MEMBERS ATTENDING: Michael C. Jordan, CPA, President; Jeffrey T. Barber, CPA, Vice President; Maria M. Lynch, Esq., Secretary-Treasurer; Norwood G. Clark, Jr., CPA; Jordan C. Harris, Jr.; Jose R. Rodriguez, CPA; and Arthur M. Winstead, Jr., CPA.

STAFF ATTENDING: Robert N. Brooks, Executive Director; J. Michael Barham, CPA, Deputy Director; Lisa R. Hearne, Manager-Communications; Ann J. Hinkle, Manager-Professional Standards; Buck Winslow, Manager-Licensing; and Noel L. Allen, Legal Counsel.

GUESTS: James T. Ahler, CEO, NCACPA; Sharon Bryson, COO, NCACPA; Joan Pharr, CPA, Chair, NCACPA; John Gilberro, CPA, NCACPA; J.A. Lesemann, CPA; Curt Lee, Legislative Liaison, NCSA; and Suzanne Jolicoeur, AICPA.

CALL TO ORDER: President Jordan called the meeting to order at 10:00 a.m.

MINUTES: The minutes of the August 19, 2009, meeting were approved as submitted.

FINANCIAL AND BUDGETARY ITEMS: The August 2009 financial statements were accepted as submitted.

LEGISLATIVE AND RULE-MAKING ITEMS: President Jordan recognized Joan Pharr, Chair of the NCAPCA, to speak regarding the NCACPA’s request for rule-making and the recommendation of the Executive Staff of the Board regarding the NCACPA’s request. Ms. Pharr requested that any decision regarding the NCACPA’s request and the recommendation of the Board’s Executive Staff be continued until the November 19, 2009, Board meeting. Messrs. Harris and Rodriguez moved that the decision regarding the request for rule-making regarding firm names and the Executive Staff’s recommendation to the Board be continued to the November 19, 2009, meeting. Motion passed. President Jordan asked if any Board members would like to serve on a task force that would meet with the NCACPA’s task force to discuss rule-making issues prior to the November 19, 2009, meeting. Mr. Barber, Ms. Lynch, and Mr. Rodriguez volunteered to serve on the task force.
REPORT OF THE PROFESSIONAL STANDARDS COMMITTEE: Mr. Clark moved and the Board approved the following recommendations of the Committee:

Case No. C2009035 – William Avery Neaves – Messrs. Winstead and Barber moved to approve the Emergency Order for Revocation and Notice of Hearing. Motion passed with seven (7) affirmative and zero (0) negative votes (Appendix I).


Case No. C20085883 – Jerry M. Blanchard – Messrs. Winstead and Barber moved to approve the signed Consent Order for permanent revocation of the North Carolina CPA certificate issued to Mr. Blanchard. Motion passed with seven (7) affirmative and zero (0) negative votes (Appendix II).

Case No. C20085986 – Carley L. Walker – Approve the signed Consent Order (Appendix III).

Case No. C2009153 – E. Preston Rhyne, III – Approve the signed Consent Order (Appendix IV).

Case No. UT2009183 – Craig R. Rosato – Accept the signed Notice of Apparent Violation and Demand to Cease and Desist (Appendix V).

Case No. C2009188 – Mary L. Cardello – Accept the signed Notice of Apparent Violation and Demand to Cease and Desist (Appendix VI).

REPORT OF THE PROFESSIONAL EDUCATION AND APPLICATIONS COMMITTEE: Ms. Lynch moved and the Board approved the following recommendations of the Committee:

Transfer of Grades Applications - The following were approved:

Amelia Christine Houser
Emmett Vernon Sapp III
Chen-Kun Shih
Juan Zhang

Original Certificate Applications - The following were approved:

Emily Taylor Acton
Mary Catherine Bailey
Jennifer Ashley Barbee
Donna Michelle Bembnister
Summer Leigh Biles
Heather Anne Blake
Elizabeth Ellis Brennan
Lindsay Jean Bricolo
Elizabeth Harvie Britton
Gregory William Byers
Dana Holland Carpenter
Wei Chen
Brody Stanton Connolly
George Coulbourn Consolvo
Reciprocal Certificate Applications - The following were approved:

Jessica L. Bechtold
Jeffrey Joseph Brader
Shelly Marie Clark
Scott Christopher Coyle
Shanon Tasheena Curtis
Timo Robert Goodloe
Reneé Christine Maillet
Satyasomeswar Maruvada

