

**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.: 2011-46
)	
ALAN G. MIKELL, P.E.)	
)	
RESPONDENT)	
)	
)	
)	
)	

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 Alan G. Mikell, P.E. [hereinafter “Respondent”], hereby agree to the following:

At all times material hereto, Respondent was licensed in the State of Louisiana as a professional engineer, number PE – 17257.

An investigation was opened based upon the Board’s receipt of information which suggested that Respondent had been convicted of felonies under the laws of the United States. The investigation disclosed that in 2006-07 Respondent was convicted of the felonies of conspiracy to commit money laundering under 18 U.S.C. §1956(h) (one count), wire fraud under 18 U.S.C. §1343 (one count), and aiding and abetting wire fraud under 18 U.S.C. §1343 and 18 U.S.C. §2 (four counts) in the United States District Court for the Eastern District of Michigan (Case No. 97CR81493-1). On August 27, 2009, the conviction was affirmed on appeal by the United States Court of Appeals for the Sixth Circuit (Docket No. 07-1488). On March 29, 2010, the United States Supreme Court denied Respondent’s petition for writ of certiorari (Docket No. 09-1019).

La. R.S. 37:698(A)(3) prohibits licensees from being convicted of a felony under the laws of the United States or any state, territory, or district of the United States. La. R.S. 37:698(A)(4) prohibits licensees from being convicted of any crime an element of which is fraud. La. R.S. 37:698(H) permits the Board to take disciplinary action against persons who violate La. R.S. 37:698(A)(3) and (4), 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. 37:698(A)(3) and (4) and 37:698(H) were in effect at all times material hereto.

It is undisputed that Respondent was convicted of felonies under the laws of the United States and that an element of one or more of such crimes is fraud.

By letter dated September 1, 2011, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that he may have violated (a) La. R.S. 37:698(A)(3), relative to being convicted of a felony under the laws of the United States or any state, territory, or district of the United States and (b) La. R.S. 37:698(A)(4), relative to being convicted of any crime an element of which is fraud.

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) the revocation of his Louisiana professional engineer license, (b) immediately and forever cease and desist the practicing of and/or offering to practice engineering in Louisiana, (c) return his Louisiana certificate of professional engineering licensure and professional engineering seal to the Board, (d) never again apply to the Board for licensure or certification in Louisiana, and (e) 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 violations of the referenced laws and/or rules regarding being convicted of a felony under the laws of the United States or any state, territory, or district of the United States and being convicted of any crime an element of which is fraud. 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 his own behalf, and 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.

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's Louisiana professional engineer license, number PE-17257, is hereby revoked; and
2. Respondent shall immediately and forever cease and desist the practicing of and/or offering to practice engineering in Louisiana; and
3. Respondent shall return his Louisiana certificate of professional engineering licensure and professional engineering seal to the Board within ten (10) business days of the effective date of this Consent Order; and
4. Respondent shall never again apply to the Board for licensure or certification in Louisiana; and
5. 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
6. 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

DATED 11-21-11

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

DATED 9/26/11

Alan G. Mikell
ALAN G. MIKELL, P.E., Respondent

Witnesses to the signature of
Alan G. Mikell, P.E.

Jennifer Herron
Print Name: Jennifer Herron

Courtney Leonard
Print Name: Courtney Leonard