

BEFORE THE  
BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation against: )  
)  
DANIEL ROBERT LOUKS ) Case No. 1251-A  
16950 Avenida De Santa Ynez )  
Pacific Palisades, CA 90272 )  
)  
Civil Engineer License, No. C 56332, )  
Professional Geologist License, No. 4883, )  
)  
Respondent. )  
\_\_\_\_\_ )

**DECISION**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board for Professional Engineers, Land Surveyors, and Geologists as its Decision in the above-entitled matter.

This Decision shall become effective on December 9, 2021.

IT IS SO ORDERED November 9, 2021.

*Original Signed*

\_\_\_\_\_  
BOARD FOR PROFESSIONAL ENGINEERS,  
LAND SURVEYORS, AND GEOLOGISTS  
Department of Consumer Affairs  
State of California

1 ROB BONTA  
Attorney General of California  
2 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
3 MARISSA N. HAMILTON  
Deputy Attorney General  
4 State Bar No. 322489  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 269-6701  
6 Facsimile: (916) 731-2126  
E-mail: Marissa.Hamilton@doj.ca.gov  
7 *Attorneys for Complainant*

8  
9 **BEFORE THE**  
**BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND**  
10 **GEOLOGISTS**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 1251-A

14 **DANIEL ROBERT LOUKS**  
15 **16950 Avenida De Santa Ynez**  
16 **Pacific Palisades, CA 90272**

**STIPULATED SETTLEMENT AND**  
**DISCIPLINARY ORDER**

17 **Civil Engineer License No. C 56332**  
18 **Geologist License No. 4883**

Respondent.

19  
20 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
21 entitled proceedings that the following matters are true:

22 **PARTIES**

23 1. Richard B. Moore, PLS (Complainant) is the Executive Officer of the Board for  
24 Professional Engineers, Land Surveyors, and Geologists (Board). He brought this action solely in  
25 his official capacity and is represented in this matter by Rob Bonta, Attorney General of the State  
26 of California, by Marissa N. Hamilton, Deputy Attorney General.

27 2. Respondent Daniel Robert Louks is represented in this proceeding by attorney Lucy  
28 S. McAllister, whose address is: 255 N. Market Street, Suite 100, San Jose, CA 95110.

1           3.     On or about July 26, 1996, the Board issued Civil Engineer License No. C 56332 to  
2 Daniel Robert Louks (Respondent). The Civil Engineer License was in full force and effect at all  
3 times relevant to the charges brought in Accusation No. 1251-A, and will expire on December 31,  
4 2022, unless renewed.

5           4.     On or about March 22, 1990, the Board issued Geologist License No. 4883 to  
6 Respondent. The Geologist License was in full force and effect at all times relevant to the  
7 charges brought in Accusation No. 1251-A, and will expire on November 30, 2021, unless  
8 renewed.

9                                   **JURISDICTION**

10          5.     Accusation No. 1251-A was filed before the Board, and is currently pending against  
11 Respondent. The Accusation and all other statutorily required documents were properly served  
12 on Respondent on June 9, 2021. Respondent timely filed his Notice of Defense contesting the  
13 Accusation.

14          6.     A copy of Accusation No. 1251-A is attached as exhibit A and incorporated herein by  
15 reference.

16                                   **ADVISEMENT AND WAIVERS**

17          7.     Respondent has carefully read, fully discussed with counsel, and understands the  
18 charges and allegations in Accusation No. 1251-A. Respondent has also carefully read, fully  
19 discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary  
20 Order.

21          8.     Respondent is fully aware of his legal rights in this matter, including the right to a  
22 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine  
23 the witnesses against him; the right to present evidence and to testify on his own behalf; the right  
24 to the issuance of subpoenas to compel the attendance of witnesses and the production of  
25 documents; the right to reconsideration and court review of an adverse decision; and all other  
26 rights accorded by the California Administrative Procedure Act and other applicable laws.

27          9.     Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
28 every right set forth above.

1 **CULPABILITY**

2 10. Respondent admits the truth of each and every charge and allegation in Accusation  
3 No. 1251-A.

