

1 KAMALA D. HARRIS  
Attorney General of California  
2 ARTHUR D. TAGGART  
Supervising Deputy Attorney General  
3 KENT D. HARRIS  
Deputy Attorney General  
4 State Bar No. 144804  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 324-7859  
Facsimile: (916) 327-8643  
7 Attorneys for Complainant

**FILED**

Date 6/16/11

By

William H. Douglas

8 **BEFORE THE**  
9 **STRUCTURAL PEST CONTROL BOARD**  
10 **DEPARTMENT OF PESTICIDE REGULATION**  
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2011-72

12 **EAGLESHIELD PEST CONTROL, L.P.**

13 **P.O. Box 704**

14 **Madera, CA 93639**

15 **- and -**

16 **566 Kent Drive**

17 **Madera, CA 93637**

18 **Company Registration Certificate No. PR 5706, Br. 2**

19 **ROBERT JESSE FLORES, GP and QM**

20 **ROBERT JESSE FLORES**

21 **P.O. Box 704**

22 **Madera, CA 93639**

23 **Operator's License No. OPR 11493, Br. 2**

24 **RAY GENE TEEL**

25 **15190 West C Street**

26 **Kerman, CA 93630**

27 **Operator's License No. OPR 6278, Br. 2**

28 **(Disassociated 4/25/08)**

**PARTNERS:**

**BRADLEY D. NEUFELD, Partner**

**319 Redbud Drive**

**Paradise, CA 95969**

**Field Representative's License No. FR 44699, Br. 2**

**Applicator License No. RA 44714, Br. 3**

**ACCUSATION**

1 **BRADLEY D. KENDRICK, Partner**  
2 **158 South Jennifer Drive**  
3 **Porterville, CA 93257**  
4 **Field Representative's License No. FR 45047, Br. 2**

5 **JONATHAN D. KENDRICK, Partner**  
6 **158 South Jennifer Drive**  
7 **Porterville, CA 93257**  
8 **Field Representative's License No. FR 45029, Br. 2**

9 **LUIS HURTADO JR., Partner**  
10 **1910 H. Street**  
11 **Livingston, CA 95334**  
12 **Applicator License No. RA 44711, Br. 2 and 3**

13 **MICHAEL DAVID KLANN, Partner**  
14 **290 North Anderson Avenue**  
15 **Clovis, CA 93612**  
16 **Field Representative's License No. FR 45031, Br. 2**  
17 **Applicator License No. RA 44704, Br. 3**

18 **JACOB STEVEN MIDDLETON, Partner**  
19 **760 Shasta Street**  
20 **Susanville, CA 96130**  
21 **Field Representative's License No. FR 45135, Br. 2**  
22 **Applicator License No. RA 45305, Br. 3**

23 **JONATHAN P. BERTRAM, Partner**  
24 **205 Beech Street, #24**  
25 **El Cajon, CA 92020**  
26 **Applicator License No. RA 48099, Br. 2 and 3**

27 **KEITH W. HANEY, Partner**  
28 **P.O. Box 704**  
29 **Madera, CA 93639**

30 **TIMOTHY A. SHEPPARD, Partner**  
31 **P.O. Box 784**  
32 **Maricopa, CA 93252**

33 **TROY DWAYNE SOSA, Partner**  
34 **P.O. Box 704**  
35 **Madera, CA 93639**

36 **JONATHAN L. HALE, Partner**  
37 **P.O. Box 704**  
38 **Madera, CA 93639**

1 **BENIGNO V. CRUZ**  
2 **503 1/2 Josephine Avenue**  
3 **Corcoran, CA 93212**  
4 **(Disassociated 4/1/09)**

5 **APPLICATORS and FIELD REPRESENTATIVES:**

6 **JOSHUA M. WEBB**  
7 **2212 Linda Vista Avenue**  
8 **Porterville, CA 93257**  
9 **Field Representative's License No. FR 45035, Br. 2**  
10 **Applicator License No. RA 50212, Br. 3**

11 **SETH D. THOMAS**  
12 **40 North Villa Street**  
13 **Porterville, CA 93257**  
14 **Field Representative's License No. FR 45034, Br. 2**  
15 **Applicator License No. RA 50224, Br. 3**

16 **ISAAC M. CRUZ**  
17 **17802 Hurley Street**  
18 **La Puente, CA 91744**  
19 **Applicator License No. RA 50408, Br. 2 and 3**

