

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

IN RE THE MATTER OF:

**CYNTHIA STRAUGHAN
MSI ENGINEERS, INC.**

CASE NO. 2013-09-C

CONSENT ORDER

Cynthia Straughan, an individual and her firm, MSI Engineers, Inc., are a Texas Licensed Professional Registered Engineering company located in Cypress, Texas (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 she has never received a license to practice engineering in the State of Alabama. Respondent also stipulates the company "MSI Engineers, Inc." has never received a certificate of authorization from the Board authorizing it to practice or offer to practice engineering in the State of Alabama.

Respondent stipulates on December 17, 2012 the Board received a complaint alleging Respondent and her company may be providing or offering to provide engineering services in the State of Alabama relative to an internet website advertisement which indicates Alabama licensure without employing an Alabama licensed professional engineer or obtaining a certificate of authorization for engineering from the Board.

Respondent stipulates she and her firm maintained an internet webpage that contained language that stated "MSI is certified as DBE, SBE, HUB, M/WBE, Texas firm 7368, Subsurface Utility Engineer, and National Bridge Inspector. We are licensed in the states of Alabama, Arkansas, Arizona, California, Florida, Hawaii, Iowa, Kansas, Kentucky, Louisiana,

Michigan, New York, Ohio, South Carolina, Texas, Utah, Virginia, and Washington.” Respondent stipulates that although her firm did employ an Alabama Licensed Professional Engineer at the time of said publication, neither she nor her firm maintained a certificate of authorization from the Board authorizing it to practice or offer to practice engineering in the State of Alabama.

Respondent stipulates the firm has ceased and desisted the use of any language that could be construed to indicate it maintains a certificate of authorization, and will continue to do so in the future until such time as it obtains a certificate of authorization.

STIPULATED CONCLUSIONS OF LAW

Respondent admits she is subject to the provisions of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11 and the jurisdiction of the Board.

Respondent stipulates her 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)(1).

Respondent stipulates her conduct as set forth in the “Stipulated Facts” is a violation of those statutes set forth above, and it 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 has ceased and desisted the use of any language that could be construed to indicate it maintains a certificate of authorization, and will continue to do so in the future until such time as it obtains a certificate of authorization.

4. Respondent shall submit to the Board a certified check in the amount of \$1,500.00 (one thousand five hundred dollars) made payable to the **General Fund of the State of Alabama** with this signed Consent Order.

5. Respondent shall submit to the Board a certified check in the amount of \$73.07 (seventy-three dollars and seven cents) made payable to the **Board** for the costs associated with the complaint investigation with this signed Consent Order.

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 a regularly scheduled meeting of the Board in Montgomery Alabama.

9. Respondent understands she has the right to seek the advice of legal counsel. Respondent also understands she has the right to a formal fact finding hearing before the Board, to compel the testimony of witnesses, to cross-examine witnesses against her, 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 27 day of Sept, 2013

Cynthia Straughan
Cynthia Straughan
MSI Engineers, Inc.

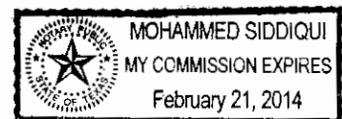
APPROVED:

[Signature]
Benjamin H. Albritton
Assistant Attorney General

STATE OF TEXAS
COUNTY OF HARRIS

This document was acknowledged before me by
CYNTHIA STRAUGHAN. Given under my hand and Seal
on the 27th day of September 2013

NOTARY PUBLIC OF TEXAS
MOHAMMED SIDDIQUI
[Signature]



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

IN RE THE MATTER OF:

CYNTHIA STRAUGHAN
MSI ENGINEERS, INC.

CASE NO. 2013-09-C

FINAL ORDER

On October 9, 2013, the Alabama Board of Licensure for Professional Engineers and Land Surveyors convened for a regularly scheduled meeting. The Board Members in attendance at the meeting were: Mr. Phillip E. Santora, Mr. Earl Foust, Mr. Marc S. Barter, Mr. Charles P. Willis, Mr. Frazier Christy, Mr. W. Gerald Wilbanks and Dr. Daniel S. Turner.

This Final Order is based upon a Consent Order signed by Cynthia Straughan (hereafter referred to as "Respondent") and dated September 27, 2013. In the Consent Order, Respondent stipulated the firm violated the Code of Alabama 1975, § 34-11-15(b) and § 34-11-16(a)(1).

Upon Consideration of the above it is **ORDERED** that the Consent Order dated September 27, 2013 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.

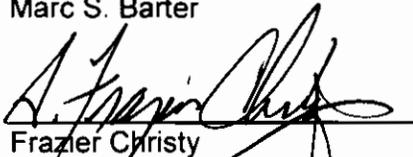
ENTERED this the 9th day of October, 2013


Phillip E. Santora

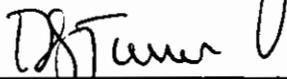

Earl R. Foust

RECUSED
Marc S. Barter

DID NOT ATTEND
Charles P. Willis


Frazier Christy


W. Gerald Wilbanks


Daniel S. Turner