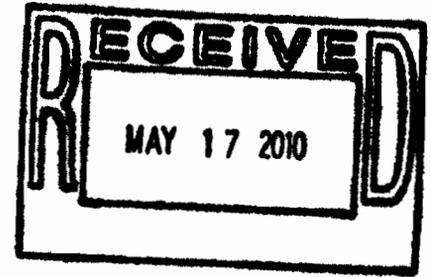


STATE OF ALABAMA
BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND
LAND SURVEYORS



IN RE THE MATTER OF:

HAROLD PRIDGEN

CASE NO. 08-41-B

CONSENT ORDER

Harold Pridgen (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to approval of the State of Alabama Board of Licensure for Professional Engineers and Land Surveyors (hereinafter referred to as the "Board") as follows:

STIPULATED FACTS

Respondent stipulates on April 4, 1970 the Board issued him a license (Number 9309) to practice engineering in the State of Alabama. Respondent has held that license continuously since that date.

Respondent stipulates on September 18, 2008 a complaint was filed by Mr. Harvey McKim, of the Alabama Building Commission (hereinafter referred to as "Complainant") alleging Respondent applied his professional seal and signature to mechanical, plumbing and electrical plans for Comfort Inn, Hope Hull, Alabama in violation of an opinion issued by the Board.

Respondent stipulates in February 2008 the Board reviewed the Building Supplemental Form he submitted relative to placing his professional seal and signature to multiple discipline design drawings for a Hotel in the State of Alabama. After review of the document the Board informed Respondent by letter that in its opinion Respondent was not competent to prepare multiple discipline drawings.

Respondent stipulates he applied his professional engineer seal and signature to electrical and mechanical design drawings on May 15, 2008 relative to the Holiday Inn Express and Suites in Andalusia, Alabama without obtaining prior authorization from the Board. Respondent further stipulates the mechanical design drawings contained errors and violations of the acceptable standards of practice for engineering in the State of Alabama

Respondent stipulates he applied his professional engineer seal and signature to electrical and mechanical design drawings on July 11, 2007 relative to the Contra 90 Hotel in Loxley, Alabama without obtaining prior authorization from the Board. Respondent further stipulates the mechanical design drawings contained errors and violations of the acceptable standards of practice for engineering in the State of Alabama

Respondent stipulates he applied his professional engineer seal and signature to electrical and mechanical design drawings on June 14, 2006 relative to the Greenville Mexican Restaurant in Greenville, Alabama without obtaining prior authorization from the Board. Respondent further stipulates the mechanical design drawings contained errors and violations of the acceptable standards of practice for engineering in the State of Alabama

Respondent stipulates he applied his professional engineer seal and signature to electrical and mechanical design drawings on December 28, 2006 relative to the Comfort Inn in Hope Hull, Alabama without obtaining prior authorization from the Board. Respondent further stipulates the mechanical design drawings contained errors and violations of the acceptable standards of practice for engineering in the State of Alabama

STIPULATED CONCLUSIONS OF LAW

Respondent in his capacity as a licensed professional engineer in the State of Alabama, stipulates in such capacity he is subject to the provisions of Title 34, Chapter 11, Code of Alabama 1975, and the Rules of Regulations of the *Administrative Code* of this Board.

Respondent stipulates his conduct as set forth in the foregoing "Stipulated Facts" constitutes violations of Title 34, Chapter 11, Code of Alabama 1975 § 34-11-11 and the rules and regulations of the Board's *Administrative Code* §330-X-14-.03(a) and (b), §330-X-14-.05(g), and §330-X-14-.06(1) and (5).

Respondent stipulates his conduct set forth in the "Stipulated Facts" constitutes a violation of those rules and statutes set forth above, and he is subjecting himself to disciplinary action under Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11.