20 **SEAN D. NEUFELD**  
21 **1051 East Lassen Avenue, #21**  
22 **Chico, CA 95973**  
23 **Applicator License No. RA 50644, Br. 2 and 3**

24 **MARTIN C. AGUINAGA**  
25 **2810 North Terrace Street**  
26 **Visalia, CA 93291**  
27 **Applicator License No. RA 50864, Br. 2 and 3**

28 **ANDREW W. HOWARD**  
29 **2121 Chapman Lane**  
30 **Petaluma, CA 94952**  
31 **Applicator License No. RA 51152, Br. 2 and 3**

32 **JOHN E. PENTON**  
33 **1001 Willow Street**  
34 **Atwater, CA 95301**  
35 **Applicator License No. RA 50355, Br. 2 and 3**

1 JASON L. BOHANNON

2 75070 St. Charles Street

3 Palm Desert, CA 92211

4 Field Representative's License No. FR 45160, Br. 2

5 Applicator License No. RA 48306, Br. 3

6 DAVID H. BERTRAM

7 9119 Dulene Drive

8 Lakeside, CA 92081

9 Field Representative's License No. FR 45266, Br. 2

10 Applicator License No. RA 49653, Br. 3

11 Respondents.

12 William H. Douglas ("Complainant") alleges:

13 **PARTIES**

14 1. Complainant brings this Accusation solely in his official capacity as the Interim  
15 Registrar/Executive Officer of the Structural Pest Control Board ("Board"), Department of  
16 Pesticide Regulation.

17 **Company Registration Certificate No. PR 5706**

18 2. On or about October 23, 2008, the Board issued Company Registration Certificate  
19 Number PR 5706 ("registration") in Branch 2 to Eagleshield Pest Control, L.P. ("Respondent"),  
20 with Robert Jesse Flores as the General Partner and Qualifying Manager, and Benigno V. Cruz,  
21 Bradley D. Neufeld, Bradley D. Kendrick, Luis Hurtado Jr., Michael David Klann, Timothy A.  
22 Sheppard, Troy Dwayne Sosa, Jacob Steven Middleton, Jonathan P. Bertram, Jonathan D.  
23 Kendrick, Keith W. Haney, and Jonathan L. Hale as Partners ("Partners")<sup>1</sup>. On or about  
24 April 1, 2009, Benigno V. Cruz disassociated. The registration was in full force and effect at all  
25 times relevant to the charges brought herein.

26 <sup>1</sup> On October 3, 2005, the Board issued Company Registration Certificate No. PR 4875 to  
27 Eagleshield with Robert Jesse Flores as the owner and Ray Gene Teel as the Qualifying Manager  
28 for Branch 2. On November 24, 2006, Paul Begley became the Qualifying Manager in Branch 3.  
On January 5, 2007, Paul Begley disassociated as the Qualifying Manager of Branch 3. On  
April 25, 2008, Robert Jesse Flores became the Qualifying Manager for Branch 2. On  
October 23, 2008, the registration was cancelled due to issuing Eagleshield Company  
Registration Certificate No. PR 5706, as a limited partnership.

1           **Operator's License No. OPR 11493 – Robert Jesse Flores**

2           3.     On or about March 23, 2007, the Board issued Operator's License Number OPR  
3     11493 ("license") in Branch 2 to Robert Jesse Flores ("Respondent Flores"), employee of  
4     Mountain Valley Pest Control and Eagleshield Pest Control. On or about April 25, 2008,  
5     Respondent Flores became the Qualifying Manager of Eagleshield Pest Control. On or about  
6     October 23, 2008, Respondent Flores disassociated as the Qualifying Manager of Eagleshield  
7     Pest Control and became a Partner and Qualifying Manager of Eagleshield Pest Control LP. The  
8     license was in full force and effect at all times relevant to the charges brought herein and will  
9     expire on June 30, 2012, unless renewed.

10           **Operator's License No. OPR 6278 – Ray Gene Teel**

11           4.     On or about October 23, 1980, the Board issued Operator's License Number OPR  
12     6278 (formerly OB 6278), in Branch 2 to Ray Gene Teel ("Respondent Teel"). On or about  
13     October 3, 2005, Respondent Teel became the Qualifying Manager of Eagleshield Pest Control.  
14     On or about April 25, 2008, Respondent Teel disassociated as the Qualifying Manager of  
15     Eagleshield Pest Control. The license was in full force and effect at all times relevant to the  
16     charges brought herein and will expire on June 30, 2012, unless renewed.

