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**BEFORE THE ARIZONA STATE
BOARD OF TECHNICAL REGISTRATION**

<p>In the Matter of:</p> <p>Andreas Pluntke Non-Registrant</p> <p style="text-align: center;">Respondent</p>	<p style="text-align: center;">Case No. P18-061</p> <p style="text-align: center;">CONSENT AGREEMENT and ORDER OF DISCIPLINE</p>
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12 In the interest of a prompt and judicious resolution of the above-captioned matter before
13 the Arizona State Board of Technical Registration (“Board”) and consistent with the public
14 interest, statutory requirements, and the responsibilities of the Board, and pursuant to A.R.S. §
15 32-101 et seq., and A.A.C. R4-30-120(G), the undersigned party, Andreas Pluntke,
16 Non-Registrant, (“Respondent”) and the Board enter into the following Recitals, Findings of
17 Fact, Conclusions of Law and Order (“Consent Agreement”) as a final disposition of this matter.

18 **RECITALS**

19 1. Respondent has read and understands this Consent Agreement and has had the
20 opportunity to discuss this Consent Agreement with an attorney, or has waived the opportunity to
21 discuss this Consent Agreement with an attorney.

22 2. Respondent understands that he has a right to a public administrative hearing
23 concerning this case. He further acknowledges that at such formal hearing he could present
24 evidence and cross-examine witnesses. By entering into this Consent Agreement, Respondent
25 knowingly, voluntarily, and irrevocably waives his right to such an administrative hearing, as well
26 as rights of rehearing, review, reconsideration, appeal, judicial review or any other administrative
27 and/or judicial action concerning the matters set forth herein.

28 3. Respondent affirmatively agrees that this Consent Agreement shall be irrevocable.

1 4. Respondent understands that this Consent Agreement or any part of the agreement
2 may be considered in any future disciplinary action by the Board against him.

3 5. The Consent Agreement, any record prepared in this matter, all investigative
4 materials prepared or received by the Board and all related exhibits and materials, are public
5 records (as defined in A.R.S. § 41-158.18) upon acceptance by the Board of this Consent
6 Agreement and may be retained in the Board's files pertaining to this matter.

7 6. Respondent understands this Consent Agreement deals with Board case number
8 P18-061 involving allegations that Respondent engaged in conduct that would subject him to
9 discipline under the Board's statutes and rules. The investigation into these allegations against
10 Respondent shall be concluded upon the Board's adoption of this Consent Agreement.

11 7. Respondent understands that this Consent Agreement does not constitute a
12 dismissal or resolution of any other matters currently pending before the Board, if any, and does
13 not constitute any waiver, express or implied, of the Board's statutory authority or jurisdiction
14 regarding any other pending or future investigation, action or proceeding.

15 8. Respondent also understands that acceptance of this Consent Agreement does not
16 preclude any other agency, subdivision, or officer of this State from instituting any other civil or
17 criminal proceedings with respect to the conduct that is the subject of this Consent Agreement.

18 9. Respondent acknowledges and agrees that, upon signing this Consent Agreement
19 and returning this document to the Board's Executive Director, he may not revoke his acceptance
20 of the Consent Agreement or make any modifications to the document regardless of whether the
21 Consent Agreement has been signed on behalf of the Board. Any modification to this original
22 document is ineffective and void unless mutually agreed by the parties in writing.

23 10. This Consent Agreement is subject to the approval of the Board and is effective
24 only when accepted by the Board and signed on behalf of the Board. If the Board does not accept
25 this Consent Agreement, the Board retains its authority to hold a formal administrative hearing
26 pursuant to A.R.S. § 32-128(E). In the event that the Board does not approve this Consent
27 Agreement, it is withdrawn and shall be of no evidentiary value and shall not be relied upon nor
28 introduced in any action by any party, except that the parties agree that should the Board reject

1 this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that
2 the Board was prejudiced by its review and discussion of this document or any records relating
3 thereto.

4 11. If a court of competent jurisdiction rules that any part of this Consent Agreement is
5 void or otherwise unenforceable, the remainder of the Consent Agreement shall remain in full
6 force and effect.

