

LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD
9643 BROOKLINE AVENUE, SUITE 121
BATON ROUGE, LOUISIANA 70809-1443
(225) 925-6291

IN THE MATTER OF:)	CASE NO.: 2013-39
)	
ENGINEERING PARTNERS)	
INTERNATIONAL, INCORPORATED)	Received
)	JUN 10 2014
RESPONDENT)	
)	By LAPELS Enforcement
)	

CONSENT ORDER

The Louisiana Professional Engineering and Land Surveying Board [hereinafter the "Board"], by and through its Executive Director, pursuant to authorization by the Board, and Engineering Partners International, Incorporated [hereinafter "Respondent"], by and through its duly authorized undersigned representative, hereby agree to the following:

At all times material hereto, Respondent was licensed in the State of Louisiana as a professional engineering firm, number EF – 2055; however, its license has been in an expired status since October 1, 2004. Respondent formerly operated an office in the State of Louisiana, which was closed in 2004. Respondent is a Texas corporation which currently has no employees or offices in the State of Louisiana. At all times material hereto, Gregg S. Perkin, P.E was licensed in the State of Louisiana as a professional engineer, number PE – 23587. At all times material hereto, Mr. Perkin was an owner, officer and employee of Respondent.

An investigation was opened based upon the Board's receipt of information and documents which suggested that Respondent may have practiced and/or offered to practice engineering in Louisiana during which time its license was expired. The investigation disclosed that in 2012 Mr. Perkin (on behalf of and in the name of Respondent) prepared, signed (but did not seal) and issued to Kirk A. Patrick III and Heather Cross in Baton Rouge, Louisiana an engineering report relating to a drilling rig which he had inspected near Cameron, Louisiana. The report detailed the findings of Mr. Perkin during a forensic

investigation and analysis of industry practices relating to the cause of an accident occurring on the drilling rig at the time it was located in Beaumont, Texas. Mr. Perkins' inspection of the drilling rig near Cameron, Louisiana occurred after the accident. At the time he prepared and issued the report, Mr. Perkin in good faith did not believe that the report was an engineering report.

La. R.S. 37:698(A)(9) and (16) prohibit licensees from practicing and/or offering to practice engineering in Louisiana with an expired license. La. R.S. 37:698(H) permits the Board to take disciplinary action against persons who violate La. R.S. 37:698(A)(9) and (16), upon a finding of guilt following notice and hearing and a majority vote of its entire membership authorized to participate in the proceeding. La. R.S. 37:698(A)(9) and (16) and 37:698(H) were in effect at all times material hereto.

It is undisputed that Respondent's license to practice and/or offer to practice engineering in Louisiana has been in an expired status since October 1, 2004 and that in 2012 Respondent unknowingly practiced and/or offered to practice engineering in Louisiana by (a) preparing and issuing to clients in Louisiana an engineering report relating to a drilling rig which it had inspected in Louisiana and (b) conducting business in Louisiana through its firm name.

By letter dated December 19, 2013, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that it may have violated La. R.S. 37:698(A)(9) and (16), relative to practicing and/or offering to practice engineering in Louisiana with an expired license.

Wishing to dispense with the need for further disciplinary action and to conclude the instant proceeding without further delay and expense, for the purpose of this proceeding only, Respondent and the Board do hereby enter into this Consent Order, in which Respondent of its own free will consents to the issuance of a Consent Order by the Board, wherein Respondent agrees to **(a)** pay a fine of four thousand (\$4,000.00) dollars, **(b)** pay administrative costs of six hundred eighty-one and 81/100 (\$681.81) dollars, **(c)** immediately cease and desist the practicing of and/or offering to practice engineering in Louisiana with

an expired license, **(d)** pay past unpaid renewal fees of one-hundred eighty (\$180.00) dollars, **(e)** have its supervising professional successfully complete the Board's online Louisiana Laws and Rules Quiz, and **(f)** the publication of this Consent Order on the Board's website and a summary of this matter in the Board's official journal, the *Louisiana Engineer and Surveyor Journal*, and the reporting of this matter to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name.

