PUBLIC SESSION MINUTES North Carolina State Board of CPA Examiners October 19, 2020 Via Videoconference 1101 Oberlin Road Raleigh, NC 27605

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; Alex Lehmann, CPA, Board of Directors, NCACPA; and Cheryl Farrar, Chief Sourcing and Strategy Officer, NASBA.

CALL TO ORDER: President M. Massey called the meeting to order at 10:05 a.m.

PUBLIC HEARING: President Massey called the Public Hearing to order to hear Case No. C2020015 - John Stewart Wooten, III, NC CPA No. 19554. Mr. Wooten was not present for the Hearing, nor was he represented by legal counsel. Mr. Nance was sworn in and presented testimony. Ms. Demery and Mr. G. Massey moved to enter Closed Session to discuss the matter with Mr. Allen, the Board's Legal Counsel. Motion passed with seven (7) affirmative votes and zero (0) negative votes. Motion passed with seven (7) affirmative votes and zero (0) negative votes. The Board re-entered the Public Hearing. Mr. Baldwin and Ms. Demery moved and seconded a motion to permanently revoke the NC CPA Certificate No. 19554 issued to John Stewart Wooten, III (Appendix I). Motion passed with roll call vote of seven (7) affirmative votes and zero (0) negative votes. The Public Hearing is a matter of public record.

MINUTES: Ms. Demery and Mr. G. Massey moved and seconded the motion to approve the minutes of the September 21, 2020, meeting as submitted. Motion passed by roll call vote of seven (7) affirmative and zero (0) negative votes.

FINANCIAL AND BUDGETARY ITEMS: Mr. G. Massey and Ms. Demery moved and seconded the motion to approve the September 2020 financial statements as submitted. Motion passed by roll call vote of seven (7) affirmative and zero (0) negative votes.

Mr. Nance presented the Board's current Investment Policy for discussion. Messrs. Winstead and Baldwin moved and seconded the motion for by a Board task force to review the Investment Policy

for scope, responsibilities, and investment strategy. Motion passed by roll call vote of seven (7) affirmative and zero (0) negative votes.

NATIONAL ORGANIZATION ITEMS: The Board reviewed and discussed the proposed changes to the NASBA Bylaws. Mr. Baldwin suggested the Board review this matter at a future meeting because it will be discussed during the Business Meeting portion of the virtual NASBA Annual Meeting on November 3, 2020.

REPORT OF THE PROFESSIONAL STANDARDS COMMITTEE: Mr. Winstead moved to approve the following Committee recommendations. Motion passed by roll call vote of six (6) affirmative and zero (0) negative votes. Mr. Baldwin was not present during this vote.

Case Nos. C2020065 and C2020096 - Martin L. Price, CPA - Approve a Notice of Hearing for 10:00 a.m. on December 14, 2020.

Case No. C2020082 - Close the case without prejudice with a Letter of Warning.

<u>Case No. C2020102</u> - Close the case without prejudice.

<u>Case No. C2020103</u> - Close the case without prejudice.

Case No. C2020160 - Close the case without prejudice

<u>Case Nos. C2020147-1 and C2020147-2</u> - Close the cases without prejudice with a Letter of Warning.

<u>Case Nos. C2020157-1 and C2020157-2</u> - Close the cases without prejudice with a Letter of Warning.

REPORT OF THE PROFESSIONAL EDUCATION AND APPLICATIONS COMMITTEE: Mr. G. Massey moved to approve the following Committee recommendations. Motion passed by roll call vote of six (6) affirmative and zero (0) negative votes. Mr. Baldwin was not present during this vote.

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

Eric Samuel Barnes Alvaro Jose Chaux Michelle Ademmydoyin Gbadebo-Great

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

Robert Taylor Adams Timothy Robb Alford, Jr. Ashley Lynn Baker Eric Samuel Barnes Alex Perry Boseman Landria Michelle Brown

Alvaro Jose Chaux David Michael Coffey Matthew Michael Crimmins Emily Grace Crum Audrey Corbett Everett Paul Walton Feisal Mack Simpson Flanagan Michelle Ademmydoyin Gbadebo-Great Alison Ginger Greenfield Alexandria Marie Grote Bryan Parker Hall Garett Leigh Hedgepeth Ryan Linwood Huyett Karli Jo Jernigan Tucker Albert Johnson Cole Parker Jordan Nicole Autry Justice Ryan Keith Nicholas Todd Kelley