7 12. Respondent understands that any violation of this Consent Agreement may result in
8 disciplinary action, including suspension or revocation of the registration under A.R.S. § 32-150.

9 13. Respondent agrees that the Board will adopt the following Findings of Fact,
10 Conclusions of Law and Order.

11 **FINDINGS OF FACT**

12 1. The Board is the duly constituted authority for the regulation and control of the
13 practice of Architecture in the state of Arizona.

14 2. Respondent has never been registered with the Board.

15 3. On July 30, 2014 Respondent generated design plans that displayed the seal and
16 signature of Registered Electrical Engineer Greg Larson #28582, on the Avella Pharmaceutical
17 Expansion project in Phoenix, Arizona.

18 4. On March 22, 2018 a complaint was filed alleging Respondent fraudulently used
19 the seal and signature of Registered Electrical Engineer Greg Larson #28582.

20 5. On January 14, 2019 Respondent stated to Board staff in an interview that even
21 though he does not know how the seal was applied to the plans, as the owner of the company he
22 is responsible for all plans that are submitted for construction.

23 6. On January 15, 2019 Greg Larson, Registered Electrical Engineer #28582 told
24 board staff he had no involvement in the project and did not give Respondent authorization to use
25 his seal or apply his signature on the project design plans the Avella Pharmaceutical Expansion
26 project in Phoenix, Arizona.

27 7. On April 23, 2019 the Board reviewed the complaint and found that Respondent
28 did engage in the practice of engineering by preparing mechanical design plans for the Avella

1 Project at 23620 N 20th Dr., Phoenix, Arizona without Board registration and further found that
2 Respondent was responsible for the unauthorized use of a registrant's seal.

3 **CONCLUSIONS OF LAW**

4 1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq,
5 including A.R.S. § 32-106.02(A).

6 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline
7 pursuant to A.R.S. § 32-145(4), in that Respondent used the registration of Greg Larson,
8 Electrical Engineer on Engineering plans for the Avella Pharmaceutical Expansion project.

9 3. The conduct alleged in the Findings of Fact constitutes grounds for discipline
10 pursuant to A.R.S. § 32-145(1), in that Respondent engaged in the practice of professional
11 engineering without registration with the Board.

12 **ORDER**

13 Based on the foregoing Findings of Fact and Conclusions of Law, the Board issues the
14 following Order:

15 1. **CIVIL PENALTY.** Within Sixty (60) days from the effective date of this
16 Consent Agreement, Respondent shall pay a civil penalty of Four Thousand Dollars (\$4,000.00)
17 to be submitted to the Board by cashier's check or money order made payable to the Arizona
18 State Board of Technical Registration, according to the provisions of A.R.S. § 32-106.02(A).

19 2. **COST OF INVESTIGATION.** Within thirty (30) days from the effective date of
20 this Consent Agreement, Respondent shall pay the cost of investigation of this case to the Board
21 in the amount of Four Hundred Ninety-Two Dollars (\$492.00) by certified check or money order
22 made payable to the State of Arizona Board of Technical Registration, according to the provisions
23 of A.R.S. § 32-128(H).

24 3. **OBEY ALL LAWS.** Respondent shall obey all federal, state and local laws, related
25 to the practice of Engineering in the State of Arizona. The Board shall consider any violation of
26 this paragraph to be a separate violation of the statutes governing the Arizona Board of Technical
27 Registration.

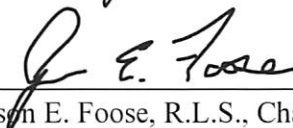
28 4. **EFFECTIVE DATE.** The effective date of this Consent Agreement is the date the

1 Respondent and Board sign the Consent Agreement. If the dates are different, the effective date is
2 the later of the two dates.


3 5. COSTS OF COMPLIANCE. Respondent shall pay all costs associated with
4 complying with this Consent Agreement.

5 6. NONCOMPLIANCE. If Respondent violates this Order in any way or fails to
6 fulfill the requirements of this Order, the Board may seek a Petition for Injunction in accordance
7 with the provisions set forth in A.R.S. § 32-106.01.

