

By letter dated August 30, 2010, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that he may have violated La. R.S. 37:698(A)(9) and (16), relative to practicing and/or offering to practice engineering in the State of 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 his own free will consents to the issuance of a Consent Order by the Board, wherein Respondent agrees (a) to pay a fine of five hundred (\$500.00) dollars, (b) to pay administrative costs of two hundred fifty-three and 82/100 (\$253.82) dollars, (c) to pay past unpaid renewal fees of one hundred eighty (\$180.00) dollars, (d) to successfully complete the Board's online Louisiana Laws and Rules Examination, (e) that if he fails to comply with any part of this Consent Order, his professional engineer license will be automatically suspended until such time as he does so, and (f) to the publishing 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 violations of the referenced laws and/or rules regarding the practicing of and/or offering to practice engineering in the State of Louisiana with an expired license. 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 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 he hereby waives this right and its right to appeal; and he states affirmatively that he has been afforded all administrative remedies due him under the law.

Therefore, in consideration of the foregoing and by signing this Consent Order, Respondent does hereby waive his right to a hearing before the Board, to the presenting of evidence and witnesses in his 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 he fully understands the meaning and intent of this Consent Order, including but not limited to its final and binding effect, (b) that 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) 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 five hundred (\$500.00) dollars, which shall be tendered to the Board by certified check payable to the Board, due within thirty (30) days of the signing of this Consent Order; and
2. Respondent shall pay administrative costs of two hundred fifty-three and 82/100 (\$253.82) dollars, which shall be tendered to the Board by certified check payable to the Board, due within thirty (30) days of the signing of this Consent Order; and
3. 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 within thirty (30) days of the signing of this Consent Order; and
4. Respondent shall successfully complete the Board's online Louisiana Laws and Rules Examination 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
5. If Respondent fails to comply with any part of this Consent Order, his professional engineer license, PE – 23390, shall be automatically suspended until such time as he does so; 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 from further participation, consideration, or resolution of any further proceedings herein.

LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD

DATED 22 Nov. 2010

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

DATED 20 Sept AD 2010

Mark A. Thomey
MARK A. THOMEY, P.E., Respondent

Witnesses to the signature of
Mark A. Thomey, P.E.

Robert Hartwell
Print Name: Robert Hartwell

Bill Floyd
Print Name: BILL FLOYD