MEMBERS ATTENDING: Michael S. Massey, CPA, President; Barton W. Baldwin, CPA, Vice President; Gary R. Massey, CPA, Secretary-Treasurer; Bernita W. Demery, CPA; Wanda B. Taylor, Esq.; Jennifer Van Zant, Esq.; and Arthur M. Winstead, Jr., CPA (all by simultaneous communication).

STAFF ATTENDING: Robert N. Brooks, Executive Director; David R. Nance, CPA, Deputy Director; Frank Trainor, Esq., Staff Attorney; Lisa R. Hearne, Communications Officer; Buck Winslow; Licensing Manager; and Noel L. Allen, Esq., Legal Counsel (all by simultaneous communication).

GUESTS: Sharon Bryson, CEO, NCACPA; Mark Soticheck, CPA, COO, NCACPA; and Jared Korver, CPA, Board of Directors, NCACPA (all by simultaneous communication).

CALL TO ORDER: President Massey called the meeting to order at 10:07 a.m.

MINUTES: The minutes of the July 20, 2020, meeting were approved as submitted.

FINANCIAL AND BUDGETARY ITEMS: The July 2020 financial statements were accepted as submitted.

LEGISLATIVE AND RULE-MAKING ITEMS: Mr. Brooks provided a copy of the 2019-2020 Report of the Board activities that is required by North Carolina General Statute 93B.

NATIONAL ORGANIZATION ITEMS: Mr. Brooks provided information regarding remote proctoring of the Uniform CPA Examination. NASBA, the AICPA, and Prometric are investigating remote proctoring as a contingency plan if Prometric Testing Centers close again because of COVID-19 and are unable to re-open within a reasonable time frame.

STATE AND LOCAL ORGANIZATION ITEMS: Mr. G. Massey provided an update on the work of the Board/NCACPA Joint Task Force on Succession Planning.

REPORT OF THE PROFESSIONAL STANDARDS COMMITTEE: Mr. Winstead moved, and the Board approved the following recommendations of the Committee:

Case No. C2019285 - Marcum LLP - Approve the signed Consent Order (Appendix I).

Case No. C2020036 - Mark B. Thompson - Approve the signed Consent Order (Appendix II).

Case No. C2020111 - Donald A. Stewart - Approve the signed Consent Order (Appendix III).

Case No. C2020013 - Samuel A. Maclin, CPA - Approve the signed Order (Appendix IV).

<u>Case No. C2020015 - John S. Wooten, CPA</u> - Approve a Notice of Hearing for 10:00 a.m. on October 19, 2020.

REPORT OF THE PROFESSIONAL EDUCATION AND APPLICATIONS COMMITTEE: Mr. G. Massey moved, and the Board approved the following recommendations of the Committee:

Transfer of Grades Applications - The Committee recommended that the Board approve the following:

Martina Kralova Brandon Chase Walters

Original Certificate Applications - The Committee recommended that the Board approve the following:

Brittany Nicole Alley
Randolph Edward Brown
Caitlin Reid Burton
Kathryn Anne Carmody
Aryssa Lee Ciuffo
Calista Zoe Corwyn
Leigh Ann Ferguson
Gabriel Morales Gagnon
Russell Reeve Guilfoile
Fredrick Maurice Hood
Amber Renee Johnson
Martina Kralova
Michael Joseph Leatherwood
Andrea Bridges Lee
Timothy James Mausolf
Peter Michael Maxwell

Justin Sean McMahon Chase Preston Middleton Kide Azubuko Nnadike Andrew William Phelps Chloe Abigail Reid Jenna Chrystal Riglick Zachary Brian Roddy Kyle Scott Salvaterra Marshall Bennett Sams Conner DuBose Shaw Sarah Martin Silver Casey David Stewart Kelsey Rian Vaught Brandon Chase Walters Mallory Eleanor West Garrett Eugene Wickline

Reciprocal Certificate Applications - The Committee recommended that the Board approve the following:

Phillip Douglas Bair Ethan Vincent Biamonte Steven Thomas Chambers Elizabeth Anne Chapman Kim Cherie Creasey John Vela Delarosa Robert Newton Eberlein Scott Gerard Falls Christopher Michael Forrest Yuting Han David Christopher Holmes Curtis Wayne Jones Jonora Kinshasa Jones Lamar Jones, Jr. Laurie H. Londergan Amanda Marie Miller Alexander James Raborn Jonathan Robert Rea Matthew Scott Roth Aliya Sanderson Cooper Jameson Shepheard Paul Vincent Shimp Austin Benjamin Shipe Kimberly Kathryn Slone Christopher Alan Teats T'Andrea Latrelle Anissa White Hal Lincoln Young **Temporary Permits** - The Committee recommended that the Board approve the following temporary permits that were approved by the Executive Director:

Elizabeth Ashley Waters, T11995 Laura Anne Pollin, T11996 Laura Anne Hoover, T11997 Joshua James Emett, T11998 Christian Poveromo, T11999 Jonathan Vincent Piccolo, T12000 Edwin B. Mejia Reyna, T12001 Kevin Dean Larsh, T12002 Eloho Isimeme Ovhori, T12003 Megan Elizabeth Boyers, T12004 Adam Lyle Coleman, T12005 Romeo Vicera Niere, Jr., T12006 Scott Thomas Mooney, T12007 James Robert Westfall, T12008 Glenn Cunningham, T12009 Michael Donald McCall, T12010 George Henry Jockish, III, T12011

Amy Lynne MacNeil, T12012 Jennica Shannon Moore, T12013 Troy Arthur Wray, T12014 Abigail Joy Spohn, T12015 Zhan Zhang Furner, T12016 Matthew Nicholson-Lewis, T12017 Cynthia Spera, T12049 Matthew William Hungate, T12050 Anthony T. Maddalone, T12051 Brian Donald Glass, T12052 Dane Frederick Leach, T12053 Kristin Lynne Walser, T12054 Taylor James Clawson, T12055 Stephen Horace Watson, T12056 Thomas Patrick Hughes, T12057 Matthew Tyler Ratteree, T12058 Deborah L. Anderson, T12059

Reinstatements - The Committee recommended that the Board approve the following:

Amy T. Moss, #36035 Pamela New Vest, #19909 Charlene Snow White, #32451 Amy Elizabeth Winkler, #41669

Reissuance of New Certificate - The Committee recommended that the Board approve the following application for reissuance of new certificate:

Dana Marie Houston, #25000

Letters of Warning - The Committee recommended that the Board approve the request to rescind the Letter of Warning issued to the following individual:

Sally Rebecca Neal, #17262

Examinations - The Committee recommended that the Board approve the following staffapproved applicants to sit for the Uniform CPA Examination:

Jennifer Adams	John Andrew
Shannan Adams	Justin Appley
Jeremiah Akinsola	Ina Balentine
AshLyn Allen	Thomas Barker
April Ammons	Bradley Bennett
Brandon Anderson	Virginia Bernardi
Evan Andert	Evan Birchmore
Nicolas Andreou	Brittany Blackwell

Trevor Blevins Rebecca Brady Kaitlyn Brock **Tiffany Brooks** Kelsey Brown Mackenzie Brown Blake Buffaloe **Cooper Burgess** Kenneth Byrd Christian Chaney Anna Ciraco Samuel Clark Drew Coble Johanna Copley Phillip Cordeiro Tanesha Crewes Sheridan Crissman **Camille Cross Brad Dancy** Derik Dean Samantha DeBonis **Thomas Dehnel** David Dennis Nicholas Di Fillippo Claire Dockrill Mary Grace Doggett **Riley Dolan Charles Dorcelien** Alicia Driver Frank Erickson Julie Estes Erica Fields Sean Fitzgerald James Floyd Shane Fox Justin Frye Karli Fulp Ashleigh Gardner Jake Giaquinto Ceara Gibson Sascha Gibson Jacob Goodman Jessica Grant Nia Griffin **David Grimsley** Aaron Gulibon **Gregory Hales** Dylan Hall Matthew Hancock Matthew Hartzell

Christopher Hernandez Erin Hetrick Patrick Hoan Daniel Hogan Bentley Hollifield Henley Irby Isaac Irby Justine James David Jennings John Kadechka Alexa Kallesten Sarah Kennedy Olena Kilson Victoria Kinney Jihe Koo Rebecca Krizner Zachary Lane Patrick Leitner Caleb Lewis Ben Liboon Evan Lohrman Shannon Lombardo **Emily Lower** Hunter Lutz LaToya Malloy Luz Mansour Caleb Mason Jennifer Maybee Breanna McCarthy Morgan McCoy Mary McDonald Jeffrey McGee Matthew Milburn Jack Mock Alex Moore Robert Morgan Tiaria Mulbah Joseph Mulholand Mathias Nasisse Henson Nguyen Sara Nicholson Jesse Nikonowicz Peyton Noschese Deforest O'Brien William Oakley Bi Ou Barrett Overman Sydney Ownbey **Bret Parker Devon Parker**