Martha Lynch Newton
Zachary John Noling
Eric Randolph Ritz
Robin Rebecca Rutledge
Stella Marie Bautista Santos
Jamie Leigh Scott
Jeffrey Grant Tolley
Lizabeth Ruth Trimble
Temporary Permits - The following temporary permits were approved by the Executive Director and ratified by the Board:

Stephen A. Bailey T5624
Nan Bao T5625
Susan Kingman Hagan T5626
Anthony Charles Zirilli T5627
Michael Francis Hoose T5628
Douglas Scott Ulrich T5629
Scott Boyar T5630
Robert Edward Ricaud T5631
Oliver Hecking T5632
John Gregory Hincker T5633
Patrick James Ronca T5634
Jason Michael Richardson T5635

Jayne Denny Maas T5636
Eileen Fae Perrin T5637
Stephen Martin Beckwith T5638
Quinton Byron Hamlett T5639
Scott William Ranby T5640
Michael Edward Bullman T5641
Donna Eileen Hills T5642
Matthew Neal McKinney T5643
Luke Aurelius Stotz T5644
Todd Derek Borger T5645
Matthew David Park T5646

Reinstatements - The following were approved:

Ronald Rogers Albright #10689
Daniel R. Chappell #19229
Ann Gentry Cutler #15001
John William English #23990
Marta Bullard Jacobus #14435
Margaret Cary Lutz #14506
Sandra Elaine Mattos #24918

Shelly Adams Norris #27312
Kelly Hagins Nowokunski #20042
Cynthia Ann Johnson Schwefel #20734
Linda Couch Smith #16243
Sherry Inman Watts #17763
Edward Scott Wolfson #22242

Staff reviewed and requested committee guidance regarding the reinstatement application submitted by Michael Frank Whitehead, Sr. (#14354). Mr. Whitehead is President/Owner of MacGregor Development Company which filed for bankruptcy in 2008. The Committee approved his application.

Reissuance of New Certificate - Applications for reissuance of new certificate submitted by the following were approved.

Mary Ann Auger #32685
Kevin C. Bennett #32633

Firm Registrations - The following professional corporations, professional limited liability companies, and limited liability partnerships were approved by the Executive Director and ratified by the Board:

Amundson & McBrayer, CPAs, LLP
Stuart D. Appelson, CPA, PLLC
John R. Barbee, CPA, P.C.

Anne N. Comer, CPA, PLLC
Elizabeth A. Feit, CPA PLLC
JD MATTHIS CPA MBA, PA
Retired Status Applications - The Committee approved the request for retired status submitted by Thomas Harding (#9503) because he is completely retired and does not receive any earned compensation for current personal services in any job whatsoever.

Letters of Warning - Staff received renewals which list 2008 CPE taken between January 1 and June 30, 2009, without an approved extension. Staff recommended a letter of warning for a first offense pursuant to 21 NCAC 08G .0406(b)(1). The Committee approved staff recommendation:

Andrew Addison 21167
Kevin Agnew 32191
George Aldhizer III 31987
April Andrade 31857
Angela Arnold 17606
Andrew Asbury 32101
Jennifer Assal 33964
Aaron Bailey 33372
Wanda Baldwin 23627
Susan Balk 33334
Nell Ban 24993
Katherine Baron 32446
Hans Beier 23630
Robert Beller 21172
Peter Bergman 33315
Jeffrey Berrier 29481
Jennifer Blevins 21953
Lupe Boyle 23507
Stuart Bracken 33470
Melissa Brammer 30916
Nathaniel Branscomb 33659
Daniel Breeden Jr. 15163
Richard Burtnier 13041
Desirae Butler 31775
Anthony Camara 28088
Peter Carlson 18925
Frank Carollo 34165
Mark Codington 15628
Angela Coletti 25743
Latrice Collins 31676
Greg Cooley 32690
Thomas Coughlin 29207
Todd Crum 24272
Scott Davis 27675
Thomas Davis 33956
John Dawson 22377
Neslihan Dogan 33534
David Eakes 24690
Colin Earles 25809
Craig Eastwood 32469
Michael Edwards 31274
Jeffrey Eidson 15934
Thomas Eisel 26305
Mark Etter 19665
Stephanie Everette 27615
Glenn Fisher 16633
Bridget Foster 28752
Sameh Francis 32992
Elizabeth Funderburk 29238
Peter Gimbal 32442
Gary Goodman 19750
Stefanie Gordon 26709
William Green 33815
Jonathan Greene 30148
Glen Griffin 21475
Angela Griffin 26445
John Grissom III 33564
Amy Guills 28641
Kimberly Hall 30687
Mary Hall 33042
James Hanlon 33612
Adam Hargett 30439
Miranda Harmon 31685
Bobby Harris 14734
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<td>David Harris</td>
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<td>D. Joseph</td>
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<td>Virginia McGraw</td>
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<td>Erica Mezi</td>
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<td>Timothy Petrie</td>
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<td>Samuel Petros Jr.</td>
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<td>Roy Piercy</td>
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<td>Robin Poythress</td>
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<td>Rita Price</td>
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<td>Thomas Quick</td>
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<td>Gunjan Sanghi</td>
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<td>Elizabeth Santanna</td>
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<td>Gina Santore</td>
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<td>Samuel Satey</td>
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<td>Rachel Savo</td>
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Examinations – The Committee reviewed and approved the following staff approved applicants to sit for the Uniform CPA Examination:

Holly Adams
Matthew Adams
Jenny Addison
Joshua Anderson
Michelle Aremia
Andrea Arterbury
Lindsay Bachner
Jason Baillargeon
Sharon Ballard
Benjamin Baumer
Megan Beatty

Veronica Beichner
Kristen Bennett
Michelle Beyer
Ginny Blalock
Sarah Blanchard
Andrew Bogan
Ben Boulris
Michael Bowers
Lucy Brenner
Linda Bridges
Andrew Brothers

PUBLIC HEARING: President Jordan called the Public Hearing to order to hear Case No. C2007529 – Gregory A. Stakias. Mr. Stakias was not present at the Hearing nor was he represented by counsel at the Hearing. Hoyt G. Tessener, Esq., and Mr. Brooks were sworn and presented testimony. Ms. Lynch and Mr. Winstead moved to approve a Board Order (Appendix VII) permanently revoking the North Carolina CPA certificate issued to Gregory A. Stakias. Motion passed with seven (7) affirmative votes and zero (0) negative votes. The entire Public Hearing is a matter of public record.

RESOLUTION: President Jordan read a resolution (Appendix VIII) thanking Arthur M. Winstead, Jr., CPA, for his service to the Board. President Jordan instructed the Executive Director to make the Resolution a part of the Minutes.

OATH OF OFFICE: Wm. Hunter Cook, CPA, was sworn the Oath of Office by President Jordan.

Jordan C. Harris, Jr., was sworn the Oath of Office by President Jordan.

EXECUTIVE STAFF AND LEGAL COUNSEL REPORT: The Board approved the proposed meeting calendar for 2010.

ADJOURNMENT: Mr. Cook and Ms. Lynch moved to adjourn the meeting at 11:15 a.m. Motion passed.

Respectfully submitted: Attested to by:

Robert N. Brooks Michael C. Jordan, CPA
Executive Director

[Signatures]
Pursuant to North Carolina General Statute (NCGS) 150B-3(c), the Board finds that there is substantial evidence that Respondent William Avery Neaves (hereinafter “Respondent Neaves”) has engaged in general and specific conduct demonstrating that he is no longer fit to continue to hold a certificate as a Certified Public Accountant, or otherwise be able to apply for reinstatement or reissuance of his certificate. Specifically, there is substantial evidence that, during a period of time in which he was licensed and after his license had been forfeited (but while Respondent Neaves was continuing to use the title “CPA”), Respondent Neaves committed each of the following acts or omissions in violation of the North Carolina accountancy laws and rules, NCGS 93-12 (9) e, and 21 NCAC 8N .0201, .0202, .0203, .0204, .0206, .0212, and .0303.

1. Respondent Neaves was the holder of North Carolina certificate number 7117 as a certified public accountant.

2. While he was licensed as a certified public accountant, Respondent Neaves practiced through a professional corporation firm that was registered with the Board. Respondent Neaves was the sole owner of said professional corporation. The firm registration for Respondent Neaves’ professional corporation was suspended by the Board on January 31, 2007, and with the North Carolina Secretary of State’s office on July 2, 2007, for failure to renew the firm registration.

