

Filed by the Board of Professional  
Engineers and Land Surveyors of  
Date 1/6/09

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

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
JOHN PETTIT, P.E.	:	
License No. GE37906	:	CONSENT ORDER
	:	
TO PRACTICE ENGINEERING	:	
IN THE STATE OF NEW JERSEY	:	
	:	

**THIS MATTER** was opened to the New Jersey State Board of Professional Engineers and Land Surveyors upon receipt of information that the Respondent, John Pettit, P.E., engaged in professional misconduct.

More specifically, the record reveals that Respondent was employed at Bach Associates from September 2003 until he resigned

in or about December 2006. On August 16, 2006 Respondent formed his own company, Pettit Associates, to provide engineering services. While employed at Bach Associates, Respondent admittedly copied various project files of Bach Associates and utilized that information to provide engineering services to those clients under the firm name of Pettit Associates. Respondent also formed a professional relationship with David Kreck, P.E. to assist in providing engineering services to those clients. Respondent failed to disclose to Bach Associates that he was copying project files and providing engineering services to those clients under the name of Pettit Associates or through David Kreck, P.E.

As a result of the foregoing, the Board has determined that Respondent is in violation of:

1. N.J.S.A. 45:1-21(e) and N.J.A.C. 13:40-3.5(a)(1) in that in connection with multiple projects, Respondent failed to act for his employer in professional matters other than as a faithful agent.

2. N.J.S.A. 45:1-21(e) and N.J.A.C. 13:40-3.5(a)(4)(i) in that while employed at Bach Associates, Respondent failed to inform his employer, Bach Associates, of the formation of his new company, Pettit Associates, as well as his on-going relationship with David Kreck, P.E.

**IT NOW APPEARING** that the parties wish to resolve this matter without recourse to formal proceedings; and that the Respondent

hereby waives any right to a hearing in this matter; and the Board finding the within Order adequately protects the public's health, safety and welfare; and for good cause shown;

IT IS ON THIS 6<sup>th</sup> day of JANUARY, ~~2008~~, <sup>2009</sup> ORDERED AND AGREED AS FOLLOWS:

1. Respondent's license to practice engineering in the State of New Jersey shall be, and hereby is, suspended for a period of one (1) year effective the date of the filing of this Consent Order, to be stayed in its entirety and served as a period of probation.

2. During the probationary period, Respondent agrees that in the event he violates any provision of this Consent Order, or is determined to be in violation of any statute and/or regulation which the Board administers, then Respondent's licenses to practice professional engineering in the State of New Jersey shall be automatically suspended without a hearing, in addition to any other limitations or restrictions as the Board deems appropriate. Additionally, Respondent has an affirmative duty to immediately inform the Board in writing of any potential or actual violations. Within five (5) days of notification of the suspension, Respondent may seek a hearing by written application to the Board limited to the sole issue of violation of this Consent Order.

3. Respondent shall immediately pay a civil penalty in the amount of Three Thousand Dollars and 00/100 (\$3,000.00) in

connection with his violation of N.J.S.A. 45:1-21(e) and N.J.A.C. 13:40-3.5(a) (1). Payment shall be made by certified check or money order payable to the "State of New Jersey" and forwarded to Arthur Russo, Executive Director, State Board of Professional Engineers & Land Surveyors, 124 Halsey Street, 3<sup>rd</sup> Floor, Newark, New Jersey 07102.

4. Respondent shall immediately pay a civil penalty in the amount of Two Thousand Dollars and 00/100 (\$2,000.00) in connection with his violation of N.J.S.A. 45:1-21(e) and N.J.A.C. 13:40-3.5(a) (4) (i). Payment shall be made by certified check or money order payable to the "State of New Jersey" and forwarded to Arthur Russo, Executive Director, State Board of Professional Engineers & Land Surveyors, 124 Halsey Street, 3<sup>rd</sup> Floor, Newark, New Jersey 07102.

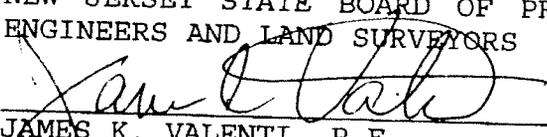
5. Respondent shall immediately pay investigative costs of One Hundred Twenty Five Dollars and 00/100 (\$125.00). Payment shall be made by certified check or money order payable to the "State of New Jersey" and forwarded to Arthur Russo, Executive Director, State Board of Professional Engineers & Land Surveyors, 124 Halsey Street, 3<sup>rd</sup> Floor, Newark, New Jersey 07102.

6. Respondent shall provide proof of successful completion, to the Board's satisfaction, of eight (8) hours of continuing education courses in the area of ethics, which shall be pre-

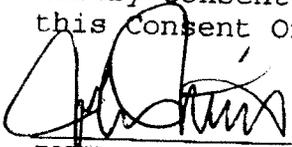
approved by the Board and completed prior to resuming active practice in the State of New Jersey.

NEW JERSEY STATE BOARD OF PROFESSIONAL  
ENGINEERS AND LAND SURVEYORS

By:

  
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JAMES K. VALENTI, P.E.  
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.

  
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JOHN PETTIT, P.E.