17           **Bradley D. Neufeld**

18           **Applicator License No. RA 44714**

19           5.     On or about October 27, 2005, the Board issued Applicator License Number RA  
20     44714 in Branches 2 and 3 to Respondent B. Neufeld as an employee of Eagleshield Pest Control.  
21     On or about August 28, 2009, the license was downgraded to Branch 3 due to the issuance of a  
22     Branch 2 Field Representative License. The license was in full force and effect at all times  
23     relevant to the charges brought herein. The license is inactive and will expire on  
24     October 27, 2011, unless renewed.

25           **Field Representative's License No. FR 44699**

26           6.     On or about August 28, 2009, the Board issued Field Representative's License  
27     Number FR 44699 in Branch 2 to Bradley D. Neufeld ("Respondent B. Neufeld") as an employee  
28

1 of Eagleshield Pest Control LP. The license was in full force and effect at all times relevant to  
2 the charges brought herein and will expire on June 30, 2012, unless renewed.

3 **Bradley D. Kendrick**

4 **Field Representative License No. FR 45047**

5 7. On or about December 22, 2009, the Board issued Field Representative's License  
6 Number FR 45047 in Branch 2 to Bradley D. Kendrick ("Respondent Bradley Kendrick") as an  
7 employee of Eagleshield Pest Control LP. The license was in full force and effect at all times  
8 relevant to the charges brought herein and will expire on June 30, 2012, unless renewed.

9 **Jonathan D. Kendrick**

10 **Field Representative's License No. FR 45029**

11 8. On or about December 14, 2009, the Board issued Field Representative's License  
12 Number FR 45029 in Branch 2 to Jonathan D. Kendrick ("Respondent Jonathan Kendrick") as an  
13 employee of Eagleshield Pest Control LP. The license was in full force and effect at all times  
14 relevant to the charges brought herein and will expire on June 30, 2012, unless renewed.

15 **Luis M. Hurtado, Jr.**

16 **Applicator License No. RA 44711**

17 9. On or about October 27, 2005, the Board issued Applicator License Number RA  
18 44711 in Branches 2 and 3 to Luis M. Hurtado, Jr., ("Respondent Hurtado") as an employee of  
19 Eagleshield Pest Control LP. The license was in full force and effect at all times relevant to the  
20 charges brought herein and will expire on October 27, 2011, unless renewed.

21 **Michael David Klann**

22 **Applicator License No. RA 44704**

23 10. On or about October 27, 2005, the Board issued Applicator License Number RA  
24 44704 in Branches 2 and 3 to Respondent Klann as an employee of Eagleshield Pest Control. On  
25 or about December 14, 2009, the license was downgraded to a Branch 3, and placed on an  
26 inactive status due to the issuance of a Branch 2 Field Representative License. The license was in  
27 full force and effect at all times relevant to the charges brought herein. The license is inactive and  
28 will expire on October 27, 2011, unless renewed.

1           **Field Representative License No. FR 45031**

2           11. On or about December 14, 2009, the Board issued Field Representative's License  
3 Number FR 45031 in Branch 2 to Michael D. Klann ("Respondent Klann") as an employee of  
4 Eagleshield Pest Control. The license was in full force and effect at all times relevant to the  
5 charges brought herein and will expire on June 30, 2012, unless renewed.

6           **Jacob S. Middleton**

7           **Applicator License No. RA 45305**

8           12. On or about March 21, 2006, the Board issued Applicator License Number RA 45305  
9 in Branches 2 and 3 to Respondent Middleton as an employee of Eagleshield Pest Control. On or  
10 about January 20, 2010, the license was downgraded to Branch 3 and placed on inactive status  
11 due to the issuance of a Branch 2 Field Representative License. The license was in full force and  
12 effect at all times relevant to the charges brought herein and will expire on March 21, 2012,  
13 unless renewed.

14           **Field Representative's License No. FR 45135**

15           13. On or about January 20, 2010, the Board issued Field Representative's License  
16 Number FR 45135 in Branch 2 to Jacob S. Middleton ("Respondent Middleton") as an employee  
17 of Eagleshield Pest Control LP. The license was in full force and effect at all times relevant to  
18 the charges brought herein and will expire on June 30, 2012, unless renewed.

19           **Jonathan P. Bertram**

20           **Applicator License No. RA 48099**

21           14. On or about October 11, 2007, the Board issued Applicator License Number RA  
22 48099 in Branches 2 and 3 to Jonathan P. Bertram ("Respondent J. Bertram") as an employee of  
23 Eagleshield Pest Control. The license was in full force and effect at all times relevant to the  
24 charges brought herein and will expire on October 11, 2013, unless renewed.