Respondent admits to unknowing violations of the referenced laws and/or rules regarding the practicing of and/or offering to practice engineering in Louisiana with an expired license, as at the time he prepared and issued the report Mr. Perkin in good faith did not believe that the report was an engineering report. Respondent acknowledges awareness of said laws and/or rules and states that it will comply with all applicable laws and rules henceforth. Respondent has been advised of its right to be represented by counsel before the Board and/or to appear at any hearing personally or by counsel and present witnesses and evidence in its own behalf, and it hereby waives this right and its right to appeal; and it states affirmatively that it has been afforded all administrative remedies due it under the law. Respondent further acknowledges awareness of the fact that the signed original of this Consent Order will remain in the custody of the Board as a public record and will be made available for public inspection and copying upon request.

Therefore, in consideration of the foregoing and by signing this Consent Order, Respondent does hereby waive its right to a hearing before the Board, to the presenting of evidence and witnesses in its behalf, to Findings of Fact and Conclusions of Law in this case, and to judicial review of this Consent Order.

Respondent hereby represents **(a)** that it fully understands the meaning and intent of this Consent Order, including but not limited to its final and binding effect, **(b)** that it has voluntarily entered into this Consent Order and that no other promise or agreement of any kind has been made to or with it by any person whatsoever to cause the execution of this instrument and **(c)** that the sanctions set forth in this Consent Order do not prevent the

Board from taking further disciplinary or enforcement action against Respondent on matters not specifically addressed in this Consent Order.

WHEREFORE, the Louisiana Professional Engineering and Land Surveying Board and Respondent agree that:

1. Respondent shall pay a fine of four thousand (\$4,000.00) dollars, which shall be tendered to the Board by certified check payable to the Board, due upon the signing of this Consent Order; and
2. Respondent shall pay administrative costs of six hundred eighty-one and 81/100 (\$681.81) dollars, which shall be tendered to the Board by certified check payable to the Board, due upon the signing of this Consent Order; and
3. Respondent shall immediately cease and desist the practicing of and/or offering to practice engineering in Louisiana with an expired license; and
4. Respondent shall pay past unpaid renewal fees of one-hundred eighty (\$180.00) dollars, which shall be tendered to the Board by certified check payable to the Board, due upon the signing of this Consent Order; and
5. Respondent shall have its supervising professional successfully complete the Board's online Louisiana Laws and Rules Quiz with a score of 90% or higher and return it to the Board within sixty (60) days of the effective date of this Consent Order; and
6. This Consent Order shall be published on the Board's website and a summary of this matter shall be printed in the official journal of the Board, the *Louisiana Engineer and Surveyor Journal*, and reported to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name; and
7. This Consent Order shall not become effective unless and until it is accepted and signed by and on behalf of the Board. Should the Board not accept and sign this Consent Order, it is agreed that presentation of this matter to the Board shall not prejudice the Board or any of its members, staff, attorneys or representatives, or Respondent or any of its owners, employees, attorneys or representatives, from further participation, consideration or resolution of any further proceedings herein.

LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD

DATE: 7/21/2014

BY: Donna D. Sentell
DONNA D. SENTELL, Executive Director

ENGINEERING PARTNERS
INTERNATIONAL, INCORPORATED,
Respondent

DATE: 6/2/14

BY: [Signature]
GREGG S. PERKIN, P.E., Chief Executive Officer

Witnesses to the signature of
Engineering Partners
International, Incorporated

[Signature]
Print Name: Jennie Serafin

[Signature]
Print Name: Tamara Johnson

Approved by:

[Signature]
Heather Cross
Donohue Patrick & Scott PLLC
P.O. Box 1629
Baton Rouge, LA 70821-1629
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Attorney for Engineering Partners
International, Incorporated