

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

IN THE MATTER OF:

SAGE ENVIRONMENTAL  
CONSULTING, L.P.

RESPONDENT

CASE NO. 2016-31

Received

JUN 07 2018

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 Sage Environmental Consulting, L.P. [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-3141. At all times material hereto, John M. Joyce was not licensed in the State of Louisiana (or in any other state) as a professional engineer and, therefore, was not authorized to practice and/or offer to practice engineering in the State of Louisiana (or in any other state). At all times material hereto, Ashokkumar T. Patel, P.E. was licensed in the State of Louisiana as a professional engineer, number PE-24043. At all times material hereto, Mr. Joyce was an employee of Respondent. Mr. Joyce is now deceased, having passed away on May 25, 2016. Mr. Patel was an employee of Respondent from at least January 29, 2013 to November 30, 2015 and was the only supervising professional of Respondent from January 29, 2013 to May 18, 2016.

An investigation was opened based upon the Board's receipt of information and documents which suggested that Mr. Joyce may have engaged in the unlicensed practice of and/or offering to practice engineering in Louisiana. The investigation disclosed that Mr. Joyce obtained a fraudulent Louisiana professional engineer seal in his name with the license number of PE-17242. This license number already belonged to another licensee of the Board, Elmer L. Havard, who was deceased. Moreover, Mr. Joyce's name was very similar to a different licensee

of the Board, John J. Joyce, who was also deceased. In emails to the Board dated May 16, 2016, Mr. Joyce referred to himself as “John J. Joyce”.

The investigation also disclosed that between February 2013 and May 2016, Mr. Joyce (on behalf of and in the name of Respondent) **(a)** offered to provide engineering services in Louisiana and provided engineering services on sixteen (16) projects in Louisiana and **(b)** prepared, affixed the fraudulent seal to, signed and issued to or on behalf of Respondent’s clients engineering documents in connection with seven (7) of said projects in Louisiana, including a solid waste permit application submitted to the Louisiana Department of Environmental Quality in April 2016.

Additionally, the investigation disclosed that after Mr. Patel’s employment with Respondent ended on November 30, 2015, Respondent **(a)** failed to provide notification to the Board of such fact, **(b)** failed to designate another supervising professional until July 5, 2016 and **(c)** continued to practice and/or offer to practice engineering in Louisiana between November 30, 2015 and July 5, 2016.

Furthermore, the investigation disclosed that Mr. Joyce did not have an engineering degree, nor did he have any type of doctorate or master’s degree. Nevertheless, in a letter to the Louisiana Department of Environmental Quality dated May 20, 2016 in connection with the above mentioned solid waste permit application, Respondent **(a)** falsely referred to Mr. Joyce as “Dr. John Joyce” and “Dr. Joyce” and **(b)** falsely stated that Mr. Joyce had a “Professional Engineer (PE) license in the State of Louisiana”, that the renewal documents for this “PE license” “were not filed as required” and that this “PE license” was “subsequently suspended therefore”.

La. R.S. 37:698(A)(2) prohibits licensees from committing any fraud, deceit, material misrepresentation or gross misconduct in the practice of engineering. La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2305, require (a) licensed firms to designate supervising professionals who are employed with the firm and (b) the supervising professionals to notify the Board of any change in the firm’s supervising professionals and to ensure that all professional services provided by the firm are performed by or under the responsible charge of a licensee. La. R.S. 37:698(C) permits the Board to take disciplinary action against a firm if one or more of its officers, directors, managers, employees, agents or representatives is found by the Board to be