4 11. Respondent agrees that his Civil Engineer License and Geologist License are subject  
5 to discipline and he agrees to be bound by the Board's probationary terms as set forth in the  
6 Disciplinary Order below.

7 **CONTINGENCY**

8 12. This stipulation shall be subject to approval by the Board for Professional Engineers,  
9 Land Surveyors, and Geologists. Respondent understands and agrees that counsel for  
10 Complainant and the staff of the Board for Professional Engineers, Land Surveyors, and  
11 Geologists may communicate directly with the Board regarding this stipulation and settlement,  
12 without notice to or participation by Respondent or his counsel. By signing the stipulation,  
13 Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the  
14 stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this  
15 stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of  
16 no force or effect, except for this paragraph, it shall be inadmissible in any legal action between  
17 the parties, and the Board shall not be disqualified from further action by having considered this  
18 matter.

19 13. The parties understand and agree that Portable Document Format (PDF) and facsimile  
20 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile  
21 signatures thereto, shall have the same force and effect as the originals.

22 14. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an  
23 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
24 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
25 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary  
26 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a  
27 writing executed by an authorized representative of each of the parties.

28 ///



1           6.     **Cost Recovery.** The Respondent is hereby ordered to reimburse the Board the  
2 amount of \$3,690.63 within one (1) year from the effective date of this decision for its  
3 investigative and prosecution costs. Said reimbursement may be paid in installments.

4           7.     **Examination.** Within sixty (60) days of the effective date of the decision, the  
5 Respondent shall successfully complete and pass the California Laws and Board Rules  
6 examination, as administered by the Board.

7           8.     **Ethics Course.** Within one (1) year of the effective date of the decision, the  
8 Respondent, the Respondent must successfully complete and pass a course in professional ethics,  
9 approved in advance by the Board or its designee.

10          9.     **Notification.** Within thirty (30) days of the effective date of the decision, the  
11 Respondent shall provide the Board with evidence that he has provided all persons or entities with  
12 whom he has a contractual or employment relationship relating to professional civil engineering  
13 or professional geology services with a copy of the decision and order of the Board and shall  
14 provide the Board with the name and business address of each person or entity required to be so  
15 notified. During the period of probation, the Respondent may be required to provide the same  
16 notification to each new person or entity with whom he has a contractual or employment  
17 relationship relating to professional civil engineering services and shall report to the Board the  
18 name and address of each person or entity so notified.

19     ///

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Lucy S. McAllister. I understand the stipulation and the effect it will have on my Civil Engineer License and Geologist License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board for Professional Engineers, Land Surveyors, and Geologists.

DATED: 10/20/2021 *Original Signed*  
DANIEL ROBERT LOUKS  
*Respondent*

I have read and fully discussed with Respondent Daniel Robert Louks the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 10/21/2021 *Original Signed*  
LUCY S. MCALLISTER  
*Attorney for Respondent*

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**ENDORSEMENT**

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board for Professional Engineers, Land Surveyors, and Geologists.

DATED: October 21, 2021

Respectfully submitted,  
ROB BONTA  
Attorney General of California  
ARMANDO ZAMBRANO  
Supervising Deputy Attorney General

*Original Signed*

MARISSA N. HAMILTON  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 1251-A**

1 ROB BONTA  
Attorney General of California  
2 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
3 MARISSA N. HAMILTON  
Deputy Attorney General  
4 State Bar No. 322489  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 269-6701  
6 Facsimile: (916) 731-2126  
E-mail: Marissa.Hamilton@doj.ca.gov  
7 *Attorneys for Complainant*

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9 **BEFORE THE**  
**BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND**  
10 **GEOLOGISTS**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 1251-A

13 **DANIEL ROBERT LOUKS**  
14 **16950 Avenida De Santa Ynez**  
**Pacific Palisades, CA 90272**

**ACCUSATION**

15 **Civil Engineer License No. C 56332**  
16 **Geologist License No. 4883**

17 Respondent.

18  
19 **PARTIES**

20 1. Richard B. Moore, PLS (Complainant) brings this Accusation solely in his official  
21 capacity as the Executive Officer of the Board for Professional Engineers, Land Surveyors, and  
22 Geologists (Board), Department of Consumer Affairs.

