



connection with the LAC Project and (c) in sealing and signing said engineering documents, Mr. Roseman (on behalf of and in the name of Respondent) used the Louisiana professional engineer seal and signature of another licensee of the Board (Kevin S. Boehringer, P.E.) without the knowledge or consent of such licensee.

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 modifications or derivatives thereof in a person’s name or form of business or activity without proper licensure. La. R.S. 37:700(A)(2) prohibits persons from presenting or attempting to use as one’s own the license, certificate, seal, or stamp of another person. La. R.S. 37:700(A)(4) prohibits persons from falsely impersonating any licensee or certificate holder of a like or different name. La. R.S. 37:700(C) permits the Board to take enforcement 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. 37:700(A). 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), La. R.S. 37:700(C), *to wit* La. R.S. 37:700(A)(2), and La. R.S. 37:700(C), *to wit* La. R.S. 37:700(A)(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. 37:681, La. R.S. 37:700(A)(1), (2), (4), (7) and (9), La. R.S. 37:700(C) and (H), and LAC Title 46:LXI§2301(B) were in effect at all times material hereto.

It is undisputed that (a) Respondent has never been licensed in Louisiana as a professional engineering firm and, therefore, has never been authorized to practice and/or offer to practice engineering in Louisiana; (b) prior to April 13, 2020 Mr. Roseman was not licensed in Louisiana as a professional engineer and, therefore, was not authorized to practice and/or offer to practice engineering in Louisiana; (c) Mr. Roseman subsequently became licensed in Louisiana as a professional engineer, license, number PE-44516, effective April 13, 2020; (d) at all times material hereto Mr. Roseman was an owner, officer, employee and representative of Respondent; (e) between June 2019 and at least April 17, 2020 Respondent and Mr. Roseman (on behalf of and in the name of Respondent) admittedly practiced and offered to practice engineering and used the words “engineer”, “engineering” or modifications or derivatives thereof in connection

therewith in Louisiana without proper licensure; **(f)** between June 2019 and at least April 17, 2020 Mr. Roseman (on behalf of and in the name of Respondent) prepared, sealed, signed and issued to the client in Louisiana engineering documents in connection with the LAC Project; and **(g)** in sealing and signing said engineering documents, Mr. Roseman (on behalf of and in the name of Respondent) used the Louisiana professional engineer seal and signature of another licensee of the Board without the knowledge or consent of such licensee.

By letter dated April 1, 2021, 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 of engineering and using the words “engineer”, “engineering” or any modifications or derivatives thereof in a person’s name or form of business or activity without proper licensure; **(b)** La. R.S. 37:700(C), *to wit* La. R.S. 37:700(A)(2), relative to presenting or attempting to use as one’s own the license, certificate, seal, or stamp of another person; and **(c)** La. R.S. 37:700(C), *to wit* La. R.S. 37:700(A)(4), relative to falsely impersonating any licensee or certificate holder of a like or different name.

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 administrative costs of Three Thousand Seven Hundred Thirty and 64/100 (\$3,730.64) Dollars, **(b)** immediately cease and desist practicing and/or offering to practice engineering and using the words “engineer”, “engineering” or any modification or derivative thereof in connection with its name or in describing or promoting its business, activities or services in Louisiana until such time as it is duly licensed by the Board, **(c)** ensure that its employees, owners, officers and representatives immediately cease and desist practicing and/or offering to practice engineering in the name of or on behalf of the firm until such time as they are duly licensed by the Board, **(d)** ensure that its employees, owners, officers and representatives immediately cease and desist using the Louisiana professional engineer seal or signature of another licensee of the Board without the knowledge or consent of such licensee, 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 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 administrative costs of Three Thousand Seven Hundred Thirty and 64/100 (\$3,730.64) Dollars, which shall be tendered to the Board by certified checks payable to the Board in twelve (12) monthly installments as follows:



a. An initial payment of Three Hundred Ten and 96/100 (\$310.96) Dollars shall be due upon the signing of this Consent Order; and

b. The remaining balance of Three Thousand Four Hundred Nineteen and 68/100 (\$3,419.68) Dollars shall be payable in eleven (11) monthly installments of Three Hundred Ten and 88/100 (\$310.88) Dollars each, beginning thirty (30) days after the signing of this Consent Order and every thirty (30) days thereafter until paid in full; and

2. Respondent shall immediately cease and desist practicing and/or offering to practice engineering and using the words “engineer”, “engineering” or any modification or derivative thereof in connection with its name or in describing or promoting its business, activities or services in Louisiana until such time as it is duly licensed by the Board; and

3. Respondent shall ensure that its employees, owners, officers and representatives immediately cease and desist practicing and/or offering to practice engineering in Louisiana in the name of or on behalf of the firm until such time as they are duly licensed by the Board; and

4. Respondent shall ensure that its employees, owners, officers and representatives immediately cease and desist using the Louisiana professional engineer seal or signature of another licensee of the Board without the knowledge or consent of such licensee; 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.

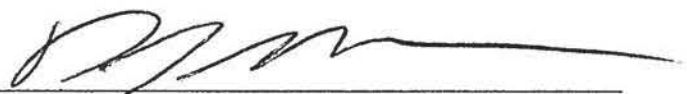
LOUISIANA PROFESSIONAL ENGINEERING  
AND LAND SURVEYING BOARD

DATE: 11 October 2021

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

U.S. AQUATICS, INC., Respondent

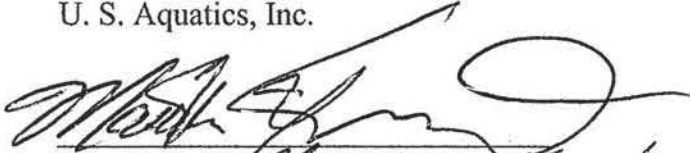
DATE: 7/22/21

BY: 

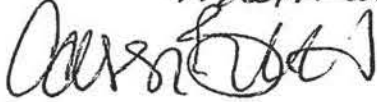
THOMAS R. SCHAFFER, President

RICK SCHAFFER

Witnesses to the signature of  
U. S. Aquatics, Inc.



Print Name: Matthew Kirchmann



Print Name: Cassie Butterfass


Approved by:

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Bernard S. Johnson  
Cook, Yancey, King & Galloway, APLC  
333 Texas St., Ste 1700  
Shreveport, LA 71101-3675  
Telephone: (318) 227-7731

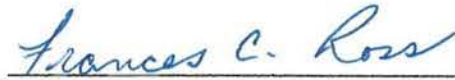
Attorney for U.S. Aquatics, Inc.


U.S. AQUATICS, INC., Respondent

DATE: 6/13/2021

BY:   
THOMAS R. SCHAFFER, President PRESIDENT  
RICK SCHAFFER

Witnesses to the signature of  
U. S. Aquatics, Inc.

  
Print Name: FRANCES C. ROSS

  
Print Name: Kelly Russell

Approved by:

  
Bernard S. Johnson  
Cook, Yancey, King & Galloway, APLC  
333 Texas St., Ste 1700  
Shreveport, LA 71101-3675  
Telephone: (318) 227-7731

Attorney for U.S. Aquatics, Inc.