guilty of any of the acts or offenses listed in La. R.S. 37:698(A). La. R.S. 37:681 and La. R.S. 37:700(A)(1) and (7) prohibit the practicing of and/or offering to practice engineering and the use of the words “engineer”, “engineering” or any modification or derivative thereof in a person’s name or form of business or activity without proper licensure. La. R.S. 37:700(A)(2) prohibits persons from presenting or attempting to use as one’s own the license, certificate, seal, or stamp of another person. La. R.S. 37:700(A)(4) prohibits persons from falsely impersonating any licensee of a like or different name. La. R.S. 37:700(A)(6) prohibits unlicensed persons from using or attempting to use a seal or stamp which is deceptively similar to the seals or stamps authorized by the Board for use by its licensees. La. R.S. 37:700(A)(8) prohibits persons from falsely claiming that a person is licensed by the Board. La. R.S. 37:698(H) permits the Board to take disciplinary action against persons who violate La. R.S. 37:681, La. R.S. 37:698(A)(2) and (6), La. R.S. 37:698(C), La. R.S. 37:700(A)(1), (2), (4), (6), (7) and (8), and LAC Title 46:LXI§2305, upon a finding of guilt following the preferral of charges, notice and hearing and a majority vote of its entire membership authorized to participate in the proceeding. La. R.S. 37:681, La. R.S. 37:698(A)(2) and (6), La. R.S. 37:698(C), La. R.S. 37:700(A)(1), (2), (4), (6), (7) and (8), La. R.S. 37:698(H) and LAC Title 46:LXI§2305 were in effect at all times material hereto.

It is undisputed that (a) at all times material hereto Respondent was licensed to practice and/or offer to practice engineering in Louisiana; (b) Mr. Joyce has never been licensed to practice and/or offer to practice engineering in Louisiana (or in any other state); (c) at all times material hereto Mr. Patel was licensed to practice and/or offer to practice engineering in Louisiana; (d) at all times material hereto Mr. Joyce was an employee of Respondent; (e) Mr. Patel was an employee of Respondent from at least January 29, 2013 to November 30, 2015 and was the only supervising professional of Respondent from January 29, 2013 to May 18, 2016; (f) Mr. Joyce obtained a fraudulent Louisiana professional engineer seal in his name with the license number of PE-17242, which number already belonged to another licensee of the Board; (g) Mr. Joyce’s name was very similar to a different licensee of the Board; (h) in emails to the Board dated May 16, 2016, Mr. Joycc referred to himself as “John J. Joyce”; (i) between February 2013 and May 2016 Mr. Joyce (on behalf of and in the name of Respondent) practiced and offered to practice engineering and used the words “engineer”, “engineering” or modifications or

derivatives thereof to describe himself and his business, activities and services in Louisiana without proper licensure; **(j)** between February 2013 and May 2016 Mr. Joyce (on behalf of and in the name of Respondent) prepared, affixed the fraudulent seal to, signed and issued to or on behalf of Respondent's clients engineering documents in connection with projects in Louisiana; **(k)** after Mr. Patel's employment with Respondent ended on November 30, 2015, Respondent failed to provide notification to the Board of such fact, failed to designate another supervising professional until July 5, 2016 and continued to practice and/or offer to practice engineering in Louisiana between November 30, 2015 and July 5, 2016; **(l)** Mr. Joyce did not have an engineering degree, nor did he have any type of doctorate or master's degree; and **(m)** in a letter to the Louisiana Department of Environmental Quality dated May 20, 2016 in connection with the above mentioned solid waste permit application, Respondent falsely referred to Mr. Joyce as "Dr. John Joyce" and "Dr. Joyce" and falsely stated that Mr. Joyce had a "Professional Engineer (PE) license in the State of Louisiana", that the renewal documents for this "PE license" "were not filed as required" and that this "PE license" was "subsequently suspended therefore".

