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STATE OF WISCONSIN

BEFORE THE EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,
DESIGNERS, AND LAND SURVEYORS (ENGINEERS' SECTION)

Rec'd & Filed
February 2, 1972

C. F. Hure

IN THE MATTER OF THE REVOCATION OF
THE CERTIFICATE OF REGISTRATION AS
AN ENGINEER OF DONALD V. COHEN,
RESPONDENT (E-07979)

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER
Case No. 71-8-27

This action coming on to be heard before the Engineers' Section of the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors, on the 21st day of January, 1972, pursuant to notice duly given, and on the complaint of said Board, and the complainant having appeared by Sherwood K. Zink, attorney for said Board, and the respondent, Donald V. Cohen, having appeared in person, and by his attorneys Gaines and Saichek, by Irving D. Gaines, and the said Section of the Board having heard the evidence, and being advised in the premises, makes the following:

FINDINGS OF FACT

1. That Donald V. Cohen, of 5124 N. Woodburn Street, Milwaukee, Wisconsin, is duly registered in the State of Wisconsin as a Professional Engineer, Certificate No. E-07979, under the provisions of Section 443.01, Wisconsin Statutes.
2. That C.F. Hure is the Secretary of the Examining Board of Architects, Professional Engineers, Designers, and Land Surveyors, and was duly authorized by the Engineers' Section of said Board to institute these proceedings.
3. That, on or about July 19, 1971, the respondent, Donald V. Cohen, submitted building plans, upon which he had affixed his stamp and signature as a Professional Engineer, for a Knights of Columbus Clubhouse to be located at 732 Badger Avenue, South Milwaukee, Wisconsin, to the Department of Industry, Labor and Human Relations for approval.

4. That said plans were not prepared in their entirety by or under the direction and control of the respondent.

CONCLUSIONS OF LAW

1. That the respondent's submission to the Department of Industry, Labor and Human Relations, of plans upon which he had affixed his stamp and signature as a Professional Engineer, when said plans and specifications were not prepared in their entirety by or under the direction and control of the respondent, is misconduct in the practice of Professional Engineering on the part of the respondent, and constitutes grounds for revocation of the respondent's registration as a Professional Engineer pursuant to Sec. 443.01 (13) (a) 4, Wis. Stats.

2. That the respondent's impressing of his stamp upon documents which had not been prepared in their entirety by him or under his direction and control is in violation of Section 443.01 (1) (f), Wis. Stats., and constitutes grounds for revocation of the respondent's registration as a Professional Engineer pursuant to Section 443.01 (13) (a) 2., Wis. Stats.

3. That it is not in the public interest to revoke the certificate of registration as a Professional Engineer of the respondent, Donald V. Cohen, but that said respondent is subject to and deserving of a reprimand.

ORDER

NOW, THEREFORE, IT IS ORDERED, that the respondent, Donald V. Cohen be, and he hereby is, severely reprimanded for having placed his stamp and signature upon plans which were not prepared in their entirety by him or under his direction and control, and for having submitted same to the Department of Industry, Labor and Human Relations.

IT IS FURTHER ORDERED, that a copy of these Findings of Fact, Con-
clusions of law, and Order be served upon the respondent's attorneys,
Gaines & Saichek by certified mail.

Dated this 31st day of January, 1972.

EXAMINING BOARD OF ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND
LAND SURVEYORS (ENGINEERS' SECTION)

By


C.F. Hurc, Secretary

STATE OF WISCONSIN

BEFORE THE EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,
DESIGNERS, AND LAND SURVEYORS (ENGINEERS' SECTION)

IN THE MATTER OF THE REVOCATION OF
THE CERTIFICATE OF REGISTRATION AS
AN ENGINEER OF DONALD V. COHEN,
RESPONDENT (E-07979)

AMENDED
COMPLAINT
Case No.
71-8-27

The Engineers' Section of the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors, by C.F. Hurc, its Secretary, complains against the respondent and alleges:

Article 1. That Donald V. Cohen, of 5124 N. Woodburn Street, Milwaukee, Wisconsin, is duly registered under the provisions of Section 443.01, Wis. Stats., as a Professional Engineer, Certificate Number E-07979.

Article 2. That C.F. Hurc is the Secretary of the Engineers' Section of the Examining Board of Architects, Professional Engineers, Designers, and Land Surveyors, and has been directed by said Section to initiate these proceedings to revoke the Certificate of Registration as a Professional Engineer of said Donald V. Cohen, under the provisions of Section 443.01 (13), Wis. Stats.

Article 3. On information and belief, that, on or about July 19, 1971, the respondent, Donald V. Cohen, submitted building plans, bearing his stamp and signature as a Professional Engineer, for a Knights of Columbus Clubhouse to be located at 732 Badger Avenue, South Milwaukee, Wisconsin, to the Department of Industry, Labor and Human Relations for approval.

Article 4. On information and belief, that said plans were not prepared by or under the direction and control of the respondent, Donald V. Cohen, but were prepared by one Clay G. Ashton, a Professional Engineer, Certificate No. E-3093.

Article 5. On information and belief, that the respondent, Donald V. Cohen, did impress his stamp upon said plans.

Article 6. That the respondent's submission to the Department of Industry, Labor and Human Relations, of plans and specifications containing his stamp and signature as a Professional Engineer, when said plans and specifications were not prepared by, or under the direction and control of, the respondent, is misconduct in the practice of professional Engineering on the part of the respondent and constitutes grounds for revocation of the respondent's registration as a Professional

Engineer pursuant to Section 443.01 (13) (a) 4, Wis. Stats.

Jepp 7. That the respondent's impressing of his stamp upon documents which were not prepared by him or under his direction and control is in violation of Section 443.01 (1) (f), Wis. Stats., and constitutes grounds for revocation of the respondent's registration as a Professional Engineer pursuant to Section 443.01 (13) (a) 2., Wis. Stats.

WHEREFORE, Complainant prays that the Certificate of Registration as a Professional Engineer of the respondent, Donald V. Cohen, be revoked.

EXAMINING BOARD OF ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND
LAND SURVEYORS (ENGINEERS' SECTION)

*Affirmative
Defense*

By _____
C.F. Hurc, Secretary