

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE PROFESSIONAL ENGINEER SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS
DESIGNERS AND LAND SURVEYORS

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
ANTHONY J. PICK, : LS0710252ENG
RESPONDENT. :

Division of Enforcement Case No. 06 ENG 014

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Anthony J. Pick
2000 West Main Street
Washington, Missouri 63090

Professional Engineer Section
Examining Board of Architects, Landscape Architects,
Professional Engineers, Designers and Land Surveyors
Post Office Box 8935
Madison, Wisconsin 53708-8935

Department of Regulation and Licensing
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Professional Engineer Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors. The Section has reviewed this Stipulation and considers it acceptable.

Accordingly, the Section in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Anthony J. Pick (Date of Birth: April 24, 1964) is duly registered to practice as a professional engineer in the state of Wisconsin (using registration number 6-33853). This registration was first granted on December 7, 1999, and is current until July 31, 2008.

2. Mr. Pick's most recent address on file with the Department of Regulation and Licensing is 2000 West Main Street, Washington, Missouri 63090.

3. On or about January 13, 2004, Anthony J. Pick was convicted of one count of Class 1 Misdemeanor Child Abuse in the District Court of Madison County, Nebraska. A true and correct copy of the Amended Information and the Order of Intensive Supervision Probation is attached to this document as Exhibit A. Exhibit A is incorporated into this document by reference.

4. Mr. Pick successfully completed his probation in the state of Nebraska on March 5, 2006.

5. In resolution of this matter, Anthony J. Pick consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Professional Engineer Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors has jurisdiction to act in this matter pursuant to Wis. Stat. Sec. 443.11.

2. The Professional Engineer Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors is authorized to enter into the attached stipulation, pursuant to Wis. Stat. 227.44(5).

3. By the conduct described in above Findings of Fact, Anthony J. Pick violated Wis. Admin. Code § A-E 8.09(2). An architect, landscape architect, professional engineer, designer or land surveyor:

- (2) May not engage in conduct that may adversely affect his or her fitness to practice architecture, landscape architecture, professional engineering, designing or land surveying.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the registration of Anthony J. Pick to practice as a professional engineer in the state of Wisconsin (using registration number 6-33853) is **REPRIMANDED**.

Within ninety (90) days, Anthony J. Pick shall pay full costs in the amount of **THREE HUNDRED dollars (\$300.00)**. All costs shall be payable in the form of a money order or cashiers check to the Department of Regulation and Licensing and shall be sent to the Department Monitor.

IT IS FURTHER ORDERED that in the event that Anthony J. Pick fails to abide by the terms and conditions of this Order, then that violation shall be construed as conduct imperiling the health, safety and welfare of the public and shall result in the summary suspension of Anthony J. Pick's registration to practice as a professional engineer in the state of Wisconsin. The Professional Engineer Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors in its discretion may in the alternative impose additional terms, conditions and limitations for any violation of this Order.

Any payment of costs associated with this Order shall be submitted to:

Department Monitor
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935
608-261-7904

This Order shall become effective upon the date of its signing.

PROFESSIONAL ENGINEERS SECTION, EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS

By Martin J. Hanson
A Member of the Professional Engineers Section

10/25/07
Date

STATE OF WISCONSIN
BEFORE THE PROFESSIONAL ENGINEER SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS
DESIGNERS AND LAND SURVEYORS

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :
 :
 ANTHONY J. PICK, : STIPULATION
 RESPONDENT. : LS#07 _____ ENG

Division of Enforcement Case Number 06 ENG 014

It is hereby stipulated between Anthony J. Pick and Claudia Berry Miran, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Enforcement (06 ENG 014). Mr. Pick consents to the resolution of this investigation by Stipulation and without the issuance of a Formal Complaint.

2. Mr. Pick understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Mr. Pick is aware of his right to seek legal representation and has been provided an opportunity to obtain legal advice prior to signing this Stipulation.

4. Mr. Pick agrees to the adoption of the attached Final Decision and Order by the Professional Engineer Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors (Section). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Mr. Pick waives all rights to any appeal of the Section's Order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Section, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Section, the parties agree not to contend that the Section has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of Mr. Pick or his attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Section may have in connection with the Section's deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Section should accept this Stipulation and issue the attached Final Decision and Order.

7. Mr. Pick is informed that should the Section adopt this Stipulation, the Section's final decision and order is a public record and will be published in accord with standard Department procedure.

8. The Division of Enforcement joins Anthony J. Pick in recommending the Professional Engineer Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors adopt this Stipulation and issue the attached Final Decision and Order.

Anthony J. Pick
Respondent
2000 West Main Street
Washington, Missouri 63090
Registration Number 6-33853

Date

Claudia Berry Miran
Attorney
Division of Enforcement
Wisconsin Department of Regulation and Licensing
Post Office Box 8935
Madison, Wisconsin 53708-8935

Date