

BEFORE THE
REGISTRAR OF CONTRACTORS
CONTRACTORS STATE LICENSE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

SEGUE CONSTRUCTION INC.
7139 Koll Center Parkway, Suite 200
Pleasanton, CA 94566
ERICK DAVID HOCKADAY, RMO/CEO/PRES
DAVID MICHAEL DUNLOP, OFFICER
(February 7, 2002 to January 11, 2008) and RMO
(January 11, 2008 to June 29, 2016)
KIRK ALAN WALLIS, RMO/CEO/PRES
(March 4, 1992 to January 11, 2008)

Contractor's License No. 638854, B

Respondent.

CASE NO. N2015-483

ORDER TO ADOPT
STIPULATED SETTLEMENT

The attached Stipulated Settlement is hereby adopted by the Registrar of Contractors as her Decision in the above-entitled matter.

IT IS FURTHER ORDERED pursuant to Section 7102 of the Business and Professions Code and Section 870 of the Code of Regulations, that Respondent, **SEGUE CONSTRUCTION INC.** License Number, **638854** shall not apply for reissuance or reinstatement of any license for five year(s) from the effective date of this Decision.

IT IS FURTHER ORDERED that Respondent's RMO/CEO/Pres. Kirk Alan Wallis shall jointly and severally pay the investigative costs in the amount of \$99,950.00, prior to issuance of a new or reinstated license pursuant to Business and Professions Code section 125.3.

IT IS FURTHER ORDERED that Respondent's Officer and RMO David Michael Dunlop shall jointly and severally pay the investigative costs in an amount not to exceed \$15,000, prior to issuance of a new or reinstated license pursuant to Business and Professions Code section 125.3.

IT IS THE responsibility of the Respondent, named in this Order, to read and follow the Order. The deadlines for meeting the terms and conditions are based upon the EFFECTIVE DATE of the Order to Adopt Stipulation and Waiver. No notices or reminders will be sent, as to the compliance of the terms and conditions. Proof of payments of restitution, and payments for the Cost of Investigation and Enforcement if ordered, are to be sent to CSLB, Sacramento Case Management, Post Office Box 26888, Sacramento, CA 95826.

This Order shall become effective on May 19, 2017.

IT IS SO ORDERED April 19, 2017.



Debbie Stefan
Legal Action Deputy

1 XAVIER BECERRA
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 MICHAEL B. FRANKLIN
Deputy Attorney General
4 State Bar No. 136524
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
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Attorneys for Complainant
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8 **BEFORE THE**
9 **REGISTRAR OF CONTRACTORS**
10 **CONTRACTORS' STATE LICENSE BOARD**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. N2015-483

14 **SEGUE CONSTRUCTION INC.**
7139 Koll Center Parkway, Suite 200
15 Pleasanton, CA 94566
ERICK DAVID HOCKADAY, RMO/CEO/PRES
16 **DAVID MICHAEL DUNLOP, OFFICER**
(February 7, 2002 to January 11, 2008) and RMO
(January 11, 2008 to June 29, 2016)
17 **KIRK ALAN WALLIS, RMO/CEO/PRES**
(March 4, 1992 to January 11, 2008)
18 Contractor's License No. 638854, B,
19 Respondent.
20

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

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

24 PARTIES

25 1. Wood Robinson (Complainant) is the Enforcement Supervisor I of the Contractors'
26 State License Board (Board). He brought this action solely in his official capacity and is
27 represented in this matter by Xavier Becerra, Attorney General of the State of California, by
28 Michael B. Franklin, Deputy Attorney General.

1 the issuance of subpoenas to compel the attendance of witnesses and the production of
2 documents; the right to reconsideration and court review of an adverse decision; and all other
3 rights accorded by the California Administrative Procedure Act and other applicable laws.

4 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
5 every right set forth above.

6 CULPABILITY

7 9. Respondent understands and agrees that the charges and allegations in Accusation
8 No. N2015-483, if proven at a hearing, constitute cause for imposing discipline upon its
9 Contractor's License.

10 10. Respondent acknowledges that the Accusation involves disputed questions of fact and
11 law and in order to avoid the uncertainties and costs of further proceedings, it is the intent of
12 Respondent to relinquish its right to contest those charges.

13 11. As part of this stipulated settlement, Respondent further acknowledges and agrees to
14 be bound by the stipulated Disciplinary Order set forth below.

