

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

IN THE MATTER OF: )  
PALMER ENGINEERING FIRM, L.L.C. )  
RESPONDENT )  
\_\_\_\_\_ )

CASE NO. 2018-30

**Received**

**FEB 25 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 Palmer Engineering Firm, L.L.C. [hereinafter "Respondent"], by and through its duly authorized undersigned representative, hereby agree to the following:

At all times material hereto, 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 became licensed in Louisiana as a professional engineering firm, No. EF-6205, on April 25, 2017.

An investigation was opened based upon the Board's receipt of Respondent's application for licensure as a professional engineering firm wherein Respondent indicated it had engaged in the practice of and/or offer to practice engineering in the State of Louisiana without being duly licensed by the Board. The investigation disclosed that between September 2017 and April 25, 2017 Respondent had practiced and offered to practice engineering on three (3) projects in Louisiana.

La. R.S. 37:681 and La. R.S. 37:700(A)(1), (7) and (9), *to wit* LAC Title 46:LXI§2301(B), collectively prohibit the practice of and/or offer to practice engineering without proper licensure. La. R.S. 37:700(H) permits the Board to take disciplinary 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), 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. 37:700(A)(1), (7) and (9), La. R.S. 37:700(H) 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 not licensed in Louisiana as a professional engineering firm and, therefore, not authorized to practice and/or offer to practice engineering in Louisiana, and (b) between September 2015 and April 25, 2017 Respondent practiced and offered to practice engineering on three (3) projects in Louisiana without proper licensure.

By letter dated August 21, 2018, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that Respondent may have violated La. R.S. 37:681, La. R.S. 37:700(A)(1), (7) and (9), and LAC Title 46:LXI§2301(B), relative to practicing and/or offering to practice engineering without proper licensure.

Wishing to dispense with the need for further 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 Two Thousand and No/100 (\$2,000.00) Dollars, (b) pay administrative costs of Two Hundred Seven and 21/100 (\$207.21) Dollars, (c) Respondent's supervising professional successfully completed the Board's online Louisiana Rules Quiz; (d) Respondent's supervising professional successfully completed the Board's Louisiana Professionalism and Ethics Quiz; 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 that its conduct as set forth above constitutes unintentional 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 Two Thousand and No/100 (\$2,000.00) 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 Two Hundred Seven and 21/100 (\$207.21) 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's supervising professional 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 60 days of the effective date of this Consent Order; and
4. Respondent's supervising professional 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 60 days of the effective date of this Consent Order; 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

DATE: 4/8/2019

BY: Donna Sentell  
DONNA D. SENTELL, Executive Director

PALMER ENGINEERING FIRM, , L.L.C.,  
Respondent

DATE: 2/20/19

BY: James E. Palmer III  
JAMES E. PALMER III, P.E., President

Witnesses to the signature of  
Palmer Engineering Firm, L.L.C.

Nolan John Edwards II  
Print Name: Nolan John Edwards II

Toby Jones  
Print Name: Toby Jones

Approved by:

Clay LeJeune  
Clay LeJeune, Attorney at Law, LLC  
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Attorney for Palmer Engineering Firm, L.L.C.