



response may constitute fraud, deceit, material misstatement, perjury or the giving of false or forged evidence under the Board's licensure law.

La. R.S. 37:681 and La. R.S. 37:700(A)(1), (7) and (9), *to wit* LAC Title 46:LXI§2301(B), prohibit practicing and/or offering to practice 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. La. R.S. 37:698(A)(1) prohibits licensees from committing any fraud, deceit, material misstatement or perjury, or the giving of any false or forged evidence, in applying for a renewal license with the Board. La. R.S. 37:698(A)(9) and (16) prohibit licensees from practicing and/or offering to practice of engineering with an expired license. La. R.S. 37:698(A)(12) prohibits licensees from aiding or assisting another person in violating the laws and/or rules of the Board. La. R.S. 37:698(H) permits the Board to take disciplinary action against persons who violate La. R.S. 37:698(A)(1), La. R.S. 37:698(A)(9) and (16), and La. R.S. 37:698(A)(12), 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)(1), (9), (12) and (16), La. R.S. 37:698(H), La. R.S. 37:700(A)(1), (7) and (9), and LAC Title 46:LXI§2301(B) were in effect at all times material hereto.

It is undisputed that **(a)** at all times material hereto Respondent was licensed in Louisiana as a professional engineer; however, his license was in an expired status from October 1, 2012 through September 10, 2023, **(b)** DSC has never been licensed in Louisiana as a professional engineering firm and, therefore, has never been authorized to practice and/or offer to practice engineering in Louisiana, **(c)** at all times material hereto Respondent was an owner, officer and representative of DSC, **(d)** since at least 2022 DSC has admittedly practiced and offered to practice engineering and used the word "engineering" in its name and in describing its business activities in Louisiana without proper licensure, **(e)** Respondent aided or assisted DSC in violating the laws and/or rules of the Board and **(f)** on or about July 28, 2023 Respondent falsely stated on his application to reactivate his expired professional engineer license that he had not practiced or offered to practice engineering in Louisiana since his license was no longer in active status.

By letter dated February 14, 2024, 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)(1), relative to fraud, deceit, material misstatement or perjury, or the giving of any false or forged evidence, in applying for a renewal license with the Board, **(b)** La. R.S. 37:698(A)(9) and (16), relative to practicing and/or offering to practice engineering with an expired license, and **(c)** La. R.S. 37:698(A)(12), relative to aiding or assisting another person in violating the laws and/or rules of 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 his 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 and No/100 (\$4,000.00) Dollars, **(b)** pay administrative costs of Nine Hundred One and 48/100 (\$901.48) Dollars, **(c)** pay past unpaid renewal fees of Six Hundred and No/100 (\$600.00) Dollars, **(d)** have DSC immediately cease and desist practicing and offering to practice engineering and using the words “engineer”, “engineering” or modifications or derivatives thereof in its name or in describing its business or services in Louisiana until such time as it is duly licensed by the Board, **(e)** successfully complete the Board’s online Louisiana Laws and Rules Quiz, **(f)** successfully complete the Board’s online Louisiana Professionalism and Ethics Quiz, **(g)** the immediate suspension of his Louisiana professional engineer license if he fails to comply with any portion of this Consent Order, with said suspension continuing until he so complies, and **(h)** 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 his 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 he will comply with all applicable laws and rules henceforth.

Respondent has been advised of his right to an informal conference, 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 his own behalf, he hereby waives this right and his right to appeal, and he states affirmatively that he has been afforded all administrative remedies due him 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 his right to an informal conference, to a hearing before the Board, to the presenting of evidence and witnesses on his 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) he fully understands the meaning and intent of this Consent Order, including but not limited to its final and binding effect, (b) he has voluntarily entered into this Consent Order and that no other promise or agreement of any kind has been made to or with him 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 Four Thousand and No/100 (\$4,000.00) Dollars, which shall be tendered to the Board by certified checks payable to the Board in fifteen (15) installments as follows:

a. An initial payment of Five Hundred and No/100 (\$500.00) Dollars shall be due upon the signing of this Consent Order; and

b. The remaining balance of Three Thousand Five Hundred and No/100 (\$3,500.00) Dollars shall be payable in fourteen (14) installments of Two Hundred Fifty and No/100 (\$250.00) Dollars each, beginning thirty (30) days after the signing of this Consent Order and every thirty (30) days thereafter until paid in full; and

2. Respondent shall pay administrative costs of Nine Hundred One and 48/100 (\$901.48) Dollars, which shall be tendered to the Board by certified checks payable to the Board in four (4) installments as follows:

a. Three (3) installments of Two Hundred Fifty and No/100 (\$250.00) Dollars each, beginning thirty (30) days after the final installment of the fine is due under paragraph 1 above and every thirty (30) days thereafter until paid in full; and

b. One (1) installment of One Hundred Fifty-One and 48/100 (\$151.48)

Dollars, which shall be due one hundred twenty (120) days after the final installment of the fine is due under paragraph 1 above; and

3. Respondent shall pay past unpaid renewal fees of Six Hundred and No/100 (\$600.00) Dollars, which shall be tendered to the Board by certified checks payable to the Board in three (3) installments as follows:

a. Two (2) installments of Two Hundred Fifty and No/100 (\$250.00) Dollars each, beginning thirty (30) days after the final installment of the administrative costs is due under paragraph 2 above and every thirty (30) days thereafter until paid in full; and

b. One (1) installment of One Hundred and No/100 (\$100.00) Dollars, which shall be due ninety (90) days after the final installment of the administrative costs is due under paragraph 2 above; and

4. Respondent shall have DSC immediately cease and desist practicing and offering to practice engineering and using the words “engineer”, “engineering” or modifications or derivatives thereof in its name or in describing its business or services in Louisiana until such time as it is duly licensed by the Board; and

5. Respondent shall 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. Respondent shall successfully complete the Board’s online Louisiana Professionalism and Ethics 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

7. Respondent’s Louisiana professional engineer license, number PE-35364, shall be immediately suspended if he fails to comply with any portion of this Consent Order, with said suspension continuing until he so complies; and

8. 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

9. 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 10, 2024

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

DATE: 4/30/24

Thomas S. Graham  
THOMAS S. GRAHAM, P.E., Respondent

Witnesses to the signature of  
Thomas S. Graham, P.E.

Jennifer Boswell  
Print Name: Jennifer Boswell

Edward H. Diller  
Print Name: EDWARD H. DILLER