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Engineers and Land Surveyors on  
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**CERTIFIED TRUE COPY**

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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF PROFESSIONAL ENGINEERS  
AND LAND SURVEYORS

IN THE MATTER OF

MICHAEL D. FANTOZZI,  
Unlicensed

Administrative Action  
CONSENT ORDER

THIS MATTER was opened to the New Jersey State Board of Professional Engineers and Land Surveyors ("Board") upon receipt of information alleging that Michael D. Fantozzi (hereafter "Respondent") was conveying the impression that he is a New Jersey licensed professional engineer, although he does not possess a license to practice engineering in the State of New Jersey.

More specifically, testimony and evidence demonstrate that Respondent has a Bachelor of Science degree in electrical engineering, but failed the Fundamentals of Engineering examination in or about 1994 and has never obtained an engineer-in-training certificate or a license to practice engineering in the State of New Jersey or any other state. Thereafter, Respondent admittedly obtained a copy of his employer's license to practice engineering in the State of New Jersey, made a duplicate of that license and altered the duplicate license to evidence that from in or about 1998 through 2004 he was a New Jersey licensed professional engineer. Respondent then provided the altered license to his employer as proof that he was a New Jersey licensed professional engineer.

Respondent further obtained business cards with the designation "P.E." which conveyed the impression that he is a New Jersey licensed professional engineer and admitted that he signed letters with that designation. Respondent also executed a Professional Services Pre-Qualification Application from the Department of the Treasury/Division of Property Management and Construction prepared on March 11, 2003, as well as a Professional Services Pre-Qualification Application from the New Jersey Economic Development Authority/School Finance and Construction Program dated February 8, 2002, both of which were executed by Respondent and indicated that Respondent was a New Jersey licensed professional

engineer. Finally, Respondent has testified that he is currently taking a course in anticipation of making application to the Board to take the fundamentals of engineering examination.

As a result of the foregoing, the Board has determined that Respondent's acts constitute violations of:

1. N.J.S.A. 45:1-21(b) in that Respondent has engaged in the use of fraud by intentionally making material misrepresentations on applications, business cards and letters indicating that he is a New Jersey licensed professional engineer, which were relied upon by third parties in making determinations in connection with utilizing the services of Respondent and/or Respondent's employer, Colm Engineering. Additionally, Respondent duplicated a valid engineering licence and altered the copy to evidence that Respondent was a licensed professional engineer in New Jersey; and
2. N.J.S.A. 45:8-27, N.J.S.A. 45:8-28 and N.J.S.A. 45:8-39 in that Respondent falsely represented that he is a New Jersey licensed professional engineer which constitutes the unlicensed practice of engineering.

IT NOW APPEARING to the Board that the Respondent wishes to resolve this matter without recourse to formal proceedings and for good cause shown;

IT IS ON THIS 16th day of June, 2005, ORDERED AND AGREED THAT Respondent shall immediately cease and desist from utilizing the designation of "engineering", "P.E.", "professional

engineer", or any derivative thereof, or any other term which tends to convey the impression that Respondent has a license to practice engineering in New Jersey, or which conveys the impression that Respondent provides, or offers to provide, engineering services in the State of New Jersey. Further, Respondent shall immediately destroy any existing document which states or implies that he is or has been a New Jersey licensed professional engineer.

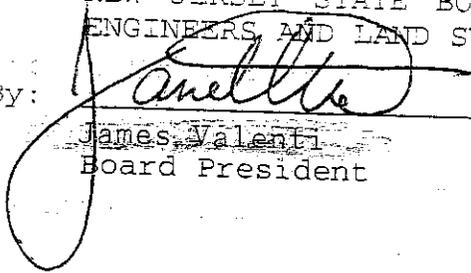
IT IS FURTHER ORDERED AND AGREED that Respondent shall not make application to sit for an examination to obtain an engineer-in-training certificate or license to practice engineering in the State of New Jersey, or seek to obtain a certificate or license in the State of New Jersey based upon licensure or certification in another State or by other means, for a minimum of three (3) years from the date of this Consent Order.

IT IS FURTHER ORDERED that Respondent, upon making application, shall be required to appear before the Board (or a committee thereof) to demonstrate fitness to take an examination in connection with, or obtain, an engineer-in-training certificate or license to practice engineering in the State of New Jersey. At the time of his appearance before the Board, Respondent shall provide: (1) proof that he has successfully completed, to the Board's satisfaction, two (2) Board-approved ethics courses; and (2) all documentation in connection with any pending or prior criminal charges against him (if applicable), including, but not

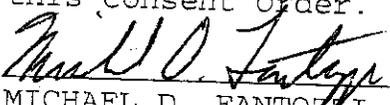
limited to, an indictment, information, plea agreement, Judgment of Conviction or other documents as the Board deems necessary. Respondent further must demonstrate to the Board's satisfaction at the time of his appearance that he has successfully completed any and all terms and conditions in connection with the outcome of any pending or prior criminal charges against him. The Board reserves the right to deny or place restrictions upon Respondent's application to sit for any examination or, if applicable, Respondent's certificate or license to practice engineering in the State of New Jersey.

NEW JERSEY STATE BOARD OF PROFESSIONAL  
ENGINEERS AND LAND SURVEYORS

By:

  
James Valenti  
Board President

I have read and I understand this Consent Order and agree to be bound by its terms. I further hereby consent to the entry of this Consent Order.

  
MICHAEL D. FANTOZZI

I agree to the form and entry of this Consent Order.

  
DAVID POPLAR, ESQUIRE  
Attorney for Michael D. Fantozzi