Aubrey Lynn Kempke Artur Ildarovich Khalikov Christopher Kennedy Lambert Erik Jason Manko Mark Anthony Martines Alex Edward McCutcheon Wade Alan McDermott Nicholas Joseph McDonald Nicole Marie Overby Nirali Rupesh Patel Kendall Reed Peterson Morgan Charles Potter Stephanie Sarah Hook Potter Tyler Robert Reid Madison Marie Schneider Stephanie Nicole Stewart Vasukumar Vijayakumar Logan Beatrice Williams

Staff reviewed and recommended approval of the original application submitted by Catherine Constance Del Casino. Ms. Del Casino failed to disclose pertinent information with her Exam application but provided it with her certificate application. Staff recommended approval of the application with a one-year probationary period. The Committee recommended that the Board approve the staff's recommendation.

Staff reviewed and recommended approval of the original application submitted by Tara Leigh Hartman-Gud. Ms. Hartman-Gud failed to disclose pertinent information with her Exam application but provided it with her certificate application. Staff recommended approval of the application with a one-year probationary period. The Committee recommended that the Board approve the staff's recommendation.

Staff reviewed and recommended approval of the original application submitted by Jacob Christian LaFrancis. Mr. LaFrancis failed to disclose pertinent information with his Exam application but provided it with his certificate application. Staff recommended approval of the application with a one-year probationary period. The Committee recommended that the Board approve the staff's recommendation.

Staff reviewed and recommended approval of the original application submitted by Miriam Frances Mueller. Ms. Mueller failed to disclose pertinent information with her Exam application but provided it with her certificate application. Staff recommended approval of the application with a one-year probationary period. The Committee recommended that the Board approve the staff's recommendation.

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

Deborah L. Anderson Megan Elizabeth Boyers Alison Eaton Brusko Emma Jayne Cain Taylor James Clawson Adam Lyle Coleman Glenn Cunningham Joshua James Emett Zhan Zhang Furner Brian Donald Glass Joshua Steven Hall Laura Anne Hoover **Thomas Patrick Hughes** Matthew William Hungate George Henry Jockish, III Alison Mathews Ko Kevin Dean Larsh Dane Frederick Leach Lauren Lynn Lutgens Amy Lynne MacNeil Anthony T. Maddalone Michael Donald McCall

Edwin B. Mejia Reyna Joel Aaron Mendez Scott Thomas Mooney Jennica Shannon Moore Matthew Nicholson-Lewis Romeo Vicera Niere, Jr. Eloho Isimeme Ovhori Jonathan Vincent Piccolo Laura Anne Pollin Christian Eric Anthony Poveromo Matthew Tyler Ratterree Steven Reiskind Robert John Schwinn Cynthia Spera Abigail Joy Spohn Terrell Antonio Turner Kristin Lynne Walser **Elizabeth Ashley Waters** Stephen Horace Watson Patricia Marie Weber James Robert Westfall Troy Arthur Wray

Temporary Permits - The Committee recommended that the Board approve the following temporary permits that were approved by the Executive Director:

Jeanette Meixner Franzel, T12114 James Logan Rich, T12115 Michael Teofilo Zanchelli, T12116 Ashley Nicole LaPorte, T12117 Jamie Robert Walton, T12118 Tiffany Thornton, T12120 Heather Marie Jayson, T12121 Dennis Wesley Fleming, T12122 Robert Stanley Arnold Curley, III, T12123 Aaron Ray Galliher, T12124 Jonas David LaGrew, T12125 Nicole Noel Zakowicz, T12126 Anthony Sartor, T12127 Laura A. Bennett, T12128 John Carl Rogers, T12129 Jacob Peter Gruia, T12130 John Joseph Ackerson, T12134 Lucas Scott Peterson, T12135 Christine Elizabeth O'Connor, T12136 Milton Everett Jackson, T12137 Joshua Timberlake Reichard, T12138 Damon George Dionysopoulos, T12139 Derek Robert Magnuson, T12140 Terry Jarrett Hood, T12141 Austin Taylor Langston, T12142 Charles Martin Dabney, T12143 Jessica Lauren McMullin, T12144 Reinstatements - The Committee recommended that the Board approve the following:

Patrick Shane Decareaux, #34478 Keri Leigh James, #33497 Yuliya Sergeyevna Morris, #37859

Reissuance of New Certificate - Staff reviewed and recommended approval of the reissuance application submitted by Jeremy Leo Donabedian, #41514. Mr. Donabedian failed to disclose pertinent information with his Exam application but provided it with his reissuance application. Staff recommended approval of the application with a one-year probationary period. The Committee recommended that the Board approve the staff's recommendation.