3. On August 13, 2007, Respondent Neaves’ North Carolina CPA certificate was forfeited for failure to renew. Pursuant to the Board’s Rules, Respondent Neaves, but for this Emergency Order, could otherwise seek reinstatement or reissuance of his CPA certificate. Further, Respondent has failed to return his forfeited CPA certificate.

4. On March 10, 2005, Respondent Neaves was appointed as the administrator for an estate.

5. On December 22, 2008, the Surry County Clerk Superior Court entered an “Order to Remove Administrator” in which the Clerk found that Respondent Neaves had comingled estate funds with his personal funds. Based on this finding, the Surry County Clerk Superior Court removed
Respondent Neaves as the estate administrator pursuant to NCGS §28A-9-1(a)(3) (removal for violation of fiduciary duty through default or misconduct), and ordered that Respondent Neaves repay certain monies to the estate and return to the Surry County Clerk Superior Court any estate records held by Respondent Neaves pursuant to NCGS §28A-23-3(e) (prohibiting payment of commission to administrator found guilty of default or misconduct). Respondent Neaves failed to comply with the order issued by the Clerk in returning assets and reimbursement of funds. Although Respondent Neaves appealed the Clerk's Removal Order, Respondent Neaves failed to appear at the appeal hearing and the Resident Superior Court Judge thus entered an Order on March 5, 2009, dismissing the appeal.

6. Respondent Neaves has continued to use the CPA title after he had forfeited his certificate. Records filed in connection with the Estate and the Removal Hearing show that (a) on August 31, 2007, Respondent Neaves wrote, signed, and cashed an estate check he made out to "Avery Neaves, CPA" for a "final fee;" (b) on September 10, 2007, Respondent Neaves signed a final estate account under oath as "W. Avery Neaves, CPA;" and (c) Respondent Neaves subsequently endorsed the check as "Avery Neaves, CPA". A party to the Estate proceedings has provided information indicating that Respondent Neaves has made other unauthorized uses of the CPA title. As of the date of this Emergency Order, Respondent Neaves continues to be listed on various internet directories as a "CPA" doing business through his suspended CPA firm.

7. After receiving documents filed with the Surry County Clerk Superior Court which identified Respondent Neaves as a CPA, Board staff sent letters to Respondent Neaves' last known mailing addresses regarding his use of the CPA title while not licensed. Respondent Neaves failed to respond and/or claim these first-class and certified mailings.

8. The Board finds that in light of the seriousness of the allegations and substantial evidence establishing the conduct in question, as well as evidence of the imminent danger of continued and irreparable harm to the public by virtue of Respondent Neaves' continued unauthorized use of the CPA title, that the public welfare requires this emergency action.

The Board therefore issues this Emergency Order, pursuant to NCGS §150B-3(c), to revoke Respondent Neaves' certificate as a Certified Public Accountant. This Order is effective immediately at the time of service of this Order upon Respondent, and shall remain in effect until this proceeding may be concluded pursuant to NCGS §150B.
Emergency Order - 3
William Avery Neaves

Order shall constitute the Notice of Hearing to be held for this matter in the Board Office on February 22, 2010, at 10:00 a.m.

Adopted by a vote of 7 to 0 by the Board on this the 21st day of September, 2009.

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

BY: [Signature]
President
IN THE MATTER OF:
Jerry M. Blanchard, #14718
Respondent

CONSENT ORDER

THIS CAUSE, coming before the North Carolina State Board of CPA Examiners (Board) at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to NCGS 150B-41, the Board and Respondent stipulate the following Findings:

1. Respondent was the holder of North Carolina certificate number 14718 as a Certified Public Accountant. Pursuant to an August 7, 2009, Notice, Respondent's certificate was forfeited. However, Respondent was a licensee of this Board during all relevant periods of time and even upon forfeiture would otherwise have been eligible to apply for reinstatement.

2. In August of 2008, Respondent was arrested on federal felony charges (two counts) pursuant to 18 U.S.C. § 879 for "knowingly and willfully" "threatening to kill, kidnap, and inflict bodily harm upon U. S. Senator Barack Obama, a major candidate for the office of President of the United States."


4. On June 8, 2009, the United States District Court for the Western District of North Carolina entered a Judgment against Mr. Blanchard. Mr. Blanchard was sentenced to one (1) year and one (1) day in jail, was assessed and fined $3,100.00, and will be placed on three (3) years of supervised probation upon release from prison.

