

92-01

IN THE IOWA DISTRICT COURT FOR BUENA VISTA COUNTY

IOWA ARCHITECTURAL EXAMINING BOARD, 99AG27211

Plaintiff,

vs.

LEONARD LAMPERT,

Defendant.

Equity No. 23547

STIPULATED ORDER GRANTING CONSENT JUDGMENT AND PERMANENT INJUNCTION

FILED JUN 22 AM 11:10

FILED

COPY

COME NOW the Plaintiff, the Iowa Architectural Examining Board, and the Defendant, Leonard Lampert, and agree as follows:

1. This Court has jurisdiction of the parties and the subject matter of this action.
2. Simultaneous with the filing of this Stipulated Order Granting Consent Judgment and Permanent Injunction, Plaintiff has filed a Petition for Permanent Injunction and the Defendant has been duly served as evidenced by the attached Acceptance of Service.
3. Plaintiff alleges that the Defendant has engaged in the unauthorized practice of architecture in the State of Iowa.
4. Defendant admits the allegations set forth in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, and 12 of the Petition for Permanent Injunction. By agreeing to the entry of this Consent Judgement and Permanent Injunction, the Defendant makes no admissions of wrongdoing and denies that such consent constitutes an admission of liability in this matter. The parties expressly agree that the entry of this Consent Judgement

and Permanent Injunction does not constitute a disciplinary action.

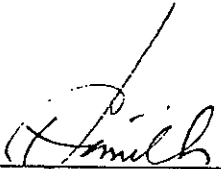
IT IS THEREFORE ORDERED that the Defendant, Leonard Lampert, is hereby permanently enjoined from engaging in those activities which constitute the practice of architecture in the State of Iowa including but not limited to:

1. Performing consultation, investigation, evaluation, programming, planning, preliminary design, and feasibility studies;
2. Preparing designs, drawings, specifications, and other technical submissions;
3. Administration of construction contracts and construction site observations; and
4. Any other activities which constitute the practice of architecture.

IT IS FURTHER ORDERED that this injunction will be dissolved in the event the Defendant becomes a registered architect in the State of Iowa.

IT IS FURTHER ORDERED that the Court shall retain jurisdiction of this case for purposes of enforcement and that Plaintiff shall be awarded judgement for any costs, including reasonable attorneys fees, it incurs in the event of non-compliance by the Defendant.

IT IS SO ORDERED this 22nd day of June, 1992.



Judge, Third Judicial District of Iowa

I certify that a copy of the original of this document was mailed to:

Grant K. Augdale

A. Arthur Davis

Clerk of District Court
Buena Vista County, Iowa

6-22-92

IOWA ARCHITECTURAL EXAMINING BOARD

By: K. Marie Thayer
K. Marie Thayer
Executive Secretary

Date: 6/8/92

Approved as to form:

Grant K. Dugdale
Grant K. Dugdale
Assistant Attorney General
Hoover State Office Building
Des Moines, Iowa 50319
(515) 281-8760

Date: 6/8/92

ATTORNEY FOR IOWA ARCHITECTURAL
EXAMINING BOARD

Leonard Lampert
Leonard Lampert

Date: 6/3/92

Approved as to form:

A. Arthur Davis
A. Arthur Davis
Davis, Hockenberg, Wine, Brown,
Koehn & Shors
2300 Financial Center
Des Moines, Iowa 50309
(515) 243-2300

Date: 6/5/92

ATTORNEY FOR LEONARD LAMPERT

IN THE IOWA DISTRICT COURT FOR BUENA VISTA COUNTY

IOWA ARCHITECTURAL EXAMINING
BOARD, 99AG27211

Plaintiff,

vs.

LEONARD LAMPERT,

Defendant.

Equity No. 23547

PETITION FOR PERMANENT
INJUNCTION

IOWA DISTRICT COURT
BUENA VISTA COUNTY

92 JUN -9 AM 9:15

FILED

COMES NOW the Plaintiff, the Iowa Architectural Examining Board, and in support of its Petition for Permanent Injunction, states:

1. The Plaintiff is the Iowa Architectural Examining Board ("Board"), a board created by chapter 118 of the Iowa Code, which is responsible for the regulation of the practice of architecture in the State of Iowa.

2. Defendant, Leonard Lampert ("Lampert"), is a resident of the State of Minnesota.

3. The acts and omissions giving rise to the Board's claims against Lampert occurred primarily in Buena Vista County, Iowa.

4. Lampert is a registered architect in the State of Minnesota.

5. Lampert is not a registered architect in the State of Iowa.

6. In the summer of 1990, Lampert performed architectural services for a new residence hall at Buena Vista College in Storm Lake, Iowa.

7. Lampert entered into an agreement with Buena Vista College detailing the architectural services he would provide for the new residence hall. A copy of the Standard Form of Agreement Between Owner and Architect is attached as Exhibit 1.

8. Since February of 1992, Lampert has been performing professional architectural services for a Library Addition at Buena Vista College.

9. Lampert entered into an agreement with Buena Vista College detailing the architectural services he would provide for the Library Addition. A copy of the Agreement Between Owner and Architect is attached as Exhibit 2.

10. Pursuant to Iowa Code § 118.1, only those persons qualified by the laws of the State of Iowa are authorized to engage in the practice of architecture in the state.

11. Pursuant to Iowa Code § 118.20, the Board has the authority to seek a permanent injunction against persons who are not registered architects, in accordance with chapter 118 of the Iowa Code, from engaging in the practice of architecture in the State of Iowa.

12. Lampert has been engaged and continues to be engaged in the practice of architecture in the State of Iowa by performing or offering to perform professional architectural services including, but not limited to, the following:

- a. Performing consultation, investigation, evaluation, programming, planning, preliminary design and feasibility studies;
- b. Preparing designs, drawings, specifications, and other technical submissions;
- c. Administration of construction contracts and site observations; and
- d. Any other activities which constitute the practice of architecture.

13. No petition for the same relief, or part thereof, has previously been presented to and refused by any court of justice.

WHEREFORE, the Plaintiff, the Iowa Architectural Examining Board, respectfully requests that this Court issue an order permanently enjoining the Defendant, Leonard Lampert, for engaging in the unauthorized practice of architecture in the State of Iowa.

BONNIE J. CAMPBELL
Attorney General of Iowa



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