23 2. On or about July 26, 1996, the Board issued Civil Engineer License Number C 56332  
24 to Daniel Robert Louks (Respondent). The Civil Engineer License was in full force and effect at  
25 all times relevant to the charges brought herein and will expire on December 31, 2022, unless  
26 renewed.

27 3. On or about March 22, 1990, the Board issued Geologist License Number 4883 to  
28 Daniel Robert Louks (Respondent). The Geologist License was in full force and effect at all

1 times relevant to the charges brought herein and will expire on November 30, 2021, unless  
2 renewed.

3 **JURISDICTION**

4 4. This Accusation is brought before the Board under the authority of the following  
5 laws. All section references are to the Business and Professions Code (Code) unless otherwise  
6 indicated.

7 5. Code section 118, subdivision (b), provides that the suspension, expiration, surrender,  
8 or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a  
9 disciplinary action during the period within which the license may be renewed, restored, reissued,  
10 or reinstated.

11 **STATUTORY PROVISIONS**

12 6. Section 6775 of the Code states:

13 The board may, upon its own initiative or upon the receipt of a complaint,  
14 investigate the actions of any professional engineer licensed under this chapter and  
make findings thereon.

15 By a majority vote, the board may publicly reprove, suspend for a period not to  
16 exceed two years, or revoke the certificate of any professional engineer licensed  
under this chapter on any of the following grounds:

17 . . .

18 (b) Any deceit, misrepresentation, or fraud in his or her practice.

19 . . .

20 (g) A violation in the course of the practice of professional engineering of a  
21 rule or regulation of unprofessional conduct adopted by the board.

22 . . .

23 (h) A violation of any provision of this chapter or any other law relating to or  
involving the practice of professional engineering.

24 . . .

25 7. Section 7860 of the Code states:

26 (a) The board may, upon its own initiative or upon the receipt of a complaint,  
27 investigate the actions of any professional geologist or geophysicist, and make  
findings thereon.

28 (b) By a majority vote, the board may publicly reprove, suspend for a period

1 not to exceed two years, or revoke the certificate of any geologist or geophysicist  
2 registered hereunder, on any of the following grounds:

3 ...

4 (2) Misrepresentation, fraud, or deceit by a geologist or geophysicist in his or  
5 her practice.

6 ...

7 (c) By a majority vote, the board may publicly reprove, suspend for a period not  
8 to exceed two years, or may revoke the certificate of any geologist or geophysicist  
9 registered under this chapter, for unprofessional conduct. Unprofessional conduct  
10 includes, but is not limited to, any of the following:

11 (1) Aiding or abetting any person in a violation of this chapter or any regulation  
12 adopted by the board pursuant to this chapter.

13 (2) Violating this chapter or any regulation adopted by the board pursuant to  
14 this chapter.

15 (3) Conduct in the course of practice as a geologist or geophysicist that violates  
16 professional standards adopted by the board.

### 17 **REGULATORY PROVISIONS**

18 8. California Code of Regulations, title 16, section 475 provides, in pertinent part:

19 To protect and safeguard the health, safety, welfare, and property of the public,  
20 every person who is licensed by the Board as a professional engineer, including  
21 licensees employed in any manner by a governmental entity or in private practice,  
22 shall comply with this Code of Professional Conduct. A violation of this Code of  
23 Professional Conduct in the practice of professional engineering constitutes  
24 unprofessional conduct and is grounds for disciplinary action pursuant to Section  
25 6775 of the Code. This Code of Professional Conduct shall be used for the sole  
26 purpose of investigating complaints and making findings thereon under Section 6775  
27 of the Code.

28 (a) Compliance with Laws Applicable to a Project:

A licensee shall provide professional services for a project in a manner that is  
consistent with the laws, codes, ordinances, rules, and regulations applicable to that  
project. A licensee may obtain and rely upon the advice of other professionals (e.g.,  
architects, attorneys, professional engineers, professional land surveyors, and other  
qualified persons) as to the intent and meaning of such laws, codes, and regulations.