5. Respondent wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board ex parte, whether or not the Board accepts this Consent Order as written. Respondent understands and agrees that this Consent Order is subject to
Consent Order - 2
Jerry M. Blanchard

review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

BASED upon the foregoing, the Board makes the following Conclusions of Law:

1. Respondent is subject to the provisions of Chapter 93 of the North Carolina General Statutes (NCGS) and Title 21, Chapter 8 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.

2. Respondent's conviction of a violation of federal law represents a violation of NCGS 93-12 (9) and 21 NCAC 8N .0201 and .0203.

BASED on the foregoing and in lieu of further proceedings under 21 NCAC Chapter 8C, the Board and Respondent agree to the following Order:

1. The Certified Public Accountant certificate issued to Respondent, Jerry M. Blanchard, is hereby permanently revoked.

2. Respondent shall not offer or render services as a CPA or otherwise trade upon or use the CPA title in this state either through CPA mobility provisions or substantial equivalency practice privileges or in any other manner.

CONSENTED TO THIS THE 27th DAY OF August, 2009.

[Signature]
Respondent

APPROVED BY THE BOARD THIS THE 21st DAY OF September, 2009.

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

[Signature]
President
IN THE MATTER OF:
Carley L. Walker, #14461
Respondent

CONSENT ORDER

THIS CAUSE, coming before the Board at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to NCGS 150B-41, the Board and Respondent stipulate the following Findings:

1. Respondent is the holder of North Carolina certificate number 14461 as a Certified Public Accountant.

Count 1

2. Respondent informed the Board on her 2008-2009 individual certificate renewal (renewal) that she had obtained forty (40) hours of continuing professional education (CPE) which included some CPE earned between January 1, 2008, and June 30, 2008, to meet the 2007 CPE requirement.

3. Based on Respondent's representation, the Board accepted her renewal.

4. Board staff requested that Respondent provide certificates of completion for the CPE reported to meet her 2007 CPE requirement.

5. Respondent provided the CPE certificates of completion to the Board as requested. However, Respondent could only provide the certificate or certificates of completion needed to document eight (8) hours of CPE of the forty (40) hours of CPE that Respondent claimed she earned between January 1, 2007, and June 30, 2008, as was reported on her renewal.

Count 2

6. Respondent was engaged by a client to provide tax services.

7. Respondent failed to respond to the client's requests for information in a timely manner.
8. Respondent wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board ex parte, whether or not the Board accepts this Consent Order as written. Respondent understands and agrees that this Consent Order is subject to review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

BASED upon the foregoing, the Board makes the following Conclusions of Law:

1. Respondent is subject to the provisions of Chapter 93 of the North Carolina General Statutes (NCGS) and Title 21, Chapter 8 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.

2. Respondent’s actions as set out in Count 1 above constitute violations of NCGS 93-12(8b)a, 93-12(9)c and 93-12(9)e and 21 NCAC 08J .0101(b), 08N .0202(a), .0202(b)(3), .0202(b)(4), and .0203(b)(1).

3. Respondent’s actions as set out in Count 2 above constitute violations of NCGS 93-12(9)e and 21 NCAC 08N .0212(3).

BASED on the foregoing and in lieu of further proceedings under 21 NCAC Chapter 8C, the Board and Respondent agree to the following Order:

1. Respondent is censured.

2. Respondent’s application for renewal is deemed insufficient and untimely under NCGS 150-B-3(a). Hence, her certificate is automatically forfeited pursuant to NCGS 93-12(8b).

3. Respondent must return her certificate to the Board with this signed Consent Order.

4. Respondent may not apply for the reissuance of her certificate for at least one (1) year from the date the Board receives Respondent’s forfeited certificate and until the civil penalty required in number six (6) of this Order has been paid by Respondent.
5. Respondent may apply to return her certificate to active status by submission and approval of a reissuance application which includes:
   a. Application form,
   b. Payment of the application fee,
   c. 3 moral character affidavits, and
   d. Seventy-two (72) hours of CPE in 12 months preceding the application including an eight (8) hour accountancy law course as offered by the North Carolina Association of CPAs in a group study format.

6. Respondent shall pay a one thousand dollar ($1,000.00) civil penalty to be remitted to the Board within six (6) months of the date this signed Order is accepted by the Board.

7. Respondent agrees that failure to timely comply with any terms of this agreement and Consent Order shall be deemed sufficient grounds for revocation of her license.