15 RESERVATION

16 12. The admissions made by Respondent herein are only for the purposes of this
17 proceeding, or any other proceedings in which the Registrar of Contractors, Contractors' State
18 License Board, or other professional licensing agency is involved, and shall not be admissible in
19 any other criminal or civil proceeding.

20 CONTINGENCY

21 13. This stipulation shall be subject to approval by the Registrar of Contractors or the
22 Registrar's designee. Respondent understands and agrees that counsel for Complainant and the
23 staff of the Contractors' State License Board may communicate directly with the Registrar
24 regarding this stipulation and settlement, without notice to or participation by Respondent or its
25 counsel. By signing the stipulation, Respondent understands and agrees that it may not withdraw
26 its agreement or seek to rescind the stipulation prior to the time the Registrar considers and acts
27 upon it. If the Registrar fails to adopt this stipulation as its Decision and Order, the Stipulated
28 Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall

1 be inadmissible in any legal action between the parties, and the Registrar shall not be disqualified
2 from further action by having considered this matter.

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

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

12 16. In consideration of the foregoing admissions and stipulations, the parties agree that
13 the Registrar may, without further notice or formal proceeding, issue and enter the following
14 Disciplinary Order:

15
16 **DISCIPLINARY ORDER**

17 IT IS HEREBY ORDERED that Contractor's License No. 638854, B, issued to Respondent
18 Segue Construction Inc. is revoked.

19 1. Respondent's RMO/CEO/Pres. Kirk Alan Wallis (March 4, 1992 to January 11,
20 2008) fully understands and agrees that if he ever files an application for licensure or a petition
21 for reinstatement in the State of California, he must comply with all the laws, regulations and
22 procedures for reinstatement of a revoked license in effect at the time the petition is filed.

23 2. The Registrar incurred total costs of investigation and enforcement in the amount of
24 ninety-nine thousand, nine hundred and fifty dollars (\$99,950.00) in this matter. Respondent's
25 RMO/CEO/Pres. Kirk Alan Wallis (March 4, 1992 to January 11, 2008) shall jointly and
26 severally pay the Registrar its costs of investigation and enforcement in the amount of ninety-nine
27 thousand, nine hundred and fifty dollars (\$99,950.00) prior to issuance of a new or reinstated
28 license.

1 3. Respondent's RMO/CEO/Pres. Kirk Alan Wallis (March 4, 1992 to January 11,
2 2008) fully understands and agrees that the Registrar shall further require as a condition precedent
3 to the restoration of a Contractor's License to Kirk Alan Wallis, that he shall file or have on file a
4 disciplinary contractor's bond in the sum to be fixed by the Registrar based upon the seriousness
5 of the violation, but which sum shall not be less than fifteen thousand dollars (\$15,000) nor more
6 than 10 times that amount required by Business and Professions Code section 7071.6. The
7 disciplinary bond is in addition to, may not be combined with, and does not replace any other type
8 of contractor's bond. The disciplinary bond shall remain on file with the Registrar for a period of
9 at least two years and for such additional time as the Registrar may determine, as required under
10 Business and Professions Code section 7071.8.

11 4. Respondent's Officer and RMO David Michael Dunlop (Officer February 7, 2002 to
12 January 11, 2008, and RMO January 11, 2008 to June 29, 2016) fully understands and agrees that
13 if he ever files an application for licensure or a petition for reinstatement in the State of
14 California, he must comply with all the laws, regulations and procedures for reinstatement of a
15 revoked license in effect at the time the petition is filed.

16 5. Respondent's Officer and RMO David Michael Dunlop (Officer February 7, 2002 to
17 January 11, 2008, and RMO January 11, 2008 to June 29, 2016) shall jointly and severally pay
18 the Registrar its costs of investigation and enforcement in an amount not to exceed fifteen
19 thousand dollars (\$15,000.00) prior to issuance of a new or reinstated license.

