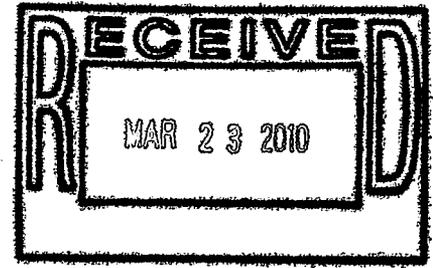


STATE OF ALABAMA
BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND
LAND SURVEYORS



IN RE THE MATTER OF:

DAVID L. THOMAS
EAGLE 1 RESOURCES

Case No. 09-294-C
09-298-C

CONSENT ORDER

David L. Thomas, an unlicensed individual and business owner (hereinafter referred to as "Respondent") and Eagle 1 Resources 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 from the Board allowing it to practice or offer to practice engineering in the State of Alabama.

Respondent stipulates on March 11, 2009 the Board received a complaint (Case No. 09-294-C) alleging Respondent and Firm may be practicing or offering to practice engineering services in the State of Alabama without obtaining a valid Certificate of Authorization from the Board.

Respondent stipulates on April 9, 2009 the Board received a second complaint (Case No. 09-298-C) alleging Respondent and Firm may be practicing or offering to practice engineering services in the State of Alabama without obtaining a valid Certificate of Authorization from the Board.

Respondent stipulates he and his Firm published information in correspondence and on its internet website which made it appear Firm was offering engineering services in the State of Alabama without being issued a valid Certificate of Authorization from the Board or hiring 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 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 his and Firm's 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), § 34-11-15(b), and § 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 and Firm shall jointly pay the Board six hundred forty six dollars (\$646.00) for expenses incurred during the investigation and shall pay a civil penalty to the State of Alabama General Fund of one thousand dollars (\$1,000.00) for a total of \$1,646.00. These monetary payments shall be payable in consecutive minimum monthly installments of \$100.00 beginning on April 26, 2010.

4. Respondent and Firm agree 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.

5. Respondent and Firm agree 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.

6. Respondent and Firm agree 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 and Firm understand 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 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.

8. Respondent and Firm agree, and for the purpose of avoiding further administrative action with respect to this cause, execute 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.

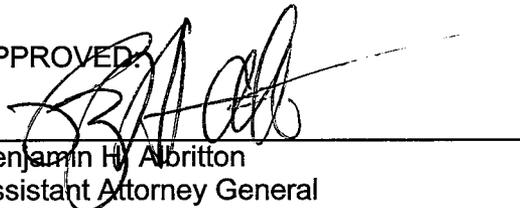
9. Respondent and Firm expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Consent Order, the stipulated facts, conclusions of law and imposition of administrative action contained herein, and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

SIGNED this the _____ day of _____, 2010.

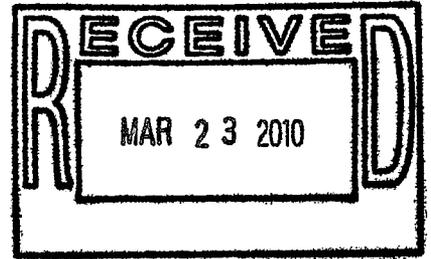


David L. Thomas
Eagle 1 Resources
Respondent

APPROVED:



Benjamin H. Albritton
Assistant Attorney General



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

IN RE THE MATTER OF:

**DAVID L. THOMAS
EAGLE 1 RESOURCES**

**Case No. 09-294-C
09-298-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.

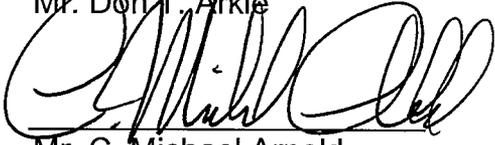
This Final Order is presented to the Board upon a Consent Order signed by Mr. David L. Thomas and received March 23, 2010. In said Consent Order, Respondent stipulated that he violated the Code of Alabama 1975 § 34-11-9(a)(1), § 34-11-15(b) and § 34-11-16(a) 2.

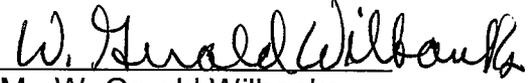
Upon Consideration of the above it is ORDERED that the Consent Order received March 23, 2010 is adopted by the Board and hereby made a part of this Final Order. It is further ORDERED that Respondent abide by the Final Order in this manner.

ENTERED this the 26th day of March 2010.

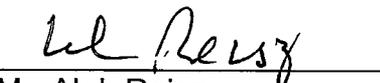

Mr. William C. Ulrich, Jr.

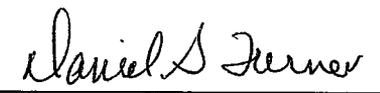

Mr. Don T. Arkle

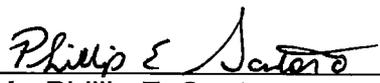

Mr. C. Michael Arnold


Mr. W. Gerald Wilbanks

RECUSED


Mr. Al. I. Reisz


Dr. Daniel S. Turner


Mr. Phillip E. Santora