CONSENTED TO THIS THE 5th DAY OF AUGUST, 2009.

[Signature]
Respondent

APPROVED BY THE BOARD THIS THE 21st DAY OF SEPTEMBER, 2009.

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

[Signature]
President
IN THE MATTER OF:
E. Preston (Pat) Rhyne, III, #12021
Respondent

CONSENT ORDER

THIS CAUSE, coming before the Board at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to NCGS 150B-41, the Board and Respondent stipulate the following Findings:

1. Respondent is the holder of North Carolina certificate number #12021 as a Certified Public Accountant.

Count 1

2. Respondent informed the Board on his 2007 individual certificate renewal (2007 renewal) that he had completed at least eight (8) hours of non-self study CPE to meet the 2006 CPE requirements.

3. Based on Respondent's representation, the Board accepted his 2007 renewal.

4. In May of 2009, Respondent self-reported to the Board that he had failed to complete at least eight (8) hours of non-self study CPE between January 1, 2006, and June 30, 2007, despite what was reported on his 2007 renewal to meet the 2006 CPE requirements.

Count 2

5. Respondent informed the Board on his 2008 individual certificate renewal (2008 renewal) that he had completed at least eight (8) hours of non-self study CPE to meet the 2007 CPE requirements.

6. Based on Respondent's representation, the Board accepted his 2008 renewal.

7. In May of 2009, Respondent self-reported to the Board that he had failed to complete at least eight (8) hours of non-self study CPE between
January 1, 2007, and June 30, 2008, despite what was reported on his 2008 renewal to meet the 2007 CPE requirements.

8. Respondent wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board ex parte, whether or not the Board accepts this Consent Order as written. Respondent understands and agrees that this Consent Order is subject to review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

BASED upon the foregoing, the Board makes the following Conclusions of Law:

1. Respondent is subject to the provisions of Chapter 93 of the North Carolina General Statutes (NCGS) and Title 21, Chapter 8 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.

2. Respondent’s actions as set out in Counts 1 and 2 above constitute violations of NCGS 93-12(8b)a, 93-12(9)c, and 93-12(9)e, and 21 NCAC 08J .0101(b), 08N .0202(a), .0202(b)(3), .0202(b)(4), and .0203(b)(1).

BASED on the foregoing and in lieu of further proceedings under 21 NCAC Chapter 8C, the Board and Respondent agree to the following Order:

1. Respondent’s application for renewal is deemed insufficient and untimely under NCGS 150-B-3(a). Hence, his certificate is automatically forfeited pursuant to NCGS 93-12(8b).

2. Respondent must return his certificate to the Board with this signed Consent Order.

3. Respondent may not apply for the reissuance of his certificate for at least one hundred eighty (180) days from the date the Board receives Respondent’s forfeited certificate and until the civil penalty required in number five (5) of this Order has been paid by Respondent.

4. Respondent may apply to return his certificate to active status by submission and approval of a reissuance application which includes:
   a. Application form,
   b. Payment of the application fee,
   c. 3 moral character affidavits, and
d. Forty (40) hours of CPE in 12 months preceding the application including an eight (8) hour accountancy law course as offered by the North Carolina Association of CPAs in a group study format.

5. Respondent shall pay a one thousand dollar ($1,000.00) civil penalty to be remitted to the Board within six (6) months of the date this signed Order is accepted by the Board.

6. Respondent agrees that failure to timely comply with any terms of this agreement and Consent Order shall be deemed sufficient grounds for revocation of his license.

CONSENTED TO THIS THE 1st DAY OF September, 2009.

E. Preston (Pat) Rhyne, III  
Respondent

APPROVED BY THE BOARD THIS THE 21 DAY OF September, 2009.

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

BY: Michael C. Jordan  
President
THE NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

IN THE MATTER OF:
Craig R. Rosato
Respondent

NOTICE OF APPARENT VIOLATION
AND DEMAND TO CEASE AND DESIST

TO THE ABOVE NAMED RESPONDENT:

WHEREAS, the North Carolina State Board of Certified Public Accountant Examiners (Board) is authorized by N.C.G.S. §93-12 (16) to enforce the provisions of the North Carolina Certified Public Accountant Act (Act) through actions for injunctive relief regarding “a single violation” of this Chapter; and,

WHEREAS, pursuant to N.C.G.S. §93-1, "A ‘certified public accountant’ is a person who holds a certificate as a certified public accountant issued to him under the provisions of this Chapter.”

