

**State of New Hampshire  
Board of Licensure for Professional Engineers  
Concord, New Hampshire 03301**

In the Matter of:  
Carl Thunberg License #9402  
(Misconduct Allegations)

**SETTLEMENT AGREEMENT**

The New Hampshire Board of Licensure for Professional Engineers (“Board”) and Carl Thunberg, License #9402. (“Mr. Thunberg” or Respondent), an engineer licensed by the Board, do hereby stipulate and agree to resolve certain allegations of professional misconduct now pending before the board according to the following terms and conditions:

1. Pursuant to RSA 310-A:25 (b) (4); and Engineering Administrative Rule (“Eng”) 501:02 (b), the Board has jurisdiction to investigate and adjudicate allegations of professional misconduct committed by licensed Professional engineers. Pursuant to Eng 402.02, the Board may impose disciplinary sanctions pursuant to a settlement agreement and without commencing a hearing.
2. The Board first granted Respondent a license as a Professional engineer in the State of New Hampshire on February 21, 1997. Respondent, Mr. Thunberg holds license number 9402 which expired on July 31, 2010.
3. Mr. Thunberg filed an application for reinstatement of his license on June 14, 2012.
4. Mr. Thunberg’s application for reinstatement was granted on July 2, 2012 and it expires on July 31, 2014.
5. The Board conducted an investigation and obtained information from various sources pertaining to Respondent’s conduct.

6. The Board's investigation revealed and Respondent freely admits to the following facts:
  - A. On or about May 8, 2012, the Respondent signed and sealed a plan for Charley Hansen of the Board of Selectmen of Center Harbor, N.H.
  - B. On or about May 21, 2012, Respondent signed and sealed a plan for Mike Wissler of Jewett Construction Co. of Raymond, N.H.
  - C. The Respondent failed to renew his engineer license in a timely manner.
7. The Board finds that Respondent committed the acts as described above and concludes that, by engaging in such conduct, Respondent violated RSA 310:A-25 (b) (4) and Eng 501.02 (b).
8. Respondent acknowledges that this conduct constitutes grounds for the Board to impose disciplinary sanctions against Respondent's engineering license in the State of New Hampshire.
9. Respondent consents to the Board imposing the following discipline, pursuant to RSA 310-A:23:
  - A. Respondent is **reprimanded**.
  - B. Respondent is assessed an **administrative fine** in the amount of two thousand five hundred dollars (\$2,500.00). One thousand dollars (\$1000.00) will be suspended for (5) years, during which Respondent will comply with all the Laws & Rules promulgated, including renewing his license prior to the license expiration.  
  
Failure to comply with the above mentioned conditions will result in the Joint Board collecting the one thousand dollar fine (\$1000.00) that was suspended.  
  
Respondent shall pay one thousand five hundred dollars (\$1500.00) within (30)

thirty days by delivering a money order, credit card or bank check in the amount of one thousand five hundred dollars (\$1500.00) made payable to "Treasurer, State of New Hampshire" to the Board's office at 57 Regional Drive, Concord, New Hampshire 03301.

- C. The Board may consider Respondent's compliance with the terms and conditions herein in any subsequent proceeding before the Board regarding Respondent's license.
- D. Within ten (10) days of the effective date of this *Settlement Agreement*, as defined further below, Respondent shall furnish a copy of the *Settlement Agreement* to any current employer for whom Respondent performs services as an engineer and to any agency or authority which licensed, certifies or credentials engineers, with which Respondent is presently affiliated.

10. Respondent's breach of any terms or conditions of the *Settlement Agreement* shall constitute unprofessional conduct pursuant to RSA 310-A:22 (i), and a separate and sufficient basis for further disciplinary action by the Board.

11. Except as provided herein, this *Settlement Agreement* shall bar the commencement of further disciplinary action by the Board based up on the misconduct described above. However, the Board may consider this misconduct as evidence of a pattern of conduct. In the event that similar misconduct is proven against Respondent in the future. Additionally, the Board may consider the fact that discipline was imposed by this Order as a factor in determining appropriate discipline should any further misconduct be proven against Respondent in the future.

12. This Settlement Agreement shall become a permanent part of Respondent's file, which is maintained by the Board as a public document.
13. Respondent voluntarily enters into and signs this *Settlement Agreement* and states that no promises or representations have been made to him other than those terms and conditions expressly stated herein.
14. The board agrees that in return for Respondent executing this *Settlement Agreement*, the Board will not proceed with the formal adjudicatory process based upon the facts described herein.
15. Respondent understands that this action in entering into this *Settlement Agreement* is a final act and not subject to reconsideration or judicial review or appeal.
16. Respondent has had the opportunity to seek and obtain the advice of an attorney of his choosing in connection with his decision to enter into this *Settlement Agreement*.
17. Respondent understands that the board must review and accept the terms of this *Settlement Agreement*. If the Board rejects any portion, the entire Settlement Agreement shall be null and void. Respondent specifically waives any claims that any disclosures made to the Board during its review of this *Settlement Agreement* has prejudiced his right to a fair and impartial hearing in the future if this *Settlement Agreement* is not accepted by the Board.
18. Respondent is not under the influence of any drugs or alcohol at the time he signs this *Settlement Agreement*.
19. Respondent certifies that he has read this document titled *Settlement Agreement*.

Respondent understands that he has the right to a formal adjudicatory hearing concerning this matter and that at said hearing he would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on his own behalf, to contest, the allegations, to present oral argument, and to appeal to the courts. Further, Respondent fully understands the nature, quality and dimensions of these rights. Respondent understands that by signing this *Settlement Agreement*, he waives these rights as they pertain to the misconduct described herein.

20. This *Settlement Agreement* shall take effect as a Order of the Board on the date it is signed by an authorized representative of the Board.

**FOR RESPONDENT**

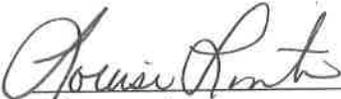
Date: 10/26/2012

  
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Carl Thunberg  
Respondent

**FOR THE BOARD**

This proceeding is hereby terminated in accordance with the binding terms and Conditions set forth above.

Date: 10/26/12

  
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(Signature)

Louise Lavertu, Executive Director  
Authorized Representative of the NH  
Board of Professional Engineers