

SETTLEMENT AGREEMENT

This agreement is made and entered into by and between the State Board of Examiners of Architects (hereinafter "BOARD") and Mary Cassinelli (hereinafter "CASSINELLI") on the 30 day of August, 1990.

WHEREAS, a disagreement has arisen between CASSINELLI and the BOARD regarding alleged violation(s) by CASSINELLI of R.C. 4703.06 and R.C. 4703.18, arising out of the design and preparation of architectural documents for residential buildings located at 3463 Carpenters Creek Dr., 10508 Knollview Dr., 2777 Walsh Ln., and 7358 Riverpoint Ln., all located in the City of Cincinnati, Ohio; and

WHEREAS, the BOARD has initiated an investigation of the alleged violation(s) by CASSINELLI; and

WHEREAS, the BOARD and CASSINELLI desire to resolve the above mentioned disagreement without formal legal proceedings.

NOW, THEREFORE, in consideration of the various promises and mutual covenants contained herein, the BOARD and CASSINELLI agree as follows:

1. CASSINELLI hereby agrees not to enter upon or engage in the practice of architecture, or hold herself out as an architect or registered architect until such time as she is in compliance with the provisions of R. C. 4703.01 to R.C. 4703.19, inclusive; and

2. The BOARD agrees not to initiate any legal action or proceeding against CASSINELLI pursuant to R.C. 4703.181, R.C. 4703.99, or R.C. 4703.07 as a result of CASSINELLI'S involvement in the design and preparation of architectural documents for the residential buildings referred to herein or for design or preparation of architectural documents, if any, done by CASSINELLI prior to May 24, 1990; and

further agrees to supplement the reference in *Ohio Architect* to this matter with a sentence substantially as follows: "Mary Cassinelli is now employed by Robert Steuber, Architektur."; and

3. This Settlement Agreement is not intended to be and is not deemed to be evidence of nor an admission of any violation of law on the part of CASSINELLI nor shall the subscription to this Settlement Agreement by CASSINELLI be referenced or utilized by the BOARD in any manner to impede the opportunity or ability of CASSINELLI to obtain admission to the Architect Registration Examination; and

4. The BOARD and CASSINELLI acknowledge that the facts upon which this agreement is made may hereafter prove to be other or different from the facts now known or believed to be true. The BOARD and CASSINELLI mutually assume the risk of the facts proving to be different and each party agrees that all terms of this Settlement Agreement shall be binding in all respects and not subject to termination or rescission by reason of any such difference in facts; and

5. The BOARD and CASSINELLI agree that the terms of this agreement bind the parties hereto, their successors, assigns and the like; and

6. This agreement:

a. contains the entire agreement between the parties, and it is expressly understood and agreed that no promises, provisions, terms, warranties, conditions or obligations whatever, either expressed or implied, other than herein set forth, shall be binding on any of the parties;

b. may be executed in four or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one in the same instrument;

c. shall be governed by the laws of the State of Ohio, this transaction bearing a reasonable relation to said state.

d. and the matters giving rise to the allegations of the BOARD resolved hereby will not, in and of themselves, serve to impede CASSINELLI'S application to sit for the architecture licensing examination.

7. It is hereby understood that this Settlement Agreement shall not be binding on any of the parties unless it has been signed and executed by the parties unless it has been signed and executed by the parties below. If the parties are unable to reach an agreement on the terms herein, or the Settlement Agreement is rejected by the BOARD, this document shall become null and void without any force or effect.

8. This document shall be considered a public record in accordance with R. C. 149.43.



MARY CASSINELLI

STATE BOARD OF EXAMINERS
OF ARCHITECTS

BY: 

WILLIAM N. WILCOX
Executive Secretary

DATE: 8.30.90

DATE: 9/30/98