

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. 2021-42
	)	
J-M MATKIN & ASSOCIATES, LTD.	)	Received
	)	AUG 04 2022
RESPONDENT	)	By LAPELS Enforcement
	)	

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**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 J-M Matkin & Associates, Ltd. [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 or professional land surveying firm and, therefore, was not authorized to practice and/or offer to practice engineering or land surveying in the State of Louisiana. Respondent subsequently became licensed in the State of Louisiana as a professional engineering firm, number EF-7284, effective April 19, 2022.

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 at least November 2016 and January 2017 Respondent offered to provide land surveying services in Louisiana and provided land surveying on one (1) project in Louisiana.

The investigation also disclosed that on or about June 21, 2021 Respondent submitted to the Board an Application for Engineering Firm (EF) Licensure, confirming thereon that (a) it had never practiced or offered to practice engineering or land surveying in Louisiana; (b) to the best of its 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) it had not omitted any information requested in the application; and (d) an omission or untrue response in 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. 37:700(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. 37:700(H) permits the Board to take enforcement action against persons who violate 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. 37:700(A)(3) and La. R.S. 37:700(H) were in effect at all times material hereto.

It is undisputed that **(a)** prior to April 19, 2022 Respondent was not licensed in Louisiana as a professional engineering firm or professional land surveying firm and, therefore, was not authorized to practice and/or offer to practice engineering or land surveying in Louisiana; **(b)** between at least November 2016 and January 2017 Respondent practiced and offered to practice land surveying in Louisiana; and **(c)** on or about June 21, 2021 Respondent submitted to the Board an Application for Engineering Firm (EF) Licensure which falsely stated that Respondent had never practiced or offered to practice land surveying in Louisiana.

By letter dated May 10, 2022, 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. 37:700(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 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 Seven Hundred Fifty and No/100 (\$750.00) Dollars, **(b)** pay administrative costs of Nine Hundred Ten and 40/100 (\$910.40) Dollars, **(c)** immediately cease and desist practicing and/or offering to practice land surveying in Louisiana until such time as it is duly licensed by the Board, and **(d)** 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 La. R.S. 37:700(A)(3). 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 Seven Hundred Fifty and No/100 (\$750.00) 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 Ten and 40/100 (\$910.40) 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 practicing and/or offering to practice land surveying in Louisiana until such time as it is duly licensed by the Board; and

4. 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

5. 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: 10/10/2022

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

J-M MATKIN & ASSOCIATES, LTD., Respondent

DATE: July 19, 2022

BY: John Mark Matkin  
JOHN-MARK MATKIN, P.E., General Partner

Witnesses to the signature of  
J-M Matkin & Associates, Ltd.

Garrett Keller  
Print Name: Garrett Keller

Rebecca Sondergaard  
Print Name: Rebecca Sondergaard

Approved by:

Mark G. Montiel, Jr.

Mark G. Montiel, Jr.  
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Attorneys for J-M Matkin & Associates, Ltd.