...

(c) Representations:

...

(7) A licensee shall only express professional opinions that have a basis in fact  
or experience or accepted engineering principles.

...

(9) A licensee shall not knowingly permit the publication or use of his or her data, reports, plans, or other professional documents for unlawful purposes.

...

(11) A licensee shall not misrepresent data and/or its relative significance in any professional engineering report.

...

9. California Code of Regulations, title 16, section 3065 provides, in pertinent part:

To protect and safeguard the health, safety, welfare, property of the public, and California's environmental quality, every person who is licensed by the Board as a professional geologist or professional geophysicist, including licensees employed in any manner by a governmental entity or in private practice, shall comply with the professional standards in this section. A violation of any of the following professional standards shall constitute unprofessional conduct and shall be sufficient grounds for disciplinary action.

(a) Compliance with Applicable Law:

A licensee shall provide all geological and geophysical services in a manner consistent with applicable laws, codes, ordinances, rules, and regulations. A licensee may obtain and rely upon the knowledge and advice of other professionals (e.g., architects, attorneys, professional engineers, other professional geologists and geophysicists, land surveyors, and other qualified persons) concerning the intent and meaning of such laws, codes, and regulations.

...

(c) Representations:

...

(5) A licensee shall only express professional opinions which have a basis in fact, are within the scope of the licensee's own experience or knowledge, and are generally accepted geologic or geophysical principles.

...

(7) A licensee shall not knowingly permit the publication or use of his or her data, reports, maps, plans, or other professional documents for any unlawful purpose.

...

(9) A licensee shall not misrepresent data or its relative significance in any geologic or geophysical work product or oral conveyance of his or her professional opinion.

1 **COST RECOVERY**

2 10. Section 125.3 of the Code states, in pertinent part, that the Board may request the  
3 administrative law judge to direct a licentiate found to have committed a violation or violations of  
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
5 enforcement of the case. If a case settles, recovery of investigation and enforcement costs may be  
6 included in a stipulated settlement.

7 **FACTUAL ALLEGATIONS**

8 11. On or about November 17, 2017, the California Water Resources Control Board’s  
9 (Water Board) Fraud, Waste, and Abuse Prevention Unit began an investigation into GSA  
10 Engineering, Inc. (GSA), and Respondent, GSA’s Chief Operating Officer (CEO). GSA is a  
11 professional engineering consulting services company based in Pacific Palisades, California, and  
12 primarily conducts projects in Southern California.

13 12. The investigation arose out of another ongoing investigation by the Water Board’s  
14 Fraud, Water, and Abuse Prevention Unit into an environmental testing laboratory used by GSA,  
15 called Cal Tech Environmental Laboratories, LLC (CTEL) and its owner Roobik Yaghoubi. The  
16 investigation revealed a scheme in which Respondent received kickbacks from CTET and its  
17 affiliate, Pine Crest, Inc., in exchange for submitting inflated invoices to GSA’s clients, with the  
18 inflated costs to ultimately be paid by multiple victims, including the State Water Board’s  
19 Underground Storage Tank Cleanup Fund (Cleanup Fund).

20 13. As part of the Water Board’s investigation, Respondent admitted that he directed  
21 CTET to falsify laboratory results for this purpose. Respondent admitted that he received  
22 kickback payments from CTET and Pine Crest, Inc., which Respondent described as  
23 “commission . . . paid as a percentage of sales to GSA.” Respondent stated that his portion of  
24 illicit proceeds from the scheme was thirty-five percent (35%), while Roobik Yaghoubi’s portion  
25 of illicit proceeds from the scheme was sixty-five percent (65%).<sup>1</sup> The inflated invoices reported

26 <sup>1</sup> On or about May 15, 2018, in a proceeding entitled *The People of the State of California*  
27 *vs. Roobik Yaghoubi*, Los Angeles County Superior Court Case No. BA450757-02, Roobik  
28 Yagoubi was convicted of violating Penal Code section 115(a) [file/record false or forged  
instrument with state], a felony. To date, no criminal charges related to this scheme have been  
filed against Respondent.