Firm Registrations - The Committee recommended that the Board approve the following professional limited liability companies that were approved by the Executive Director:

Heather Kizer CPA PLLC

Charles S. Smith, CPA, PLLC

Letters of Warning - The Committee recommended that the Board approve the requests to rescind the Letter of warning issued to the following individuals:

Emily Hayes Smith, #33400 Margaret A. Szewczyk, #35966

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

Justin Appley Stephen Avery Deanna Bagwell **Richard Baird** Scarlett Beamon John Beck Brett Bertemes Tyler Black **Dustin Boggs** Joseph Boyle Kellan Brien **Tiffany Brooks** Kayla Brown Zachary Brown **Christopher Burdick** Brenda Bzdak Samuel Cabrera Sean Cammuso Tyler Campbell Brianna Cardwell Brianna Casini

Jonathan Cauble Brandi Cawthorn Rio Chamberlain Marlon Clair Sharp Brett Congleton Jonathan Connolly Callie Copeland Andrew Cornwell Caleb Cronce Tucker Crowder James Cumbo Jonathon Cushman **Daniel Deas** Hailey Dellinger David Dennis Mary Dierkes Conor Doherty Scott Douglas Jillian Dunn Ginisa Ebert Allison Edmonds

Anna Elghanayan Christa Ellis Kyle Fitzgerald **Ryan Forbes** Molly Foster Mary Futrell Lorena Gan Ashleigh Gardner Joanna Gaynes Sascha Gibson James Gladue Meredith Godwin Zachary Gray Matthew Greco Nathan Greer Nicole Griffes Allyson Hagemann Zachary Halsey Michael Hancock **Ronnie Harper** Delani Hartung Stephen Hazel Austin Holland **Bentley Hollifield** Alyssa Horne Christen Howlett Joshua Hudson Vuong Huynhle Mallory Ickes Avokunle Ilesanmi Isaac Irby Hannah Jackson Ibreta Jackson Justine James Melicia James Donna Johnson Claire Jose Olena Kilson Victoria Kinney Amanda Knauff Matthew Langley Spencer Lavender Stephanie Lemons Destin Lett Ryan Linden Jazmine Linnette

Graciela Lopez Arriaga Erin Mack Tyler Maher Jesse Mazza Crystal McNair Benjamin Melnyk Jack Mock Aaron Montgomery Landon Moxley Mir Maryam Mujtaba Alexandra Murphy Christopher Newman-Clifford Maggie Ostwalt-Yantis Alexander Pantelakos Blair Pelton Kenia Perez **Brittany Perkins** William Perrault Andrea Picou Kalejah Pierce Lindsey Piurowski Anderson Potter **Hilary Prinz** Matthew Pruitt Sheetal Puri Malcom Ransom John Reynolds Katharine Robertson Olivia Rooney Michael Ross **Daniel Ruggiero** Kristina Salvagin Diana Sama Marie Saunders Steven Savicki Harrison Seav Katherine Serrell Andrew Shelton Janelle Shipotofsky Valerie Simmons **Richard Sincerbeaux** Victoria Sloop ShaQuita Smith Tanner Smith Tyler Smith Allan Staten

Rebecca Stevens Tamara Stevens Patrick Stewart Shane Stoike Ashley Strickland James Swigart Cole Taylor Madison Thompson Elena Totchilova Matthew Vaden Jeffrey Valente Binh Vo Joseph Warta Lanett Washington Jacob Wemyss Lindsey White Brandy Wightman Justin Wilcher Wesley Wilder Kevin Wiles Sydney Wohlfert Thomas Woolbright Maria Zavala Matthew Zweier

Rescind Form of Practice Statements - Jamie LaComb Chenier, #14226, signed a Form of Practice Statement due to his employment. However, due to a change in the licensee's employment, staff recommended that the statement be rescinded. The Committee recommended that the Board approve the request.

