these proceedings. Likewise, if this Consent Order is not accepted, the Board shall not take into consideration the contents of this Order as evidence of an admission.

SIGNED this the 8 day of MARCH, 2010.



Rick Caldwell
Respondent

APPROVED:



Benjamin L. Abington
Assistant Attorney General

**STATE OF ALABAMA
BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND
LAND SURVEYORS**

IN RE THE MATTER OF:

**RICK CALDWELL
CALENCO LLC**

Case No. 10-08-C

FINAL ORDER

On March 25, 2010 the Alabama Board of Licensure for Professional Engineers and Land Surveyors convened for a regularly scheduled Board meeting. The Board Members in attendance at the meeting were: Mr. William C. Ulrich, Jr, Mr. Don T. Arkle, Mr. C. Michael Arnold, Mr. W. Gerald Wilbanks, Mr. Al I. Reisz, Dr. Daniel S. Turner, and Mr. Phillip E. Santora. Also present at the Board Meeting was Mr. William R. Huett, Assistant Executive Director and Investigator for the Board. Mr. Benjamin Albritton, Assistant Attorney General, appeared as counsel for the Board.

This Final Order is presented to the Board upon a Consent Order signed by Mr. Rick Caldwell and dated March 8, 2010. In said Consent Order, Respondent stipulated that he violated the Code of Alabama 1975 § 34-11-15(b) and § 34-11-16(a) 2.

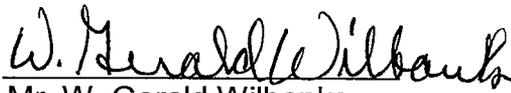
Upon Consideration of the above it is ORDERED that the Consent Order dated March 8, 2010 is adopted by the Board and hereby made a part of this Final Order. It is further ORDERED that Respondent abide by the Final Order in this manner.

ENTERED this the 26th day of March 2010.


Mr. William C. Ulrich, Jr.

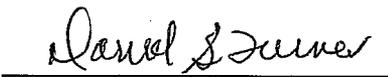

Mr. Don T. Arkle

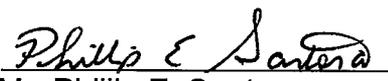

Mr. C. Michael Arnold


Mr. W. Gerald Wilbanks


Mr. Al. I. Reisz

RECUSED


Dr. Daniel S. Turner


Mr. Phillip E. Santora