1 to the Cleanup Fund included the costs for Respondent's "commissions" however, that element of  
2 the costs was not disclosed to the Cleanup Fund. Rather, the inflated invoices submitted to the  
3 Cleanup Fund falsely represented those costs as "environmental analysis costs" thereby causing  
4 the Cleanup Fund to reimburse Respondent for fraudulent costs that were not reasonably and  
5 necessary or actually incurred.

6 14. On or about February 5, 2019, Respondent entered into a Settlement Agreement and  
7 Stipulation for Entry of Administrative Civil Liability Order with the Water Board, Case No. WQ  
8 2019-0007-EXEC, in which Respondent agreed to pay an administrative civil liability of \$90,000  
9 to the Water Board. The settlement agreement was adopted by Order of the Water Board,  
10 effective March 29, 2019. On or about March 30, 2019, Respondent paid the Water Board  
11 \$90,000 per the settlement agreement.

12 **FIRST CAUSE FOR DISCIPLINE**

13 **(Misrepresentation, Fraud, or Deceit in Practice)**

14 15. Respondent is subject to disciplinary action under Code sections 6775, subdivision  
15 (b), and 7860, subdivision (b)(2), in conjunction with California Code of Regulations, title 16,  
16 sections 475, subdivisions (c)(7), (c)(9), and/or (c)(11), and 3065, subdivisions (c)(5), (c)(7),  
17 and/or (c)(9), in that Respondent engaged in deceit, misrepresentation, or fraud in his practice  
18 when he falsified or directed the falsification of laboratory reports and participated in a kickback  
19 scheme whereby Respondent submitted inflated invoices in order to collect illicit proceeds for  
20 fraudulent costs that were not reasonably and necessary or actually incurred. Complainant refers  
21 to, and by this reference incorporates, the allegations set forth above in paragraphs 11 through 14,  
22 inclusive, as though set forth fully herein.

23 **SECOND CAUSE FOR DISCIPLINE**

24 **(Unprofessional Conduct – Violation of Board Statutes, Regulations,  
25 and/or Professional Standards)**

26 16. Respondent is subject to disciplinary action under Code sections 6775, subdivisions  
27 (g) and (h), and 7860, subdivision (c), in conjunction with California Code of Regulations, title  
28 16, sections 475, subdivisions (a), (c)(7), (c)(9), and/or (c)(11), and 3065, subdivisions (a), (c)(5),

1 (c)(7), and/or (c)(9), in that Respondent violated provisions of Board statutes, regulations, and/or  
2 professional standards in his practice when he falsified or directed the falsification of laboratory  
3 reports and participated in a kickback scheme whereby Respondent submitted inflated invoices in  
4 order to collect illicit proceeds for fraudulent costs that were not reasonably and necessary or  
5 actually incurred. Complainant refers to, and by this reference incorporates, the allegations set  
6 forth above in paragraphs 11 through 14, inclusive, as though set forth fully herein.

7 **PRAYER**

8 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
9 and that following the hearing, the Board for Professional Engineers, Land Surveyors, and  
10 Geologists issue a decision:

- 11 1. Revoking or suspending Civil Engineer License Number C 56332, issued to Daniel  
12 Robert Louks;
- 13 2. Revoking or suspending Geologist License Number 4883, issued to Daniel Robert  
14 Louks;
- 15 3. Ordering Daniel Robert Louks to pay the Board for Professional Engineers, Land  
16 Surveyors, and Geologists the reasonable costs of the investigation and enforcement of this case,  
17 pursuant to Business and Professions Code section 125.3; and,
- 18 4. Taking such other and further action as deemed necessary and proper.

19  
20  
21 DATED: 6/09/2021

*Original Signed*  
\_\_\_\_\_  
RICHARD B. MOORE, PLS  
Executive Officer  
Board for Professional Engineers, Land  
Surveyors, and Geologists  
Department of Consumer Affairs  
State of California  
*Complainant*

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