Emily Paulson Haley Perry Visagan Prabhakar Paul Pradetto Katelyn Prichard Tatyana Primakov **Celeste Pritchard** Erica Propst Malcolm Ramsammy John Reda Adam Regan Rachel Regan Jonathan Ritter Zachary Rogers Olivia Rooney **Raleigh Scales** Samantha Schisler Kollin Schrenk Cole Setzer Monica Simmons Hunter Simpson René Singleton Victoria Sloop ShaQuita Smith

Quinten Squires Christian Stamp Mark Storey Margaret Strickland Katharine Sullivan Kristen Sullivan James Swaim Charnice Taylor Madison Thompson Sarah Todd Cameron Turner Thierry Tuyishimire Jeffrey Valente Michael Vance Corrie VanDyke Shelby Vaughn Matthew Wall Matthew Williams Jessica Woolfe Ricardo Zaldana Nathaniel Zarzar Yishan Zhao Edgar Zimmerman

EXECUTIVE STAFF AND LEGAL COUNSEL REPORT: The monthly operational metrics and Executive Staff report were provided as part of the agenda.

STRATEGIC PLANNING: Cheryl Farrar, NASBA's Chief Sourcing and Strategy Officer, facilitated the strategic planning with the Board, staff, and guests present.

ADJOURNMENT: Ms. Demery and Mr. G. Massey moved to adjourn the meeting at 1:04 p.m. Motion passed.

Respectfully submitted:

Attested to by:

Robert N. Brooks **Executive Director**

Mittad S. Maxey

Michael S. Massey, CPA President

BEFORE THE NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS CASI:#: C2019285

IN THE MATTER OF:	1	
Marcum LLP, Firm #33159	1	CONSENT ORDER
Respondent		

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 N. C. Gen. Stat. § 150B-41, the Board and Respondent stipulate to the following:

- The Board received notice from the PCAOB that it reached a settled order with Marcum, LLP ("Marcum"). Marcum is not registered in the State of North Carolina and does not have an office in the State. It has filed a Notice of Intent to Practice in the State, thereby availing itself of a practice privilege to conduct business in this State. Marcum has never previously been the subject of any complaint or investigation by the Board.
- 2. Per N.C. Gen. Stat. §§ 93-10 (c) (1) & (2), a firm that exercises a practice privilege simultaneously agrees to comply with the laws and rules of the State of North Carolina and to subject itself to the jurisdiction of this Board.
- 3. In 2013, Marcum hosted a MicroCap Conference ("Conference") in New York, New York, that was open to the public. A company that presented at the Conference was an issuer audit client of Marcum based in North Carolina. The company has not been an issuer audit client of Marcum since 2015.
- 4. In 2019, the PCAOB reached a settled order with Marcum and one of its partners. The settled order stated that Marcum's audit of the financial statements of some of the companies that presented at the Conferences represented a violation of PCAOB independence rules. Marcum voluntarily stopped hosting the Conferences described in the settled order as of 2017.
- 5. The PCAOB settled order expressly states that the findings therein "are not binding on any other persons or entities in this or any other proceeding," and that Marcum and its partner consented to the order "without admitting or denying the findings therein." Marcum has taken steps to remediate the issues addressed in the settled order.
- 6. Marcum 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. Marcum 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:

NC BOARD OF

AUG - 3 2020

CPA EXAMINERS

- 1. Marcum is subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 08 of the North Carolina Administrative Code, including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
- 2. Marcum's failure to comply with all of the PCAOB's independence rules constitutes a violation of 21 NCAC 08N .0204 and .0402.
- 3. Per N.C. Gen. Stat.§§ 93-12(9) & (10), and also by virtue of Marcum's consent to this order, Marcum is subject to the discipline set forth below.

BASED on the foregoing and in lieu of further proceedings, the Board and Marcum agree to the following Order:

1. Marcum's practice privilege is censured and Marcum must pay a ten thousand dollar (\$10,000) civil monetary penalty, to be remitted with this signed Order.