By letter dated October 12, 2017, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that Respondent may have violated **(a)** La. R.S. 37:698(A)(2), relative to any fraud, deceit, material misrepresentation or gross misconduct in the practice of engineering; **(b)** La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2305, relative to (i) licensed firms designating supervising professionals who are employed with the firm and (ii) the supervising professional notifying the Board of any change in the firm's supervising professionals and ensuring that all professional services provided by the firm are performed by or under the responsible charge of a licensee; **(c)** La. R.S. 37:698(C), *to wit* La. R.S. 37:698(A)(6), La. R.S. 37:681 and La. R.S. 37:700(A)(1) and (7), relative to practicing and/or offering to practice of engineering and using the words "engineer", "engineering" or any modification or derivative thereof in a person's name or form of business or activity without proper licensure; **(d)** La. R.S. 37:698(C), *to wit* La. R.S. 37:698(A)(6) and La. R.S. 37:700(A)(2), relative to presenting or attempting to use as one's own the license, certificate, seal, or stamp of another person; **(e)** La. R.S. 37:698(C), *to wit* La. R.S. 37:698(A)(6) and La. R.S. 37:700(A)(4), relative to falsely impersonating any licensee of a like or different name; **(f)** La. R.S. 37:698(C), *to wit* La. R.S. 37:698(A)(6) and La. R.S. 37:700(A)(6), relative to using or



attempting to use a seal or stamp which is deceptively similar to the seals or stamps authorized by the Board for use by its licensees; and (g) La. R.S. 37:698(C), *to wit* La. R.S. 37:698(A)(6) and La. R.S. 37:700(A)(8), relative to falsely claiming that a person is licensed by the Board.

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 eleven thousand two hundred fifty and no/100 (\$11,250.00) dollars, (b) pay administrative costs of one thousand five hundred ninety-seven and 64/100 (\$1,597.64) dollars, (c) provide written notification to each client for whom Mr. Joyce provided engineering services in Louisiana between February 2013 and May 2016 that (i) he has never been licensed to practice and/or offer to practice engineering in Louisiana (or in any other state), (ii) he obtained and used a fraudulent Louisiana professional engineer seal and (iii) he did not have an engineering degree, nor any type of doctorate or master's degree, and promptly submit to the Board appropriate documentation of the accomplishment of this task; (d) immediately cease and desist the use or publication of any studies, reports, materials, presentations, work or documents prepared or issued by Mr. Joyce, (e) immediately cease and desist the use of Mr. Joyce's name in connection with any studies, reports, materials, presentations, work or documents, 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 that its conduct as set forth above constitutes violations of the above referenced laws and/or rules as stated herein. 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, 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 on its behalf, to Findings of Fact and Conclusions of Law in this case, and to judicial review of this Consent Order.

Respondent hereby represents that **(a)** it fully understands the meaning and intent of this Consent Order, including but not limited to its final and binding effect, **(b)** 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)** 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 pay a fine of eleven thousand two hundred fifty and no/100 (\$11,250.00) 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 pay administrative costs of one thousand five hundred ninety-seven and 64/100 (\$1,597.64) 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 provide written notification to each client for whom Mr. Joyce provided engineering services in Louisiana between February 2013 and May 2016 that (a) he has never been licensed to practice and/or offer to practice engineering in Louisiana (or in any other state), (b) he obtained and used a fraudulent Louisiana professional engineer seal and (c) he did not have an engineering degree, nor any type of doctorate or master's degree, and then submit to the Board appropriate documentation of the accomplishment of this task within sixty (60) days of the effective date of this Consent Order; and

4. Respondent shall immediately cease and desist the use or publication of any studies, reports, materials, presentations, work or documents prepared or issued by Mr. Joyce; and

5. Respondent shall immediately cease and desist the use of Mr. Joyce's name in connection with any studies, reports, materials, presentations, work or documents; 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 from further participation, consideration, or resolution of any further proceedings herein.

LOUISIANA PROFESSIONAL ENGINEERING  
AND LAND SURVEYING BOARD

DATE: June 18, 2018

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

SAGE ENVIRONMENTAL CONSULTING, L.P.,  
Respondent

DATE: 6/7/2018

BY: SP  
STEVEN M. PROBST

Witnesses to the signature of  
Sage Environmental Consulting, L.P.

[Signature]  
Print Name: Uzkar Ibrahim

[Signature]  
Print Name: Sherry Levesque