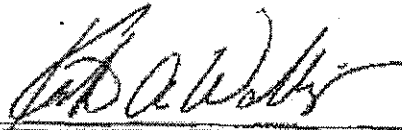
20 6. Respondent's Officer and RMO David Michael Dunlop (Officer February 7, 2002 to
21 January 11, 2008, and RMO January 11, 2008 to June 29, 2016) fully understands and agrees that
22 the Registrar shall further require as a condition precedent to the restoration of a Contractor's
23 License to David Michael Dunlop, that he shall file or have on file a disciplinary contractor's
24 bond in the sum to be fixed by the Registrar based upon the seriousness of the violation, but
25 which sum shall not be less than fifteen thousand dollars (\$15,000) nor more than 10 times that
26 amount required by Business and Professions Code section 7071.6. The disciplinary bond is in
27 addition to, may not be combined with, and does not replace any other type of contractor's bond.
28 The disciplinary bond shall remain on file with the Registrar for a period of at least two years and

1 for such additional time as the Registrar may determine, as required under Business and
2 Professions Code section 7071.8.

3 **ACCEPTANCE**

4 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
5 discussed it with my attorney, Alicia Kennon. I understand the stipulation and the effect it will
6 have on my ability to apply for a Contractor's License in the future. I enter into this Stipulated
7 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be
8 bound by the Decision and Order of the Registrar of Contractors, Contractors' State License
9 Board.

10
11 DATED: 22 MAR 2017



12 **SEGUE CONSTRUCTION INC.,**
13 **KIRK ALAN WALLIS, RMO/CEO/Pres.**
14 **(March 4, 1992 to January 11, 2008)**
15 **Respondent**

16 **ACCEPTANCE**

17 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
18 discussed it with my attorney, Alicia Kennon. I understand the stipulation and the effect it will
19 have on my ability to apply for a Contractor's License in the future. I enter into this Stipulated
20 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be
21 bound by the Decision and Order of the Registrar of Contractors, Contractors' State License
22 Board.

23 DATED: _____

24 **SEGUE CONSTRUCTION INC.,**
25 **DAVID MICHAEL DUNLOP, Officer**
26 **(February 7, 2002 to January 11, 2008) and RMO**
27 **(January 11, 2008 to June 29, 2016)**
28 **Respondent**

1 for such additional time as the Registrar may determine, as required under Business and
2 Professions Code section 7071.8.

3 **ACCEPTANCE**

4 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
5 discussed it with my attorney, Alicia Kennon. I understand the stipulation and the effect it will
6 have on my ability to apply for a Contractor's License in the future. I enter into this Stipulated
7 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be
8 bound by the Decision and Order of the Registrar of Contractors, Contractors' State License
9 Board.

10
11 DATED:

12 _____
13 **SEGUE CONSTRUCTION INC.,**
14 **KIRK ALAN WALLIS, RMO/CEO/Pres.**
15 **(March 4, 1992 to January 11, 2008)**
16 **Respondent**

17 **ACCEPTANCE**

18 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
19 discussed it with my attorney, Alicia Kennon. I understand the stipulation and the effect it will
20 have on my ability to apply for a Contractor's License in the future. I enter into this Stipulated
21 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be
22 bound by the Decision and Order of the Registrar of Contractors, Contractors' State License
23 Board.

24 DATED: 3/24/2017

25 _____
26 **SEGUE CONSTRUCTION INC.,**
27 **DAVID MICHAEL DUNLOP, Officer**
28 **(February 7, 2002 to January 11, 2008) and RMO**
(January 11, 2008 to June 29, 2016)
Respondent

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ACCEPTANCE


I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Alicia Kennon. I understand the stipulation and the effect it will have on this Contractor's 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 Registrar of Contractors, Contractors' State License Board.

DATED: 04/03/2017


SEGUE CONSTRUCTION INC., ERICK DAVID
HOCKADAY, Officer (March 13, 2014 to September
30, 2016) and RMO (September 30, 2016 to present)
Respondent

I have read and fully discussed with Respondent Segue Construction Inc., Erick David Hockaday, Officer (March 13, 2014 to September 30, 2016) and RMO (September 30, 2016 to present), David Michael Dunlop, Officer (February 7, 2002 to January 11, 2008) and RMO (January 11, 2008 to June 29, 2016), Kirk Alan Wallis, RMO/CEO/Pres. (March 4, 1992 to January 11, 2008) the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 4/3/2017


ALICIA KENNON
Attorney for Respondent

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Registrar of Contractors, Contractors' State License Board.

Dated: 4/4/17

Respectfully submitted,

XAVIER BERRA
Attorney General of California
FRANK H. PACOE
Supervising Deputy Attorney General



MICHAEL B. FRANKLIN
Deputy Attorney General
Attorneys for Complainant

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