

BEFORE THE WEST VIRGINIA BOARD OF ACCOUNTANCY

WEST VIRGINIA BOARD OF ACCOUNTANCY,

Complainant,

v.

Case No. 2008-04

LISA THORNBURG, CPA,

Respondent.

CONSENT DECREE AND ORDER

Now comes the West Virginia Board of Accountancy (hereinafter "Board") and Lisa Thornburg (hereinafter "Respondent"), for the purpose of agreeing to disciplinary action which shall be taken against the Respondent by the Board.

WHEREAS, the Board agrees and acknowledges that this agreement is a compromise of claims disputed by the Respondent, and that her agreement and consent to these terms do not constitute an admission of guilt or culpability on her part.

WHEREAS, the parties have reached an understanding concerning the proper disposition of the matter in controversy, the Board does hereby Find and Order as follows:

FINDINGS OF FACT

1. That Respondent is a licensee of the West Virginia Board of Accountancy, holding License Number 1420.
2. That on or about December 3, 2007, the Board received a complaint from Leland D. O'Neal which alleged that the Respondent had been providing attest or compilation

services without an Authorization from the Board.

3. The Board began an investigation and determined that the Respondent had been performing attest or compilation services without an Authorization from November 2006 through December 2007. That the Respondent enrolled in a peer review program on or about September 2007.

4. That on or about December 12, 2007, the Respondent submitted an application for Initial Registration for Authorization to Perform Attest and/or Compilation Services. The Respondent noted on her initial application that she had not undergone a peer review, but was enrolled in a program with the West Virginia Society.

5. The Respondent has subsequently undergone a peer review and remains in a Board approved peer review program.

CONCLUSIONS OF LAW

1. That the Board has jurisdiction to take disciplinary action against the Respondent.

2. That pursuant to West Virginia Code § 30-9-1 *et seq.*, the Board may revoke a license, suspend a license, reprimand a licensee or take other disciplinary action for violation of the rules and regulations of the Board.

3. The Respondent is a licensee of the West Virginia Board of Accountancy and is subject to license requirements of the Board.

4. Based on the information submitted to the Board, the Board believes there is evidence to demonstrate that the conduct of the Respondent may have violated West Virginia Code § 30-9-1 *et seq.*

CONSENT

1. Each party has been given the opportunity to consult with counsel and executes this Consent Decree and Order voluntarily, freely, without compulsion or duress and mindful that it has legal consequences.
2. No person or entity has made any promise or given any inducement whatsoever to encourage Respondent to enter into this Consent Decree and Order other than as set forth herein.
3. Respondent and Board acknowledge that each is aware that either may pursue this matter through appropriate administrative and/or court proceedings, and is aware of their legal rights regarding this matter, but intelligently, knowingly and voluntarily waives such rights.
4. Respondent acknowledges that she is aware that this Consent Decree and Order is a public document, available for inspection at any time by any member of the public under Chapter 29B *et seq.*, of the West Virginia Code, Freedom of Information Act and may be reported to other governmental, professional Boards or organizations.
5. Each party waives any defense of laches, statute of limitations, estoppel and waiver such party may have otherwise claimed as a condition of this Consent Decree and Order.
6. The Respondent acknowledges that this Consent Decree and Order shall be presented to the Board as soon as practical but no later than the next scheduled meeting of the Board, with a recommendation for approval from Board Counsel. However, the Board shall, within twenty-four hours of the Respondent's execution of this Consent Decree and Order, issue the Respondent an Authorization which shall be effective as of July 1, 2008 and shall further notify the State Auditor's office of the same.
7. That Respondent consents to the entry of the following Order affecting her

license in the State of West Virginia.

8. The Respondent, by affixing her signature hereon, consents and agrees to the following terms and conditions.

9. In consideration of execution of this Consent Decree and Order, the Respondent, for the Respondent, the Respondent's executor, administrators, successors and assigns, hereby releases and forever discharges the State of West Virginia, West Virginia Board of Accountancy, each of its Board members, and the West Virginia Attorney General's Office and each of their members, agents and employees in their individual and representative capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known and unknown, in law or equity, that the Respondent ever had, now has, may have or claim to have against any or all of the persons or entities named in this paragraph arising out of or by reason of this investigation and this settlement or its administration.

10. In consideration of execution of this Consent Decree and Order, the Board, for the Board, the Board's successors and assigns, hereby releases and forever discharges the Respondent and her agents, employees and counsel in their individual and representative capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known and unknown, in law or equity, that the Board ever had, now has, may have or claim to have against any or all of the persons or entities named in this paragraph arising out of or by reason of this matter or any prior matter and this settlement.

ORDER

Based on the foregoing, the West Virginia Board of Accountancy, hereby ORDERS as follows:

1. The Respondent shall receive a written reprimand.
2. The Respondent shall receive an Authorization for Attest or Compilation effective July 1, 2008 which shall be communicated by the Board to the State Auditor's Office immediately upon the Board's receipt of a copy of this Consent Decree and Order executed by the Respondent in accordance with Paragraph 6 of the Consent section above.
3. The Respondent shall take eight (8) hours of Continuing Education in Ethics to be completed within one year after entry of this Consent Decree and Order.
4. The Respondent shall pay a fine of Two Thousand Five Hundred Dollars (\$2,500.00) to the Board, which payment shall be paid to the Board in full within ninety (90) days of the date of entry of the Consent Order;
5. The Respondent shall additionally reimburse the Board costs associated with this case in the amount of Nine Hundred Dollars (\$900.00), which payment shall be paid to the Board in full within ninety (90) days of the date of entry of the Consent Order;
6. All matters in controversy related to the instant complaint, the peer review, and the renewal of the Respondent's Authorization, and any and all other facts, allegations or matters of which the Board is aware are hereby resolved, released and closed, pending full compliance with the terms mandated herein as well as full compliance with the Board approved peer review program; and,
7. That the Respondent's failure to fully comply with the terms and conditions of this Consent Order hereby imposed shall be deemed a violation of this Consent Order, and that if the Respondent violates any of the terms of this Consent Order, the Board may immediately suspend the Respondent's license.

Entered this 31st day of October 2008.

West Virginia Board of Accountancy

By:

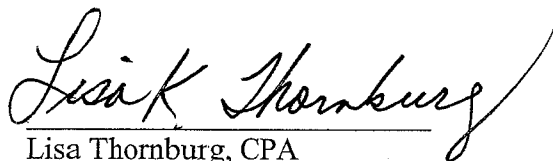


Reed Spangler, CPA, CVA
President

Inspected and Agreed to by:



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Lisa Thornburg, CPA
Respondent