

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

IN THE MATTER OF ROBERT T. TOLBERT, P.E.

CONSENT AGREEMENT

A complaint charging Robert T. Tolbert, P.E. (hereinafter "Respondent"), with violations of the statute governing registered Professional Engineers in the State of Arkansas has been received by the Arkansas Board of Registration for Professional Engineers and Land Surveyors, (hereinafter "the Board"). In the interest of a prompt and speedy settlement of the above-captioned matter, 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 matters presently before the Board regarding an advertisement in "The Arkansas Lawyer".

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

I. Findings of Fact

1. Respondent is not now nor has ever been a licensed professional engineer in the State of Arkansas.
2. In Volume 40, No. 3, Summer 2005 Issue, of "The Arkansas Lawyer" at page 48 the Respondent is advertising to provide professional services in Arkansas as a "Professional Engineer".

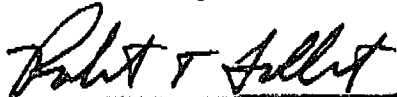
II. Conclusion of Law

This conduct constitutes a violation of the statutory prohibition against practicing engineering without a license as defined by Ark. Code Ann. § 17-30-101(4)(A), (4)(B)(i), (j) and (iv).

III. Consent

1. By accepting this Consent Agreement, Respondent neither admits nor denies the allegations contained in the Board's Findings of Fact and Conclusion of Law as

- it relates to an advertisement in "The Arkansas Lawyer". 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, Respondent agrees to issuance of the attached Order and waives 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 Respondent.
 4. Respondent understands 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. Respondent acknowledges that he has consulted legal counsel prior to entering into this Consent Agreement.
 6. Respondent understands that this Consent Agreement is effective upon its acceptance by the Board.



Respondent

Dated: 09/11/05



Ivan Hoffman, President

Dated: 9/13/05



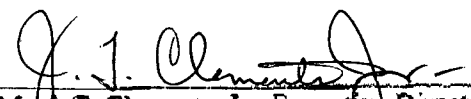
Larry Crane, Assistant Attorney General

Dated: 9/13/05

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 order by certified mail, return receipt requested to Respondent on this 14th day of September, 2005:

Robert T. Tolbert, P.E.
653 County Road 4240
Arley, AL 35541



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

**BEFORE THE ARKANSAS BOARD OF REGISTRATION FOR
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IN THE MATTER OF ROBERT T. TOLBERT, P.E.

ORDER

In view of the Findings of Fact, Conclusions of Law and the Consent of the Respondent as stated in the Consent Agreement filed herein, the Board hereby issues the following Order:

1. It is ordered that Respondent pay an administrative fee of \$1,000 within 60 days of the date of this Order.
2. Further, the Board directs that the advertisement in "The Arkansas Lawyer" be withdrawn.

**ARKANSAS STATE BOARD OF
REGISTRATION FOR PROFESSIONAL
ENGINEERS AND LAND SURVEYORS**

BY: _____

Ivan Hoffman, President

Dated: _____

9/13/05