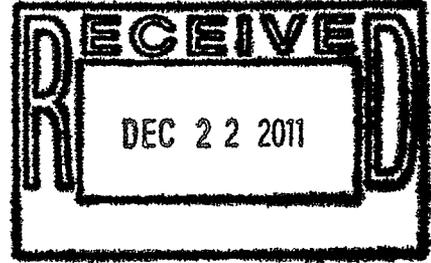


STATE OF ALABAMA
BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND
LAND SURVEYORS



IN RE THE MATTER OF:

PARTNER ENGINEERING & SCIENCE, INC

Case No. 2011-47-C

CONSENT ORDER

Partner Engineering & Science, Inc., a non-certificated company (hereinafter referred to as "Respondent") by and through its representative and president, Mr. Joseph Derhake, 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 the firm, located in Plano, Texas has never been issued a Certificate of Authorization for engineering by the Board which would allow it to practice or offer to practice engineering in the State of Alabama.

Respondent stipulates on August 17, 2011 the Board received a complaint from Ms. Judith A. Pike, an Alabama licensed professional engineer (PE #23132) alleging Respondent may be providing or offering to provide engineering services in the State of Alabama without employing an Alabama licensed professional engineer and obtaining a Certificate of Authorization for engineering from the Board. Respondent further stipulates the complaint indicated the firm may have submitted a Phase I Environmental Site Assessment Report dated May 25, 2011 relative to commercial property located in Irondale, Alabama without employing an Alabama licensed professional engineer and obtaining a Certificate of Authorization for engineering from the Board.

Respondent stipulates the firm's name contains the term "Engineering" which appears to indicate the firm is a professional engineering firm and performs engineering services. Respondent further stipulates the firm prepared an Environmental Site Assessment Report dated May 25, 2011 for a project located in Irondale, Alabama without employing a licensed professional engineer and obtaining a certificate of authorization for engineering from the Board authorizing it to provide or offer engineering services in the State of Alabama.

STIPULATED CONCLUSIONS OF LAW

Respondent admits it 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 its 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 its 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 shall remove the term "Engineering" from its name within ninety (90) days of date of Final Order if it intends to continue conducting business in the State of Alabama. Respondent understands after this (90) ninety days, it must *cease and desist* use of the title "Engineering" (or any modification thereof) in the State of Alabama until such time it employs an Alabama licensed professional engineer and obtains a Certificate of Authorization for engineering from the Board.

4. Respondent shall submit to the Board a civil penalty of \$1,000.00 (one thousand dollars) payable to the General Fund of the State of Alabama within thirty (30) days of the date of the Final Order.

5. Respondent shall pay the Board \$219.99 (two hundred nineteen dollars and ninety-nine cents) for expenses incurred during the investigation within thirty (30) days of the date of the Final 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.

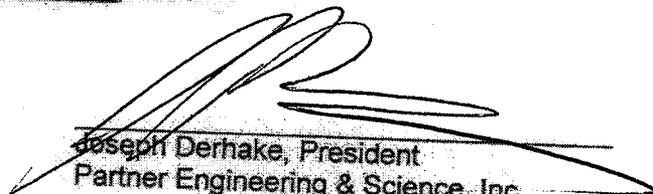
8. Respondent understands in order to make a decision relative to approving this Consent Order discussions must take place between Board Members, Board Staff and Board Counsel. Respondent understands that this discussion will take place at a regularly scheduled meeting of the Board in Montgomery Alabama. Respondent understands he 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.

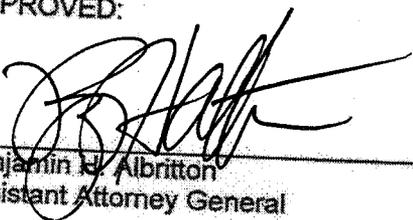
10. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Consent Order, the stipulated facts, conclusions of law and imposition of administrative action contained herein, and the Final 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 16 day of November, 2011


Joseph Derhake, President
Partner Engineering & Science, Inc.

APPROVED:


Benjamin H. Albritton
Assistant Attorney General

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

IN RE THE MATTER OF:

PARTNER ENGINEERING & SCIENCE, INC.

Case No. 2011-47-C

FINAL ORDER

On January 31, 2012, 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. W. Gerald Wilbanks, Mr. C. Michael Arnold, Dr. Daniel S. Turner, Mr. Phillip E. Santora, and Mr. Don T. Arkle.

This Final Order is based upon a Consent Order signed by Joseph Derhake, President of Partner Engineering & Science, Inc. (hereafter referred to as Respondent) and dated November 16, 2011. In the Consent Order, Respondent stipulated 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 November 16, 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, 2012

RECUSED

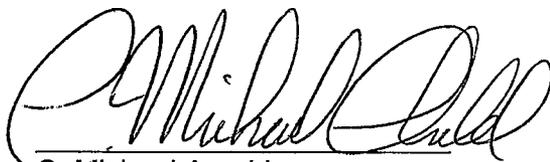
W. Gerald Wilbanks

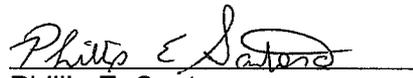

Daniel S. Turner

DID NOT ATTEND

Earl R. Foust


William C. Ulrich, Jr


C. Michael Arnold


Phillip E. Santora


Don T. Arkle