STIPULATED DISPOSITION

1. Respondent shall not in the future violate the provisions of Title 34, Chapter 11, Code of Alabama 1975, or the Rules and Regulations of the *Administrative Code* and the Rules of Professional Conduct promulgated together.
2. Respondent understands this Consent Order and subsequent Final Order will become a matter of public record.
3. Respondent agrees he shall **surrender** his State of Alabama professional engineer license upon the date a Final Order is issued by the Board. Respondent further agrees he will not seek re-issuance of his license to practice engineering in the State of Alabama for a period of five (5) years after the date of the Final Order.
4. Respondent shall pay the Board a fine of one thousand dollars (\$1,000.00) no later than thirty days from the date of the Final Order as provided by Title 34, Chapter 11, Code of Alabama 1975, §34-11-11.
5. Respondent agrees failure to submit payment of specified penalty within six months of date of the Final Order shall cause Respondent's license to practice engineering in the State of Alabama to be revoked (pending ratification of the Board). This matter will then be presented to the Board for ratification at its next regularly scheduled meeting. Respondent understands he

has the right to appear at that meeting and present any facts or extenuating circumstances to the Board.

6. Respondent agrees this Consent Order is subject to the approval of the Board and has no force and effect until a Final Order based upon it is rendered by the Board.

7. Respondent agrees any violation of the terms of this Consent Order may result in the Board filing additional charges in accordance with Title 34, Chapter 11, Code of Alabama 1975.

8. Respondent understands in order to make a decision relative to approving this Consent Order discussions must take place between Board Members, Board Staff and Board Counsel. Respondent understands this discussion will take place at the Board's regularly scheduled meeting on **May 19-21, 2010** in Montgomery, Alabama. Respondent understands he has the right to be present when this matter is discussed but hereby waives that right.

9. Respondent understands he has the right to seek the advice of legal counsel. Respondent also understands he has the right to a formal fact finding hearing before the Board, to compel the testimony of witnesses, to cross-examine witnesses against him, and to obtain judicial review of the Board's decision in said formal hearing but expressly waives these rights with execution of this Consent Order and Final Order of the Board.

10. Respondent for the purpose of avoiding further administrative action with respect to this cause executes this Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation in or resolution of these proceedings. Likewise, if this Consent Order is not accepted, the Board shall not take into consideration the contents of this Order as an admission and the Respondent shall be allowed a new hearing date other than that set forth in Paragraph 8 herein.

11. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Consent

Order, the stipulated facts, conclusions of law, and imposition of administrative action contained herein, and the Final Order of the Board incorporating said Consent Order.

SIGNED this the 13 day of MAY, 2010.


Harold Pridgen
Respondent

APPROVED:


Benjamin H. Albritton
Assistant Attorney General

**STATE OF ALABAMA
BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND
LAND SURVEYORS**

IN RE THE MATTER OF:

HAROLD PRIDGEN

CASE NO. 08-41-B

FINAL ORDER

On May 19-20, 2010 the State of Alabama Board of Licensure for Professional Engineers and Land Surveyors convened for a regularly scheduled Board meeting. The Board Members in attendance were: Mr. William C. Ulrich, Jr, Mr. C. Michael Arnold, Mr. W. Gerald Wilbanks, Dr. Daniel S. Turner, Mr. Phillip E. Santora and Mr. Earl R. Foust. Mr. Benjamin H. Albritton, Assistant Attorney General, appeared as counsel for the Board.

This Final Order is based upon a Consent Order signed by Mr. Harold Pridgen, (hereafter referred to as Respondent) and dated May 13, 2010. In the Consent Order, Respondent stipulated he violated the Code of Alabama 1975 § 34-11-11, and the Rules of Professional Conduct of the Board's *Administrative Code* § 330-X-14-.03(a) and (b), §330-X-14-.05(g), and §330-X-14-.06(1) and (5).

Upon Consideration of the above it is ORDERED the Consent Order dated May 13, 2010 and signed by the Respondent is adopted by the Board and hereby made a

part of this Final Order. It is further ORDERED that Respondent abide by the Final Order in this manner.

ENTERED this the 26th day of May 2010.

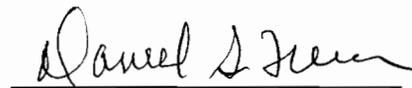

Mr. William C. Ulrich, Jr.

NOT PRESENT
Mr. Don T. Arkle

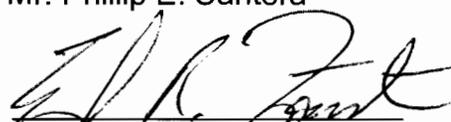

Mr. C. Michael Arnold

RECUSED


Mr. W. Gerald Wilbanks


Dr. Daniel S. Turner


Mr. Phillip E. Santora


Mr. Earl R. Foust