

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. 2016-50
)	
STONEWALL CONSULTING LLC)	Received
)	
RESPONDENT)	NOV 06 2019
)	
)	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 Stonewall Consulting LLC [hereinafter “Respondent”], by and through its duly authorized undersigned representative, hereby agree to the following:

Prior to December 9, 2015, Respondent was not licensed in the State of Louisiana as a professional engineering firm and, therefore, was not authorized to practice and/or offer to practice engineering in the State of Louisiana. Respondent subsequently became licensed in the State of Louisiana as a professional engineering firm, number EF-5885, effective December 9, 2015. At all times material hereto, Blaine S. LaFleur, P.E. was licensed in the State of Louisiana as a professional engineer, number PE-37776. At all times material hereto, Mr. LaFleur was an employee, owner and representative of Respondent. Mr. LaFleur has been a supervising professional of Respondent since December 9, 2015.

An investigation was opened based upon the Board’s receipt of information and/or documents which suggested that Respondent may have committed violations of the Board’s laws and/or rules. The investigation disclosed that between October 5, 2015 and December 8, 2015 Respondent admittedly (a) offered to provide engineering services in Louisiana and provided engineering services on at least six (6) projects in Louisiana, (b) represented on its *Facebook* page that its services included “engineering”, (c) conducted business in Louisiana and (d) maintained an office in Lafayette, Louisiana.

The investigation also disclosed that on or about December 3, 2015 Respondent submitted to the Board an Application for Firm Licensure, confirming thereon that (a) it had

never practiced or offered to practice engineering in Louisiana, **(b)** to the best of its knowledge, information and belief the statements and information on the application were true and correct in substance and effect and were made in good faith, **(c)** it had not omitted any information requested on the application and **(d)** an omission or untrue response on the application could constitute fraud, deceit, material misstatement, perjury or the giving of false or forged evidence under La. R.S. 37:698 and 37:700.

Additionally, the investigation disclosed that between August 20, 2016 and September 26, 2019 Mr. LaFleur (on behalf of and in the name of Respondent) posted articles on Respondent's website which were in large part copied verbatim from articles posted by other individuals on different websites. Mr. LaFleur failed to give appropriate credit to the other individuals as the actual authors, but instead claimed that he wrote the articles.

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 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. 37:698(A)(6), *to wit* LAC Title 46:LXI§2511(D), prohibit licensees from preparing articles which imply credit for work performed by others. La. R.S. 37:698(A)(11) prohibits licensees from using any advertising or solicitation which is false or misleading. 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. 37:700(A)(3) prohibits any fraud, deceit, material misstatement or perjury, or the giving of any false or forged evidence, in applying for a license with the Board. La. R.S. 37:698(H) permits the Board to take disciplinary action against persons who violate La. R.S. 37:698(C), *to wit* La. R.S. 37:698(A)(6) and LAC Title 46:LXI§2511(D), and La. R.S. 37:698(A)(11), 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. 37:700(H) permits the Board to take enforcement action against persons who violate La. R.S. 37:681 and La. R.S. 37:700(A)(1), (7) and (9), *to wit* LAC Title 46:LXI§2301(B), and La. R.S. 37:700(A)(3), 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)(6) and (11), La. R.S. 37:698(C) and (H), La. R.S. 37:700(A)(1), (3), (7) and (9), La. R.S. 37:700(H), and LAC Title 46:LXI§2301(B) and 2511(D) were in effect at all times material hereto.

