

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

IN RE THE MATTER OF:

LAKESHORE ENGINEERING SERVICES, INC

Case No. 10-45-C

CONSENT ORDER

Lakeshore Engineering Services, Inc., a non-certificated company (hereinafter referred to as "Respondent") by and through its representative and legal counsel, Ms. Sarah C. Arnold, 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 it has never held a valid certificate of authorization for engineering from the Board authorizing him to practice or offer to practice engineering in the State of Alabama.

Respondent stipulates on September 10, 2010 the Board, by and through its Executive Director Ms. Regina A. Dinger, filed a complaint which indicated Respondent may have provided engineering services in the State of Alabama without employing an Alabama licensed professional engineer or obtaining a certificate of authorization for engineering from the Board.

Respondent stipulates that it, and Mr. Abdul A. Khandker a State of Michigan licensed professional engineer, provided engineering services relative to foundation designs for projects located on Fort Rucker in Enterprise, Alabama without employing a licensed Alabama professional engineer or obtaining a certificate of authorization for engineering. Respondent

further stipulates it has never been issued a Certificate of Authorization for engineering from the Board and does not employ an Alabama licensed professional engineer.

Respondent stipulates it included the title "engineering" in its name and submitted engineering design plans to a client in Enterprise, Alabama using the title "engineering" without obtaining a valid certificate of authorization for engineering from the Board. Respondent further stipulates it has never 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, as an un-certificated Firm admits in such capacity it is subject the provisions of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11 and the jurisdiction of the Board.

Respondent stipulates its conduct as set forth in the foregoing "Stipulated Facts" constitutes violations of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-9(a) (1 & 5), § 34-11-15(b), § 34-11-16(a) (1).

Respondent stipulates its conduct 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 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 submit to the Board a civil penalty of \$1,500.00 (one thousand five hundred dollars) payable to the General Fund of the State of Alabama within thirty (30) days of Final Order.

4. Respondent shall pay the Board \$186.41 (one hundred eighty six dollars and forty-one cents) for expenses incurred during the investigation within thirty (30) days of date of Final Order.

5. Respondent understands it must **cease and desist** the offering or providing of engineering services in the State of Alabama until it employs a licensed Alabama professional engineer and obtains a certificate of authorization for engineering from the Board. Respondent further understands if it does not employ a licensed Alabama professional engineer and obtain a certificate of authorization for engineering within ninety (90) days of Final Order it must remove the title "Engineering" from its name.

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.

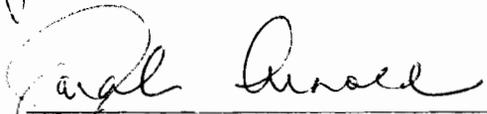
8. Respondent understands in order to make a decision relative to approving this Consent Order discussions must take place between Board Members, Board Staff and Board Counsel. Respondent understands this discussion will take place at the Board's next regularly scheduled meeting in Montgomery Alabama. Respondent understands it or its representative has the right to be present when this matter is discussed but hereby waives that right.

9. Respondent understands it has the right to seek the advice of legal counsel. Respondent also understands it has the right to a formal fact finding hearing before the Board, to compel the testimony of witnesses, to cross-examine witnesses against it, 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.

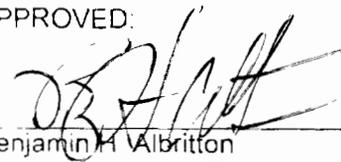
11. Respondent, for the purpose of avoiding further administrative action with respect to this cause executes this Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order by the Board shall not unfairly or illegally 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 24 day of January, 2011



Sarah G. Arnold
Legal Counsel
Lakeshore Engineering Services, Inc.

APPROVED:



Benjamin H. Albritton
Assistant Attorney General

STATE OF ALABAMA
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FINAL ORDER

On January 31, 2011, 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.

This Final Order is based upon a Consent Order signed by Lakeshore Engineering Services, Inc., (hereafter referred to as Respondent) by and through its representative and legal counsel Sarah C. Arnold and dated January 24, 2011. In the Consent Order, Respondent stipulated it violated the Code of Alabama 1975, § 34-11-9(a) (1 & 5), § 34-11-15(b) and § 34-11-16(a) (1).

Upon Consideration of the above it is **ORDERED** that the Consent Order dated January 24, 2011 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 31st day of January, 2011



C. Michael Arnold



William C. Ulrich, Jr



W. Gerald Wilbanks



Daniel S. Turner



Phillip E. Santora



Earl R. Foust

RECUSED

Don T. Arkle