

STATE OF MINNESOTA
BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING, LANDSCAPE ARCHITECTURE, GEOSCIENCE,
AND INTERIOR DESIGN

In the Matter of
Gbolahan I. Gbadamosi, PE
License Number 25431.

STIPULATION
AND ORDER

Board File No. 2003-0072

TO: Mr. Gbolahan I. Gbadamosi
8816 – 138th Street West
Apple Valley, Minnesota 55124

The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design ("Board") is authorized pursuant to Minn. Stat. §§ 214.10 and 326.111 to review complaints against architects, engineers, land surveyors, landscape architects, geoscientists, and certified interior designers, and to take disciplinary action whenever appropriate.

The Board received information concerning Gbolahan I. Gbadamosi ("Respondent"). The Board's Complaint Committee ("Committee") reviewed the information. The parties have agreed that the matter may now be resolved by this Stipulation and Order.

STIPULATION

IT IS HEREBY AGREED by and between Respondent and the Committee as follows:

1. Jurisdiction. The Respondent has held a license to practice professional engineering from the Board since July 18, 1997. Respondent is subject to the jurisdiction of the Board with respect to the matters referred to in this Stipulation.

2. Facts. This Stipulation is based upon the following facts:

a. Respondent was first licensed to practice professional engineering in the State of Minnesota on July 18, 1997.

b. On March 7, 2003, Respondent received a conviction of receiving stolen property (aid & abet) under Minnesota Statutes §§ 609.05, 609.52, subdivision 3(2), 609.53, and 609.101 in Minnesota District Court, County of Dakota.

3. Violations. Respondent admits that the facts specified above constitute violations of Minnesota Statutes §§ 326.11 and 326.111, and Minnesota Rules, Chapter 1805.0100 and 1805.0200 and are sufficient grounds for the action specified below.

4. Enforcement Action. Respondent and the Committee agree that the Board should issue an Order in accordance with the following terms:

a. Reprimand. Respondent is reprimanded for the foregoing conduct.

b. Suspension of License. Respondent's license to practice professional engineering shall be suspended for a period of three (3) months, which shall commence on the date the Board Chair signs the attached Order. Three months of the license suspension shall be stayed on the condition that Respondent does not violate any terms or conditions of this Stipulation and that Respondent does not violate any provision contained in Minn. Stat. §§ 326.02-326.15 (2002), Minn. R. ch. 1800 (2003), or Minn. R. 1805 (2003) during a period of three years beginning on the date that the Board Chair signs the attached Order.

c. Probationary Period. Respondent's license to practice professional engineering shall be placed on probationary status for three (3) years, to commence on the date the Board chair signs the attached Order.

d. Ethics Course. Within one year of the date of the attached Board Order, Respondent shall successfully complete, and submit acceptable documentation thereof to the Board, a course in professional ethics approved in advance by the Complaint Committee. Completion of this ethics course shall be in addition to the continuing education requirement set out in Minn. Stat. § 326.107 (2002).

e. Civil Penalty. Respondent shall pay to the Board a civil penalty of five thousand dollars (\$5,000.00) of which two thousand dollars (\$2,000.00) shall be stayed on the condition that Respondent does not violate any Board Statutes or Rules for three years beginning on the date the Board Chair signs the attached Order. Respondent shall pay three thousand dollars (\$3,000.00) to the Board by making six (6) equal payments of five hundred dollars (\$500.00) by cashier's check or money order, payable to the "Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design," which must be received by the Board office on or before: June 15, 2004; December 15, 2004; June 15, 2005; December 15, 2005; June 15, 2006; and December 15, 2006.

f. Restoration of License to Unconditional Status. If Respondent complies with all of the terms and conditions listed above, Respondent's license shall be restored to an unconditional status at the end of the probationary period.

5. Collection. In accordance with Minn. Stat. § 16D, subd. 2 (2002), in the event this order becomes final and Respondent does not comply with the condition in paragraph 4(e) above, Respondent agrees that the Board may lift the stay on the remaining portion of the civil penalty and that the Board may file and enforce the unpaid portion of the civil penalty as a judgment without further notice or additional

proceedings.