It is undisputed that **(a)** prior to December 9, 2015 Respondent was not licensed in Louisiana as a professional engineering firm and, therefore, was not authorized to practice and/or offer to practice engineering in Louisiana, **(b)** Respondent subsequently became licensed in Louisiana as a professional engineering firm, effective December 9, 2015, **(c)** at all times material hereto Mr. LaFleur was licensed in Louisiana as a professional engineer, **(d)** at all times material hereto Mr. LaFleur was an employee, owner and representative of Respondent, and he has been a supervising professional of Respondent since December 9, 2015, **(e)** between October 5, 2015 and December 8, 2015 Respondent admittedly practiced and offered to practice engineering and used the word “engineering” in describing its services in Louisiana without proper licensure, **(f)** on or about December 3, 2015 Respondent submitted to the Board an Application for Firm Licensure which falsely stated that Respondent had never practiced or offered to practice engineering in Louisiana, **(g)** between August 20, 2016 and September 26, 2019 Mr. LaFleur (on behalf of and in the name of Respondent) posted articles on Respondent’s website which were in large part copied verbatim from articles posted by other individuals on different websites and **(h)** Mr. LaFleur failed to give appropriate credit to the other individuals as the actual authors, but instead claimed that he wrote the articles.

By letter dated October 24, 2019, 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. 37:681 and La. R.S. 37:700(A)(1), (7) and (9), *to wit* LAC Title 46:LXI§2301(B), relative to 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, **(b)** La. R.S. 37:698(C), *to wit* La. R.S. 37:698(A)(6) and LAC Title 46:LXI§2511(D), relative to preparing articles which imply credit for work performed by others, **(c)** La. R.S. 37:698(C), *to wit* La. R.S. 37:698(A)(11), relative to using any advertising or solicitation which is false or misleading, and **(d)** La. R.S. 37:700(A)(3), relative to fraud, deceit, material misstatement or perjury, or the giving of any false or forged evidence, in applying for a license with the Board.

Wishing to dispense with the need for further disciplinary and enforcement 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 Three Thousand Two Hundred Fifty and No/100 (\$3,250.00) Dollars, **(b)** pay administrative costs of Nine Hundred Fifty-Two and 43/100 (\$952.43) Dollars, **(c)** immediately cease and desist posting articles on its website or elsewhere which are copied from articles written or posted by other individuals, unless appropriate credit is given to the other individuals as the actual authors, **(d)** immediately either remove from its website any articles which were copied from articles written or posted by other individuals without appropriate credit given to the other individuals as the actual authors, or revise such articles on its website to give appropriate credit to the other individuals as the actual authors, and then provide satisfactory evidence of the accomplishment of these requirements to the Board, **(e)** have each of its supervising professionals successfully complete the Board's online Louisiana Laws and Rules Quiz, **(f)** have each of its supervising professionals successfully complete the Board's online Louisiana Professionalism and Ethics Quiz and **(g)** 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 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 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 an informal conference, 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 Three Thousand Two Hundred Fifty and No/100 (\$3,250.00) 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 Nine Hundred Fifty-Two and 43/100 (\$952.43) 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 posting articles on its website or elsewhere which are copied from articles written or posted by other individuals, unless appropriate credit is given to the other individuals as the actual authors; and
4. Respondent shall immediately either remove from its website any articles which were copied from articles written or posted by other individuals without appropriate credit given to the other individuals as the actual authors, or revise such articles on its website to give appropriate credit to the other individuals as the actual authors, and then provide satisfactory evidence of the accomplishment of these requirements to the Board within sixty (60) days of the effective date of this Consent Order; and

5. Respondent shall have each of its supervising professionals 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 have each of its supervising professionals 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. 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

8. 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: 11/18/19

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

STONEWALL CONSULTING LLC, Respondent

DATE: 11-5-19

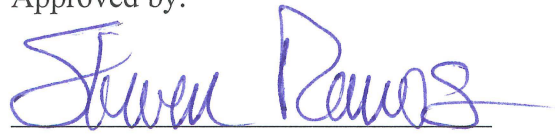
BY: Blaine S. Lafleur
BLAINE S. LAFLEUR, P.E., Member

Witnesses to the signature of
Stonewall Consulting LLC

Rochelle Oliver
Print Name: Rochelle Oliver

Danielle P. Brooks
Print Name: Danielle P. Brooks

Approved by:



Steven T. Ramos

Andrus, Boudreaux, Landry & Coussan

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Attorneys for Stonewall Consulting LLC