

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

IN THE MATTER OF: )  
 )  
MITCHELL D. SIMPSON, P.E. )  
 )  
RESPONDENT )  
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 )  
 )  
 )  
 )

CASE NO. 2020-31

Received  
DEC 14 2020  
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 Mitchell D. Simpson, 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-32323. At all times material hereto, Entech Engineering, Inc. [hereinafter “Entech”] 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. Entech subsequently became licensed in the State of Louisiana as a professional engineering firm, number EF-6315, effective October 4, 2017. At all times material hereto, Respondent was an employee, President and representative of Entech. Respondent has been the supervising professional of Entech since October 4, 2017.

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 in October 2013 the Alabama Board of Licensure for Professional Engineers and Land Surveyors [hereinafter the “Alabama Board”] took disciplinary action against Entech for providing engineering services during a time when its Alabama Certificate of Authorization for engineering was in lapsed or expired status. In a Final Order dated October 9, 2013 in connection with Case No. 2013-25-B, the Alabama Board fined Entech in the amount of \$1,000.

The investigation also disclosed that on or about September 25, 2017 Respondent signed and submitted to the Board on behalf of Entech an Application for Firm Licensure, confirming thereon that (a) Entech had never been the subject of a disciplinary action by another jurisdiction

in which it had a license, permit or certificate to practice engineering, **(b)** to the best of his knowledge, information and belief the statements and information in the application were true and correct in substance and effect and were made in good faith, **(c)** Entech 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.

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 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(A)(1), 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)(1) and La. R.S. 37:698(H) 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, **(b)** at all times material hereto Entech was not licensed in Louisiana as a professional engineering firm, **(c)** at all times material hereto Respondent was an employee, President and representative of Entech and has been the supervising professional of Entech since October 4, 2017, **(d)** in October 2013 Entech was the subject of a disciplinary action by another jurisdiction in which it had a license, permit or certificate to practice engineering, and **(e)** on or about September 25, 2017 Respondent falsely stated on Entech's Louisiana application for firm licensure that Entech had never been the subject of a disciplinary action by another jurisdiction in which it had a license, permit or certificate to practice engineering.

By letter dated November 12, 2020, 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. 37:698(A)(1), 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 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 One Thousand and No/100 (\$1,000.00) Dollars, (b) pay administrative costs of Nine Hundred Five and 51/100 (\$905.51) Dollars, (c) successfully complete the Board's online Louisiana Laws and Rules Quiz, (d) successfully complete the Board's online 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 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:

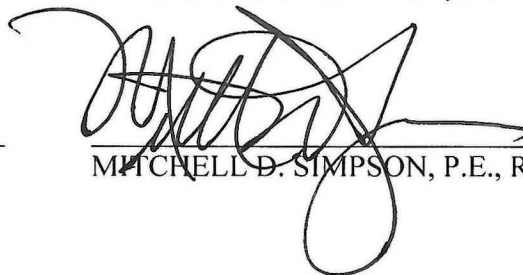
1. Respondent shall pay a fine of One Thousand and No/100 (\$1,000.00) Dollars, which shall be tendered to the Board by certified check payable to the Board, due upon the signing of this Consent Order; and
2. Respondent shall pay administrative costs of Nine Hundred Five and 51/100 (\$905.51) Dollars, 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 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
4. 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
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: 11 January 2021

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

DATE: 12/9/20

  
MITCHELL D. SIMPSON, P.E., Respondent

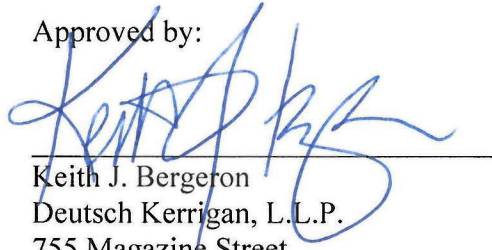
Witnesses to the signature of  
Mitchell D. Simpson, P.E.

Elizabeth A. Anderson

Print Name: Elizabeth A. Anderson

  
Print Name: BEN L. HUNTER

Approved by:

  
Keith J. Bergeron  
Deutsch Kerrigan, L.L.P.  
755 Magazine Street  
New Orleans, LA 70130  
Telephone: (504) 593-0789

Attorneys for Mitchell D. Simpson, P.E.