WHEREAS, pursuant to N.C.G.S. §93-3 "It shall be unlawful for any person who has not received a certificate of qualification or not been granted a practice privilege under §GS 93-10 admitting the person to practice as a certified public accountant to assume or use such a title, or to use any words, letters, abbreviations, symbols or other means of identification to indicate that the person using same has been admitted to practice as a certified public accountant.”

WHEREAS, Respondent Craig R. Rosato (hereinafter “Respondent Rosato”) is not currently licensed as a certified public accountant in North Carolina or otherwise authorized by the Board to use the CPA title in this state; and

WHEREAS, Respondent Rosato is not currently actively licensed or otherwise authorized by the Maryland State Board of CPAs to identify himself as a certified public accountant; and

WHEREAS, Respondent Rosato, while working in North Carolina, was identified in a Carolina Newswire article as a Certified Public Accountant; Respondent had been informed by the Board in 1998 that he was not authorized to use the CPA title in this state. Respondent Rosato’s use of the title “CPA” or “Certified Public Accountant” conveys the false impression that he is authorized to use a title other than ‘accountant’ when, in fact, he is not lawfully authorized to use the title “certified public accountant” or “CPA” in this State. Such a representation is misleading and contrary to N.C.G.S. §93-1 and §93-3.

THEREFORE, Respondent Craig R. Rosato is hereby notified and the North Carolina State Board of Certified Public Accountant Examiners demands that he immediately cease and desist from offering or using in any manner the title “CPA” or “Certified Public Accountant” in North Carolina unless and until Respondent Rosato has been licensed as a CPA by the North Carolina State Board of Certified Public Accountant Examiners.

North Carolina State Board of Certified Public Accountant Examiners

BY: Robert N. Brooks, Executive Director

DATE: August 4, 2009
In lieu of civil proceedings authorized by N.C.G.S. §93-12(16), the Board will accept Respondent's consent to this Demand.

Consented to:

BY:  
Craig R. Rosato

DATE:  
8/5/09

State
North Carolina
County
Mecklenburg

Sworn to (or affirmed) and subscribed before me this day by Craig Rosato
[I have personal knowledge of the identity of the principals] [I have seen satisfactory evidence of the principals' identity, by a current state or federal identification with the principals' photograph in the form of a] [a credible witness has sworn to the identity of the principals]

Notary Public Signature
NANCY D. DRIF
Notary Public Printed Name
8-5-09
Date

My Commission Expires

*ATTENTION NOTARY: NCGS 10B-24(a) states, "Near the notary's official signature on the notarial certificate of a paper record, the notary shall place a sharp, legible, permanent, and photographically reproducible image of the official seal."
IN THE MATTER OF:
Mary L. Cardello
Respondent

NOTICE OF APPARENT VIOLATION
AND DEMAND TO CEASE AND DESIST

TO THE ABOVE NAMED RESPONDENT:

WHEREAS, the North Carolina State Board of Certified Public Accountant Examiners (Board) is authorized by N.C.G.S. §93-12 (16) to enforce the provisions of the North Carolina Certified Public Accountant Act (Act) through actions for injunctive relief regarding "a single violation" of this Chapter; and,

WHEREAS, pursuant to N.C.G.S. §93-1, "A 'certified public accountant' is a person who holds a certificate as a certified public accountant issued under the provisions of this Chapter."

WHEREAS, pursuant to N.C.G.S. §93-3, "It shall be unlawful for any person who has not received a certificate of qualification or not been granted a practice privilege under GS 93-10 admitting the person to practice as a certified public accountant to assume or use such a title, or to use any words, letters, abbreviations, symbols or other means of identification to indicate that the person using same has been admitted to practice as a certified public accountant."

WHEREAS, pursuant to N.C.G.S. §93-6, "It shall be unlawful for any person to engage in the public practice of accountancy in this State who is not a holder of a certificate as a certified public accountant issued by the Board, unless such person uses the term 'accountant' and only the term 'accountant' in connection with his name on all reports, letters of transmittal, or advice, and on all stationery and documents used in connection with his services as an accountant, and refrains from the use in any manner of any other title or designation in such practice."