8
9 ACCEPTED and ORDERED this 11th day of June, 2019.

10
11 
12 Jason E. Foose, R.L.S., Chairman
13 Arizona State Board of
14 Technical Registration

15 Consent Agreement and Order, No. P18-061 accepted this 24 day of May, 2019.

16 
17 Andreas Pluntke, Respondent

18 **ORIGINAL** filed this 11th day of
19 JUNE, 2019, with:

20
21
22 Arizona State Board of Technical Registration
23 1110 W. Washington, Suite 240
24 Phoenix, AZ 85007

25 **COPY** of the foregoing mailed via Certified Mail
26 No. 9214 8901 9434 4600 0564 63 and
27 First Class mail this 11th day of JUNE, 2019, to:

28 Andreas Pluntke
7600 E. Redfield Rd
Scottsdale, AZ 85260



State of Arizona
BOARD OF TECHNICAL REGISTRATION

1110 W. Washington Street, Suite 240, Phoenix, Arizona 85007, (602) 364-4930, Fax (602) 364-4931 · <https://btr.az.gov>

June 11, 2019

Andreas Pluntke
7600 East Redfield Road, Suite C-180
Scottsdale, Arizona 85260

Re: P18-061, Andreas Pluntke, Non-Registrant
Project: Avella Pharmaceutical Expansion

Dear: Mr. Pluntke:

Enclosed is a copy of the Consent Agreement and Order ("Consent") you signed which has been approved and issued by the Board to resolve this complaint. Please comply with all requirements contained in the Order. The effective date of your Consent is **June 11, 2019**.

Attached is an acknowledgement of receipt of the signed consent order, please sign and mail the acknowledgement back to the Board within seven (7) days of receipt of this letter.

If you have any questions, call me at (602) 364-4954.

Sincerely,

Jeff Hunt
Asst. Enforcement Mngr., AZBTR
jeff.hunt@azbtr.gov
602-364-4954

Enclosures: Consent Order
Acknowledgement of Receipt

To: The Arizona Board of Technical Registration
1110 W. Washington, Suite 240
Phoenix, AZ 85007

Re: P18-061, Andreas Pluntke, Non-Registrant

I acknowledge receipt of the signed Consent Order issued by the Arizona Board of Technical Registration in disposition of the referenced matter.

Signature: _____

Date: _____



**State of Arizona
BOARD OF TECHNICAL REGISTRATION**

1110 W. Washington Street, Suite 240, Phoenix, Arizona 85007, (602) 364-4930, Fax (602) 364-4931 · <https://btr.az.gov>

INVOICE

June 12, 2019

Andreas Pluntke
7600 E Redfield Rd., Ste C-180
Scottsdale, AZ 85260

Re: P18-061, Andreas Pluntke, Non-Registrant
Consent Agreement and Order

Description	Due Date	Amount Due	Amount Enclosed
Civil Penalty \$4000.00	8/12/19	\$4000.00	
Cost of Investigation \$492.00	7/12/19	\$492.00	

Please make check(s) payable to the
State of Arizona Board of Technical Registration.

Make copy and Enclose Invoice with Your Payment



State of Arizona
BOARD OF TECHNICAL REGISTRATION

1110 W. Washington Street, Suite 240, Phoenix, Arizona 85007, (602) 364-4930, Fax (602) 364-4931 · <https://btr.az.gov>

June 11, 2019

William Acorn
Acorn Consulting Services
10617 N Hayden Rd. Suite B-108
Scottsdale, AZ 85260

Re: P18-061, Andreas Pluntke, Non-Registrant
Project: Avella Pharmaceutical Expansion

Dear Mr. Acorn:

Enclosed is a copy of the Consent Agreement and Order ("Consent") Andreas Pluntke agreed to which the Board approved and issued. It resolves this complaint. The effective date of the Consent is **June 11, 2019**.

If you have any questions, call me at (602) 364-4954.

Sincerely,

Jeff Hunt
Asst. Enforcement Mngr., AZBTR
jeff.hunt@azbtr.gov
602-364-4954