



NEVADA STATE BOARD OF ACCOUNTANCY

1325 AIRMOTIVE WAY, SUITE 220, RENO, NEVADA 89502 • 775-786-0231 FAX 775-786-0234

EXECUTIVE DIRECTOR
VIKI A. WINDFELDT

MEMBERS

SHARON J. MCNAIR, CPA
PRESIDENT
KATHY L. ZELLER, CPA
SECRETARY-TREASURER
BONNIE M. HOULDSWORTH, CPA
CHARLES A. MORRISON, CPA
RAJA MOUREY, MBA
HARRY O. PARSONS, CPA
PATRICK M. THORNE, CPA

DATE: October 3, 2005
TO: Lorne J. Malkiewich, Director
Legislative Counsel Bureau
FROM: Viki Windfeldt, Executive Director
SUBJECT: Occupational Licensing Board –
Quarterly Report of Disciplinary Actions (NRS 622.100)

Violation NRS 628.390(1)(c)(d)
NAC 628.210 and 628.250

David Chavez, CPA 2502

Board Action September 16, 2005

Violation NRS 628.390(b)(d)(j)
NAC 628.500
Rules 102 & 501 Code of Professional Conduct

Disciplinary action initiated based on complaint information received that Mr. Chavez improperly engaged in the representation of a client in a divorce matter after being notified of the complainants objection, resulting in a conflict of interest to the complainant. Mr. Chavez engaged in conduct discreditable to the profession by making improper statements concerning the complainant. Mr. Chavez disclosed client information without authorization from his client and/or former client.

Disciplinary Hearing held September 16, 2005. Board Decision: The board moved to dismiss the matter against Mr. Chavez based on information received during testimony and no further evidence that specific violation of law had occurred.

Jethro Barlow, CPA 3811R

Board Action September 16, 2005

Violation: NRS 628.390(1)(b)(d)(h) and (j)
NAC 628.500
Rules 202, 203 and 501 of the Code of Professional Conduct.

Disciplinary action initiated based on information received of an Order Making Findings and Imposing Remedial Sanctions by Default was issued to Mr. Barlow by the U.S. Securities and Exchange Commission (SEC) which determined that Mr. Barlow engaged in improper conduct as his employers President, Chief Accounting Officer, and as a Director The SEC has denied Mr. Barlow the privilege of appearing and practicing before the SEC as an accountant permanently. In addition, the Board was informed that Mr. Barlow, under threat of disciplinary action, surrendered his Utah CPA Certificate based on his failure to disclose the order and action taken by the SEC to the Utah Board of Accountancy. The Utah board has denied Mr. Barlow's right to practice for a period of two years. The Board was also informed that the Arizona Board of Accountancy issued a post-hearing order

Jethro Barlow Continued

revoking Mr. Barlow's Arizona CPA certificate and therefore denying Mr. Barlow the right to practice for a period of five years.

Disciplinary Hearing held September 16, 2005. Board decision to revoke the CPA Certificate of Jethro Barlow.

Susan Eisenberg, CPA 1675

Board Action September 16, 2005

Violation: NRS 628.390(1)(d) and (j)
NAC 628.500
Rules 201(a) and 501 of the Code of Professional Conduct.

January 28, 2005 Hearing Decision: Ms. Eisenberg was formally reprimanded under a Board decision that revoked the CPA Certificate, stayed the revocation and placed Ms. Eisenberg on 3 years probation. The Findings of Fact, Conclusions of Law and Decision entered by the board on 1/28/2005 was based on evidence provided that Ms. Eisenberg failed to properly communicate with clients, failed to complete engagements, and improperly handled a corporate filing to the detriment of the client. Under the provisions of the board's decision Ms. Eisenberg is required to obtain 16 hours of CPE in 2005 in the area of practice management through a course offered by the AICPA, or an equivalent course to be approved by the board and shall be a live course rather than self study. The 16 hours is in addition to the 2-year requirement of 80 hours. Ms. Eisenberg must pay a fine of \$2500 and compensate the Board for its attorney's fees and costs of \$1000 within 30 days of the decision.

July 15, 2005 Complaint and Order to Show Cause sent to Ms. Eisenberg based on information received that Ms. Eisenberg continues to engage in improper conduct by failing to communicate with clients, retention of client records and failure to complete engagement work. Ms. Eisenberg's conduct is a direct violation of the terms of her probation.

Disciplinary Hearing held September 16, 2005. Hearing decision provisions (1) require Ms. Eisenberg to provide evidence of registration for the required continuing education courses (2) Board member visitation of Ms. Eisenberg's office to identify if engagement letters are used for each client as well as a procedure established for those clients picking up their documents, (3) payment of attorney's fees and costs associated with the hearing.

Louis Musso, CPA 408

Board Action September 16, 2005

Violation: NRS 628.390(1)(c)(d) and (i)
NAC 628.210 and 628.250

Disciplinary action initiated based on Mr. Musso's failure to respond to the Board's request for evidence of completion for continuing education hours claimed for 2004. Further contact with Mr. Musso indicates that he has failed to complete the required number of CPE for 2004 and therefore falsified his license renewal.

Disciplinary Hearing held September 16, 2005. Board decision to revoke the CPA Certificate of Mr. Musso.

The Board issued the following formal complaints at their meeting on September 16, 2005

Michael Masegian, CPA 3426 based on complaint filed alleging gross misconduct, dereliction of duties, misrepresentation of financials and dishonesty.

Janis Reams, CPA 2048 based on disciplinary action taken by the AICPA.

James Slayton, CPA 3534R based on prior disciplinary action taken by the SEC and Mr. Slayton's failure to report the action to the Board, therefore falsifying his license renewal.