

AUG 17 2010

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

**Case #2008-34, in the matter of QuEST, LLC:**

**CONSENT AGREEMENT AND ORDER**

The Arkansas Board of Registration for Professional Engineers and Land Surveyors (hereinafter "the Board") and Quality Engineering and Software Technologies, LLC (non-registrant, hereinafter "QuEST") agree as follows in full settlement of the charges in this disciplinary matter.

**FINDINGS OF FACT**

1. QuEST does not now, nor has it ever, held a valid Certificate of Authorization to provide or offer to provide engineering services in Arkansas.
2. On July 16, 2008, the Board received an e-mail message from M.C.Arendes, attorney for QuEST. The purpose of the e-mail message was to request the assistance of the Board to register with the Arkansas Secretary of State as a foreign LLC with the term "engineering" in the name of the firm.
3. The e-mail message stated in part: "QuEST has clients in the U.S., including Arkansas, but all engineering work for such clients is performed by QuEST India and simply coordinated and facilitated by QuEST employees in the U.S."

[End page 1 of 3]

[Begin page 2 of 3]

**CONCLUSIONS OF LAW**

The conduct of QuEST, as set forth above in the Findings of Fact, constitutes one count of providing or offering to provide engineering services without a valid Certificate of Authorization, in violation of Arkansas Code Annotated §17-30-303.

**CONSENT AGREEMENT**

In the interest of a prompt and speedy settlement, consistent with the public interest 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. QuEST has been afforded an opportunity to obtain legal counsel and has chosen to proceed, with the understanding that the facts and conduct described above in the Findings of Fact are admitted.

2. In lieu of a formal hearing on these issues, QuEST agrees to issue of the following Order and waives all rights to a hearing, appeal or judicial review relating to the Order.

3. The Respondent understands that all investigative materials prepared or received by the Board concerning these allegations and all notices and pleadings relating thereto may be retained in the Board's file concerning this matter.

[End page 2 of 3]

[Begin page 3 of 3]

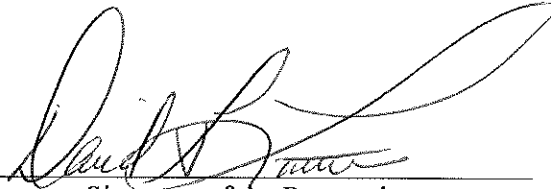
**ORDER**

1. QuEST shall pay a \$500.00 civil penalty for the violation noted in the Conclusions of Law as listed above.

2. Payment of the civil penalty shall be made to the Board within fifty (50) days of the date this Order is served upon QuEST.

3. QuEST shall obtain a Certificate of Authorization from the Board within fifty (50) days of the service of this order, or cease to provide or offer to provide engineering services in Arkansas until such time as it obtains a Certificate of Authorization from the Board.

AGREED TO BY:

  
Signature of the Respondent  
ATTY FOR QUEST, LLC

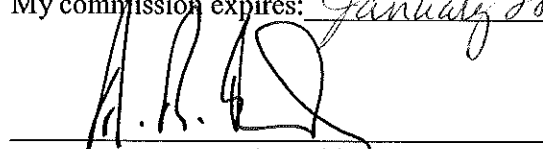
Sworn to and subscribed before me this 3rd day of June, 2009<sup>10</sup>

  
Notary Public

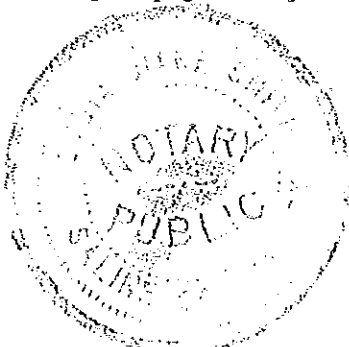
(SEAL)

My commission expires: January 28, 2012

AGREED TO AND ORDERED BY:

  
Board President

[End page 3 of 3]



**CERTIFICATE OF SERVICE**

I, James Atchley, investigator for the Arkansas State Board of Licensure for Professional Engineers and Professional Surveyors, do hereby certify that I have served a copy of the attached order by mailing copies of same, by first class mail and certified mail, with return receipt requested and postage prepaid, on this 25<sup>th</sup> day of August, 2010, to:

Mr. David A. Littleton  
 Anderson, Murphy & Hopkins, LLP  
 400 West Capitol, Suite 2470  
 Little Rock, AR 72201-3446

*James H. Atchley*  
 \_\_\_\_\_  
 James Atchley, Board Investigator

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$ 0.61
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.71</b>

Sent To: QUEST

Street, Apt. No., or PO Box No. \_\_\_\_\_  
 City, State, ZIP+4 \_\_\_\_\_

PS Form 3800, January 2001 See Reverse for Instructions

7002 0520 0001 8878 5590

**SENDER: COMPLETE THIS SECTION**

1. Article Addressed to:  
 Mr. David A. Littleton  
 Anderson, Murphy & Hopkins, LLP  
 400 West Capitol, Suite 2470  
 Little Rock, AR 72201-3446

2. Article Number (Transfer from service label)  
 7002 0520 0001 8878 5590

PS Form 3811, August 2001 Domestic Return Receipt

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**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
*James Atchley*  Addressee

B. Received by (Printed Name)  Date of Delivery  
*James Atchley* *8/30/10*

C. Date of Delivery *8/30/10*

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

**RECD SEP 1 2010**

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes  No

102595-02-M-1540