

REC'D SEP 13 2007

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**BEFORE THE ARKANSAS BOARD OF REGISTRATION FOR
PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

**IN THE MATTER OF TODD JACOBS, CRITICAL PATH DESIGN, AND APPIAN
CENTRE FOR DESIGN:**

CONSENT AGREEMENT

A complaint charging Todd Jacobs, Critical Path Design, Inc, and Appian Centre for Design, Inc (hereinafter the Respondents) with violations of the statutes governing the practice of engineering in the State of Arkansas has been received by the Arkansas Board of Registration for Professional Engineers and Land Surveyors (hereinafter "the Board").

Based upon the evidence before it, the Board makes the following Findings of Fact and Conclusion of Law:

Findings of Fact

1. During the period of time from December 1, 2005, until September 30, 2006, Todd Jacobs published three (3) sets of plans to the Fayetteville Planning Commission, totaling seventeen (17) pages of engineering design, without an engineer's seal.
2. During the period of time from December 1, 2005, until September 30, 2006, Todd Jacobs published at least one set of plans to the Fayetteville Planning Commission under the corporate name of Critical Path Design, Inc, without a valid Certificate of Authorization.
3. During the period of time from December 1, 2005, until September 30, 2006, Todd Jacobs published at least one set of plans to the Fayetteville Planning Commission under the corporate name of Appian Centre for Design, Inc, without a valid Certificate of Authorization.

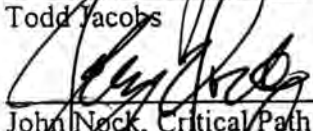
Conclusion of Law

These actions constitute seventeen (17) counts of publishing plans without an engineer's seal, in violation of Arkansas Code Annotated § 17-30-303(a)(2), and two (2) counts of offering engineering services in Arkansas without a Certificate of Authorization, in violation of Arkansas Code Annotated § 17-30-303(a)(1)(C).

Consent

In the interest of a prompt and speedy settlement, consistent with the public interest, statutory requirements, and the responsibilities of the Board, the undersigned parties enter into this Consent Agreement as a final disposition of these matters presently before the Board.

1. By accepting this Consent Agreement, the Respondents neither admit nor deny the allegations contained in the Board's Findings of Fact and Conclusion of Law. Accordingly, the Board agrees it is not necessary to find guilt or absence of fault in these matters.
2. In lieu of a formal hearing on these issues, the Respondents agree to issuance of the attached Order and waive all rights to a hearing, appeal or judicial review relating to the Order.
3. This agreement does not constitute a disciplinary action by the Board on the record of the Respondents.
4. The Respondents understand that all investigative materials prepared or received by the Board concerning these violations and all notices and pleadings relating thereto may be retained in the Board's file concerning this matter.
5. The Respondents acknowledge they have consulted legal counsel prior to entering into this Consent Agreement.
6. The Respondents understand that this Consent Agreement is effective upon its acceptance by the Board.

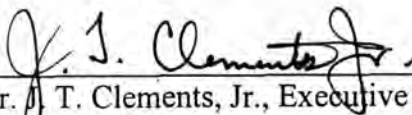
| | |
|--|---------|
|  | 7-18-07 |
| Todd Jacobs | Date |
|  | 7/18/07 |
| John Nock, Critical Path Design | Date |
|  | 7/18/07 |
| John Nock, Appian Centre for Design | Date |
|  | 9/12/07 |
| William Fletcher, President | Date |

CERTIFICATE OF SERVICE

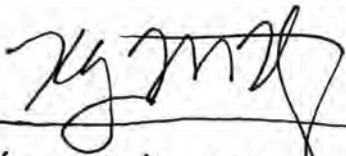
I, J. T. Clements, Jr., Executive Director of the Arkansas State Board of Registration for Professional Engineers and Land Surveyors, do hereby certify that I have served a copy of the foregoing Consent Agreement by ~~mailing copies of same, by first class mail and certified mail~~, with return receipt requested and postage prepaid, on this 10th day of July, 2007, to:

via hand-delivery

Mr. Todd Jacobs
Critical Path Design, Inc &
Appian Centre for Design, Inc
21 West Mountain Street, Suite 224
Fayetteville, AR 72701



Mr. J. T. Clements, Jr., Executive Director



Kelly W. McMurty,
Attorney For Respondents