CONSENTED TO THIS THE	3 DAY OF	August	. 2	2020 .
	(Day) –	(Month)	(Y	'ear)
(- Docusigned by: Uslie Adler 	General Counsel orized to sign on	behalf of Ma	rcum
APPROVED BY THE BOARI		L DAY OF 🖊	(Month)	<u>20</u> 20 .

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS



BY: Michel & Many

(President)

NC BOARD OF

AUG - 3 2020

OPA EXAMINERS

BEFORE THE NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS CASE #: C2020036

IN THE MATTER OF: Mark B. Thompson, CPA, #24454 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 N. C. Gen. Stat. § 150B-41, the Board and Respondent stipulate to the following:

- 1. Mark B. Thompson, CPA (hereinafter "Respondent"), is the holder of North Carolina certificate number 24454 as a Certified Public Accountant.
- 2. The Board received a complaint against the Respondent from Marcia Powers (hereinafter "Complainant").
- 3. The Complainant signed a contract giving the Respondent the authority to negotiate the sale of her business, Plantation Lighting, Inc. (hereinafter "business").
- 4. The Complainant was contacted by a potential buyer for the business, whom she referred to the Respondent.
- 5. The Respondent first needed to do a complete financial statement before he could evaluate the business.
- 6. The Complainant provided information and an inventory to the Respondent, but he did not complete the financial review in a timely manner.
- 7. It was later discovered that the Respondent was unaware that the Complainant had provided the inventory information because one of the Respondent's employees had received that information and failed to tell the Respondent.
- 8. The Respondent subsequently terminated the employment of that employee.

NC BOARD OF

AUG - 7 2020

CPA EXAMINERS

9. The 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. The 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. The Respondent is subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 08 of the North Carolina Administrative Code, including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
- 2. Per 21 NCAC 08N .0103 (Responsibility for Compliance by Others):

A CPA and CPA firm shall be responsible for assuring compliance with the rules in this Subchapter by anyone who is the CPA's partner, fellow shareholder, member, officer, director, licensed employee, unlicensed employee or agent or unlicensed principal, or by anyone whom the CPA supervises. A CPA or CPA firm shall not permit others (including affiliated entities) to carry out on the CPA's behalf, with or without compensation, acts that if carried out by the CPA would be a violation of these Rules.

As such, the Respondent had the responsibility to adequately supervise his employees and is responsible for any resulting non-compliance with the Board's rules as a result of his employees' actions. Therefore, the Board concludes that the Respondent did not provide timely services to the Complainant in violation of 21 NCAC 08N .0212(3).

3. Per N.C. Gen. Stat. § 93-12(9), and also by virtue of the Respondent's consent to this order, the Respondent is subject to the discipline set forth below.

NO BOARD OF AUG - 7 2020

OPA EXAMINERS

Consent Order - 3 Mark B. Thompson, CPA

BASED on the foregoing and in lieu of further proceedings, the Board and the Respondent agree to the following Order:

1. The Respondent, Mark B. Thompson, is censured.

CONSENTED TO THIS THE <u>3</u> rd DAY OF <u>August</u> , (Day) <u>August</u> , (Month) Respondent	(Year)
APPROVED BY THE BOARD THIS THE 17	, <u>2020</u> .
(Day) DAY OF AUGUST (Month)	(Year)

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS



BY: Mind & Manuel

President

HO BOARD OF

AUG - 7 2020

OPA EXAMINETS

BEFORE THE NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS CASE #C2020111

ORDER.

IN THE MATTER OF: Donald A. Stewart, CPA, #4353 Respondent

THIS MATTER having come before the Board with a quorum present, and having been consented to by the Respondent, the Board finds and orders as follows:

- Donald A. Stewart, CPA (hereinafter "Mr. Stewart"), is the holder of a 1 certificate as a Certified Public Accountant in North Carolina.
- 2. Mr. Stewart failed to timely renew or cancel the annual firm registration for Donald A. Stewart, CPA, in accordance with provisions as required by N. C. Gen. Stat. §93-12 (7b) and 21 NCAC 08J .0108 (b) and (g), and 08N .0213.
- Pursuant to 21 NCAC 08J .0111(1), because Mr. Stewart's infraction was for a З. period of more than one hundred twenty (120) days, the appropriate penalty is five hundred dollars (\$500).
- 4 Mr. Stewart has paid the civil penalty and consents to the entry of this Order and has waived any right to a hearing.
- 5 The Board members present, representing a quorum of the Board, have unanimously decided to accept Mr. Stewart's payment as full resolution of the aforementioned rules violation.