6. Additional Discipline for Violations of Order. If Respondent violates this Stipulation and Order, other than paragraph 4(e) above, the Board may impose additional discipline through the contested case procedures set forth in Minn. Stat. ch. 14. If Respondent violates paragraph 4(e) above, the Board may follow the collection procedures set forth in paragraph 5 above.

7. Waiver of Respondent's Rights. For the purposes of this Stipulation, Respondent waives all procedures and proceedings before the Board to which Respondent may be entitled under the Minnesota and United States constitutions, statutes, or the rules of the Board, including the right to dispute the allegations against Respondent, to dispute the appropriateness of discipline in a contested proceeding in a contested proceeding pursuant to Minn. Stat. ch 14. Respondent agrees that upon application of the Committee without notice to or an appearance by Respondent, the Board may issue an Order containing the enforcement action specified in paragraph 4 herein. Respondent waives the right to any judicial review of the Order by appeal, writ of certiorari, or otherwise.

8. Board Rejection of Stipulation and Order. In the event that the Board in its discretion does not approve this Stipulation and Order or a lesser remedy than specified herein, this Stipulation and Order shall be null and void and shall not be used for any purpose by either party hereto. If this Stipulation is not approved and a contested case proceeding is initiated pursuant to Minn. Stat. ch. 14, Respondent agrees not to object to the Board's initiation of the proceeding and hearing the case on the basis that the Board has become disqualified due to its review and consideration of this Stipulation

and the record.

9. Unrelated Violations. This settlement shall not in any way or manner limit or affect the authority of the Board to proceed against Respondent by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or admission of Respondent justifying disciplinary action which occurred before or after the date of this Stipulation and Order and which is not directly related to the specific facts and circumstances set forth herein.

10. Record. The Stipulation, related investigative reports and other documents shall constitute the entire record of the proceedings herein upon which the Order is based. The investigative reports, other documents, or summaries thereof may be filed with the Board with this Stipulation.

11. Data Classification. Under the Minnesota Government Data Practices Act, this Stipulation and Order is classified as public data upon its issuance by the Board. Minn. Stat. § 13.41, subd. (4) (2002). All documents in the record shall maintain the data classification to which they are entitled under the Minnesota Government Data Practices Act, Minn. Stat. ch. 13. They shall not, to the extent they are not already public documents, become public merely because they are referenced herein. A summary of this Order will appear in the Board's newsletter. A summary will also be sent to the national discipline data bank for Respondent's profession.

12. Entire Agreement. Respondent has read, understood and agreed to this Stipulation and is freely and voluntarily signing it. The Stipulation contains the entire agreement between the parties hereto relating to the allegations as referenced herein. Respondent is not relying on any other agreement or representations of any kind, verbal

or otherwise.

13. Counsel. Respondent is aware that he may choose to be represented by legal counsel in this matter. Respondent is represented by Mr. Mark Bloomquist, Meagher & Geer, PLLP, 33 South Sixth Street, Suite 4200, Minneapolis, Minnesota 55402.

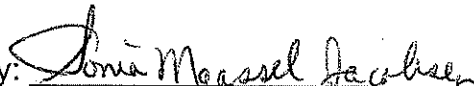
14. Service. If approved by the Board, a copy of this Stipulation and Order shall be served personally or by first class mail on Respondent. The order shall be effective and deemed issued when it is signed by the Chair of the Board.

RESPONDENT

COMPLAINT COMMITTEE



Gbolahan I. Gbadamosi

By: 

Sonia Maassel Jacobsen
Committee Chair

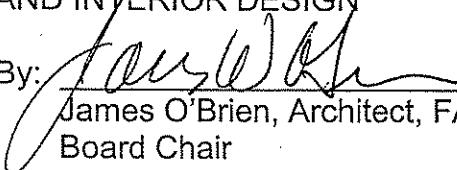
Dated: April 23, 2004

Dated: May 13, 2004

ORDER

Upon consideration of the foregoing Stipulation and based upon all the files, records and proceedings herein, all terms of the Stipulation are approved and adopted and hereby issued as an Order of this Board this 14 day of May, 2004.

MINNESOTA BOARD OF
ARCHITECTURE, ENGINEERING,
LAND SURVEYING, LANDSCAPE
ARCHITECTURE, GEOSCIENCE,
AND INTERIOR DESIGN

By: 

James O'Brien, Architect, FAIA
Board Chair