WHEREAS, Respondent Mary L. Cardello (hereinafter "Respondent Cardello"), on July 7, 2007, requested that her North Carolina CPA license be placed on inactive status and certified to the Board that she would not identify herself as a CPA to any person in any manner. Respondent Cardello is, therefore, not currently licensed by the Board as a certified public accountant or otherwise authorized to use the title "CPA" in this state, and,

WHEREAS, Respondent Cardello allowed her name to appear on a website which identifies her as a "CPA," thereby conveying the impression that she is authorized to use the title "certified public accountant" or "CPA" when, in fact, she is not lawfully authorized to use the title "certified public accountant" or "CPA" in this State. Such a representation is misleading and contrary to N.C.G.S. § 93-1 and 93-3.
THEREFORE, Respondent Cardello is hereby notified and the North Carolina State Board of Certified Public Accountant Examiners demands that she immediately cease and desist from use of the title "CPA" or "Certified Public Accountant" and identify herself only as "accountant."

North Carolina State Board of Certified Public Accountant Examiners

BY: Robert N. Brooks, Executive Director

DATE: August 12, 2007

In lieu of civil proceedings authorized by N.C.G.S. §93-12(16), the Board will accept Respondent's consent to this Demand.

Consented to:

BY: Mary L. Cardello

DATE: 8/26/09

State
NC
Countv
Randolph

Sworn to (or affirmed) and subscribed before me this day by MARY L. CARDELLO.

[ ] I have personal knowledge of the identity of the principal(s) [ ] I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a DRIVER'S LICENSE (NC) [ ] a credible witness has sworn to the identity of the principal(s) __________________________________________

Notary Public Printed Name
Mitzi R. Pugh

Notary Public Signature
Mitzi R. Pugh

Date
8/26/09

My Commission Expires
12/14/2013

*ATTENTION NOTARY: NCGS 10B-24(a) states, "Near the notary's official signature on the notarial certificate of a paper record, the notary shall place a sharp, legible, permanent, and photographically reproducible image of the official seal."
NORTH CAROLINA
BEFORE THE NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS
CASE #: C2007529

IN THE MATTER OF:
Gregory Alexander Stakias, #19085
Respondent

BOARD ORDER

THIS CAUSE coming before the Board at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, at public hearing, with a quorum present, the Board finds, based on the evidence presented at the hearing on September 21, 2009, that:

FINDINGS OF FACT

1. The parties have been properly identified.

2. The Board has jurisdiction over the Respondent and this matter.

3. Respondent received at least fifteen (15) days prior to the hearing the Notice of Hearing of this Matter by notice of service of process by publication.

4. Venue is proper and the Noticed Hearing was properly held at 1101 Oberlin Road, Raleigh, North Carolina.

5. Respondent has raised no objection to any Board Member's participation in the Hearing of this Matter.

6. Respondent was not present at the Hearing and was not represented by counsel.

7. Respondent was the holder of a North Carolina certificate number 19085 as a Certified Public Accountant in North Carolina and is therefore subject to the provisions of Chapter 93 of the North Carolina General Statutes (NCGS) and Title 21, Chapter 8 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.

8. In August of 2008, Thomas W. Waldrep, Jr., (Judge Waldrep) Judge in the United States Bankruptcy Court for the Middle District of North Carolina,
Greensboro Division, signed an Order in response to “Plaintiff’s Motion for Summary Judgment.” In said Order, Judge Waldrep found that Respondent “obtained money, property and services from” a client “by false pretenses and false representations....” Further, Judge Waldrep found Respondent had custody of client funds and “did unlawfully convert said funds” to Respondent’s own use to the detriment of the client. Based on these findings, Judge Waldrep ordered that the $275,000.00 owed to the client “is non-dischargeable pursuant to 11 U.S.C. §523(a)(2) and (a)(4).”

CONCLUSIONS OF LAW

1. Respondent’s actions as set out above constitute violations of NCGS 93-12 (9)e and 21 NCAC 8N .0201, .0202, .0203, .0204, and .0206.

BASED ON THE FOREGOING, the Board orders in a vote of 7 to 0 that:

1. The Certified Public Accountant certificate issued to Respondent Gregory Alexander Stakias, is hereby permanently revoked.

2. Respondent shall not offer or render services as a CPA or otherwise trade upon or use the CPA title in this state either through CPA mobility provisions or substantial equivalency practice privileges or in any other manner, nor shall Respondent claim or attempt to use any practice privileges in any other state based upon his permanently revoked North Carolina certificate.

This the 21st day of September 2009.

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

BY: Michael Jordan
President