This the ______ day of _____ August___ (Day) (Month) (Year)



NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

BY: Mittel S. Manuz-President

BEFORE THE NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS CASE #C2020013

IN THE MATTER OF: Samuel Anthony Maclin, CPA, #32995 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 N. C. Gen. Stat. § 150B-41, the Board and Respondent stipulate to the following:

- 1. Samuel Anthony Maclin, CPA (hereinafter "The Respondent"), is the holder of North Carolina certificate number 32995 as a Certified Public Accountant.
- 2. The Respondent informed the Board on his 2018-2019 individual certificate Renewal ("Renewal") that between January 1, 2017, and June 30, 2018, he had obtained the requisite forty (40) hours of continuing professional education ("CPE") to meet the 2017 CPE requirements.
- 3. Based on the Respondent's representation, the Board accepted his Renewal.
- 4. The Board staff requested that the Respondent provide certificates of completion for the CPE reported to meet his 2017 requirements.
- 5. The Respondent was unable to provide any documentation in support of the forty (40) hours of the 2017 CPE hours, including ethics, that he claimed on his 2018-2019 annual renewal.
- 6. The Respondent was non-responsive to all inquiries sent by the Professional Standards staff.
- 7. The 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. The 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.

NC BOARD OF

AUG 10 2020

CPA EXAMINERS

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

- 1. The Respondent is subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 08 of the North Carolina Administrative Code, including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
- 2. The Respondent's actions as set out above constitute violations of 21 NCAC 08N .0202(a), .0202(b)(3), and .0202(b)(4) and .0206.
- 3. Per N.C. Gen. Stat. § 93-12(9) and also by virtue of the Respondent's consent to this order, the Respondent is subject to the discipline set forth below.

BASED on the foregoing and in lieu of further proceedings, the Board and the Respondent agree to the following Order:

- 1. The Respondent's failure to provide adequate documentation of CPE renders the Renewal insufficient and untimely. The Respondent's failure to adequately renew his certificate results in a forfeiture pursuant to N.C. Gen. Stat. § 93-12(15).
- 2. The Respondent must return his certificate to the Board within fifteen (15) days of his receipt of the Board's notification of its approval of this Consent Order.
- 3. The Respondent may apply for the reissuance of his certificate after one (1) year from the date the Board approves this Consent Order as long as the civil penalty required in number five (5) of this Order has been timely received by the Board.
- 4. The 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. Three (3) moral character affidavits, and
 - d. Eighty (80) hours of CPE in the twelve (12) months preceding the application, including an eight (8) hour accountancy law course as offered by the North Carolina Association of CPAs.

NC BOARD OF

AUG 1 0 2020

CPA EXAMINED.

Consent Order - 3 Samuel Anthony Maclin, CPA

- 5. The Respondent shall pay a one thousand dollar (\$1,000) civil penalty, to be remitted to the Board prior to submitting a reissuance application.
- 6. The 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 certificate.

CONSENTED TO THIS THE	4 DAY OF August	2020
	(Day (Month)	(Year)
	Respondent	·
	1 -7 A	0

APPROVED BY THE BOARD THIS THE 17 DAY OF AUGUST, 2010. (Month), (Year)

NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS



BY: Michael S. Manuel

President

AUG 10 2020

Minutes for signature

Final Audit Report

2020-09-21

Created:	2020-09-21
By:	Lisa Hearne (LHEARNE@NCCPABOARD.GOV)
Status:	Signed
Transaction ID:	CBJCHBCAABAAjMkNGsAKaAhv4GneVni1KgYJnJTsWu5Z

"Minutes for signature" History

- Document created by Lisa Hearne (LHEARNE@NCCPABOARD.GOV) 2020-09-21 - 7:06:45 PM GMT- IP address: 199.255.8.2
- Document emailed to Michael S Massey (msmassey@georgiasown.org) for signature 2020-09-21 - 7:07:42 PM GMT
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- Document e-signed by Michael S Massey (msmassey@georgiasown.org) Signature Date: 2020-09-21 - 7:19:25 PM GMT - Time Source: server- IP address: 96.45.122.84

Agreement completed. 2020-09-21 - 7:19:25 PM GMT