EXECUTIVE STAFF AND LEGAL COUNSEL REPORT: The Board reviewed the monthly operational metrics and the Executive Staff report.

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

ADJOURNMENT: Mr. G. Massey and Ms. Taylor moved and seconded the motion to adjourn the meeting at 1:38 p.m. Motion passed by roll call vote of seven (7) affirmative and zero (0) negative votes.

Respectfully submitted:

Attested to by:

Robert N. Proofes.

Robert N. Brooks Executive Director

Michael S. Masey

Michael S. Massey, CPA President

NORTH CAROLINA WAKE COUNTY

BEFORE THE NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS CASE #: C2020015

IN THE MATTER OF: John Stewart Wooten, III, #19554 Respondent

BOARD ORDER

THIS CAUSE coming before the North Carolina State Board of Certified Public Accountant Examiners (the "Board") at an administrative hearing held remotely ("Hearing"), with a quorum present, the Board finds, based on the evidence presented at the Hearing on October 19, 2020, that:

FINDINGS OF FACT

- 1. The Respondent John Stewart Wooten, III (hereinafter "Respondent"), is the holder of a certificate as a Certified Public Accountant in North Carolina.
- 2. The Board has jurisdiction over the Respondent and the subject matter of this action.
- 3. The Respondent received at least fifteen (15) days written notice of the Hearing. The notice was achieved by serving a Notice of Hearing by personal service, on September 23, 2020.
- 4. The Respondent was not present at the Hearing and was not represented by counsel.
- 5. The Respondent did not object to any Board Member's participation in the Hearing of this matter.
- 6. On June 29, 2018, the Respondent completed an online annual CPA certificate renewal. On that renewal, the Respondent informed the Board that he had obtained forty-two (42) hours of continuing professional education ("CPE") during the calendar year 2017 in order to meet the requisite annual forty (40) hours of CPE imposed by the Board.
- 7. Based on the Respondent's representations, the Board accepted the Respondent's renewal.

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- 8. The Respondent was subjected to an audit of his CPE for 2017. The Board's Licensing staff requested that the Respondent provide documentation to substantiate the CPE that he had reported on his renewal. They sent these requests via regular mail and certified mail to the Respondent's mailing address.
- 9. The Respondent did not respond to the Licensing staff's requests.
- 10. The matter was then referred to the Board's Professional Standards staff for potential disciplinary action.
- 11. The Professional Standards staff attempted to communicate with the Respondent via mail, certified mail, UPS, and email.
- 12. The Respondent was unresponsive to all correspondence from the Professional Standards staff.

CONCLUSIONS OF LAW

- 1. Per N.C. Gen. Stat. § 150B-42, this Board Order constitutes a Final Agency Decision of the Board.
- 2. The Respondent is subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 8 of the North Carolina Administrative Code. Pursuant to N.C. Gen. Stat. § 93-12(9), the Board has the authority to impose discipline upon the Respondent and Respondent's certificate and to impose civil monetary penalties.
- 3. The Hearing was duly noticed pursuant to N. C. Gen. Stat. § 150B-38(b)(c) and 21 NCAC 08C .0103 and was conducted with a quorum of Board members. Respondent was properly served with notice of the hearing and expressed no objection to the Hearing. Respondent was not present at the Hearing. Per N.C. Gen. Stat. § 166A-19.24(f)(3), the Board finds that any due process rights of the Respondent were protected.
- 4. At the time that the Respondent completed his renewal, he should have known that he did not have sufficient CPE to meet the Board's annual CPE requirement, resulting in violations of 21 NCAC 08N .0202(a) and .0202(b)(4).
- 5. As set forth above, the Respondent's failures to communicate with the Board, or otherwise cooperate with Board inquiries, constitute violations of 21 NCAC 08N .0206.

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

- 1. The Certified Public Accountant certificate issued to Respondent, John Stewart Wooten, III, is permanently revoked.
- 2. The Respondent shall not offer nor 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 the Respondent claim or attempt to use any practice privileges in any other state based upon his revoked North Carolina certificate.

This the 19th day of October, 2020.



NORTH CAROLINA STATE BOARD OF CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

Mutue S. Manue BY:

President