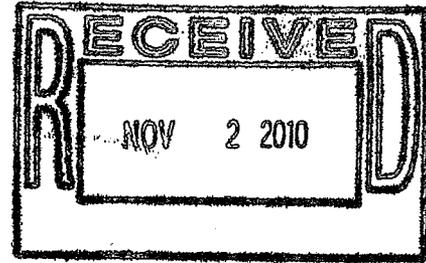


STATE OF ALABAMA
BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND
LAND SURVEYORS



IN RE THE MATTER OF:
LAWRENCE FISCHER

Case No. 10-35-B

CONSENT ORDER

Lawrence Fischer (hereinafter referred to as "Respondent") 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 on July 10, 1992 the Board issued him a Certificate of Licensure (Licensure Number 19088) authorizing him to practice as a professional engineer in the State of Alabama. Respondent has held that certificate continuously from that date to the present.

Respondent stipulates on July 22, 2010 a complaint was filed by Ms. Regina A. Dinger, Executive Director of the Board of Professional Engineers and Land Surveyors (hereinafter referred to as "Complainant") based on information received by the Board regarding disciplinary action taken against Respondent in the State of Arkansas.

Respondent stipulates on July 23, 2010 the Board sent a complaint notification letter via regular mail informing Respondent of a Board initiated complaint. Respondent was asked to provide copies of documents relating to any disciplinary action taken against him in Arkansas as well as any other jurisdiction and to provide those documents prior to August 6, 2010.

Respondent stipulates on April 23, 2010 the Arkansas State Board of Licensure for Professional Engineers and Land Surveyors issued a Final Order accepting the voluntary

surrender of Respondent's license to practice engineering in the State of Arkansas and requiring him to pay a \$100.00 fine relative to placing his professional engineer seal and signature to electrical, mechanical and plumbing drawings that were not prepared by him or under his supervision.

STIPULATED CONCLUSIONS OF LAW

Respondent in his capacity as a licensed Professional Engineer in the State of Alabama stipulates that in such capacity he is subject to the provisions of Title 34, Chapter 11, Code of Alabama 1975, and the Rules and Regulations of the *Administrative Code* of this Board.

Respondent stipulates his conduct as set forth in the foregoing "Stipulated Facts" may constitute violations of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11(a)(5) and violations of the Rules of Professional Conduct of the *Administrative Code* § 330-X-14-.06(a)(1), § 330-X-14-.06(a)(5) and § 330-X-14-.08.

Respondent stipulates his conduct set forth in the "Stipulated Facts" may constitute a violation of those rules and statutes set forth above, and he is subjecting himself to disciplinary action under Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11.

STIPULATED DISPOSITION

1. Respondent shall not in the future violate the provisions of Title 34, Chapter 11, Code of Alabama 1975, or the Rules and Regulations of the *Administrative Code* and the Rules of Professional Conduct promulgated together.

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

3. Respondent shall surrender his State of Alabama professional engineer license immediately upon date of Final Order and shall not seek reissuance of his license to practice engineering in the State of Alabama for a period of three (3) years after date of Final Order.

4. Respondent shall submit design drawings regarding three projects selected by the Board prior to the Board considering a request for re-issuance of his license to practice engineering in the State of Alabama.

5. 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.

6. 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.

7. 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 next regularly scheduled meeting in Montgomery Alabama. Respondent understands he has the right to be present when this matter is discussed but hereby waives that right.

8. 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.

9. 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.

10. 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 first day of November, 2010



Lawrence Fischer
Respondent

APPROVED:



Benjamin H. Albritton
Assistant Attorney General

STATE OF ALABAMA
BOARD OF LICENSURE FOR
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IN RE THE MATTER OF:

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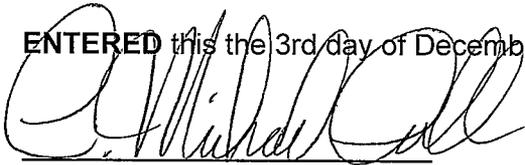
FINAL ORDER

On December 2-3, 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. C. Michael Arnold, Mr. William C. Ulrich, Jr., Mr. W. Gerald Wilbanks, Dr. Daniel S. Turner, Mr. Phillip E. Santora, Mr. Earl R. Foust and Mr. Don T. Arkle. Mr. Benjamin Albritton, Assistant Attorney General, appeared as counsel for the Board.

This Final Order is based upon a Consent Order signed by Mr. Lawrence Fischer, (hereafter referred to as Respondent) and dated November 1, 2010. In the Consent Order, Respondent stipulated he violated the Code of Alabama 1975, § 34-11-11(a)(5) and the Rules of Professional Conduct of the *Administrative Code* § 330-X-14-.06(a)(1), § 330-X-14-.06(a)(5) and § 330-X-14-.08.

Upon Consideration of the above it is **ORDERED** that the Consent Order dated November 1, 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 3rd day of December, 2010



C. Michael Arnold



William C. Ulrich, Jr

NOT PRESENT

W. Gerald Wilbanks



Daniel S. Turner

RECUSED

Phillip E. Santora



Earl R. Foust



Don T. Arkle