25           **Joshua M. Webb**

26           **Applicator License No. RA 50212**

27           15. On or about August 13, 2009, the Board issued Applicator License Number RA  
28 50212 in Branches 2 and 3 to Respondent Webb. On or about December 14, 2009, the license

1 was downgraded to Branch 3 due to the issuance of a Branch 2 Field Representative License.  
2 The license was in full force and effect at all times relevant to the charges brought herein and will  
3 expire on August 13, 2013, unless renewed.

4 **Field Representative's License No. FR 45035**

5 16. On or about December 14, 2009, the Board issued Field Representative's License  
6 Number FR 45035 in Branch 2 to Joshua M. Webb ("Respondent Webb") as an employee of  
7 Eagleshield Pest Control LP. The license was in full force and effect at all times relevant to the  
8 charges brought herein and will expire on June 30, 2012, unless renewed.

9 **Seth D. Thomas**

10 **Applicator License No. RA 50224**

11 17. On or about August 20, 2009, the Board issued Applicator License Number RA  
12 50224 in Branches 2 and 3 to Respondent Thomas. On or about December 14, 2009, the license  
13 was downgraded to Branch 3 due to the issuance of a Branch 2 Field Representative License.  
14 The license was in full force and effect at all times relevant to the charges brought herein and will  
15 expire on August 20, 2012, unless renewed.

16 **Field Representative's License No. FR 45034**

17 18. On or about December 14, 2009, the Board issued Field Representative's License  
18 Number FR 45034 in Branch 2 to Seth D. Thomas ("Respondent Thomas") as an employee of  
19 Eagleshield Pest Control LP. The license was in full force and effect at all times relevant to the  
20 charges brought herein and will expire on June 30, 2012, unless renewed.

21 **Isaac M. Cruz**

22 **Applicator License No. RA 50408**

23 19. On or about October 21, 2009, the Board issued Applicator License Number RA  
24 50408 in Branches 2 and 3 to Isaac M. Cruz ("Respondent Cruz") as an employee of Eagleshield  
25 Pest Control. The license was in full force and effect at all times relevant to the charges brought  
26 herein and will expire on October 21, 2012, unless renewed.

27 ///

28 ///



1 **Sean D. Neufeld**

2 **Applicator License No. RA 50644**

3 20. On or about February 4, 2010, the Board issued (Applicator License Number RA  
4 50644 in Branches 2 and 3 to Sean D. Neufeld ("Respondent S. Neufeld") as an employee of  
5 Eagleshield Pest Control. The license was in full force and effect at all times relevant to the  
6 charges brought herein and will expire on February 4, 2013, unless renewed.

7 **Martin C. Aguinaga**

8 **Applicator License No. RA 50864**

9 21. On or about April 30, 2010, the Board issued Applicator License Number RA 50864  
10 in Branches 2 and 3 to Martin C. Aguinaga ("Respondent Aguinaga") as an employee of  
11 Eagleshield Pest Control. The license was in full force and effect at all times relevant to the  
12 charges brought herein and will expire on April 30, 2013, unless renewed.

13 **Howard W. Howard**

14 **Applicator License No. RA 51152**

15 22. On or about July 14, 2010, the Board issued Applicator License Number RA 51152 in  
16 Branches 2 and 3 to Andrew W. Howard ("Respondent Howard") as an employee of Eagleshield  
17 Pest Control. The license was in full force and effect at all times relevant to the charges brought  
18 herein and will expire on July 14, 2013, unless renewed.

19 **John E. Penton**

20 **Applicator License No. RA 50355**

21 23. On or about September 25, 2009, the Board issued Applicator License Number RA  
22 50355 in Branches 2 and 3 to John E. Penton ("Respondent Penton") as an employee of  
23 Eagleshield Pest Control. The license was in full force and effect at all times relevant to the  
24 charges brought herein and will expire on September 25, 2012, unless renewed.

25 **Jason L. Bohannon**

26 **Applicator License No. RA 48306**

27 24. On or about December 6, 2007, the Board issued Applicator License Number RA  
28 48306 in Branches 2 and 3 to Jason L. Bohannon ("Respondent Bohannon") as an employee of

1 Eagleshield Pest Control. On or about January 27, 2010, the license was downgraded to Branch 3  
2 due to the issuance of a Branch 2 Field Representative License. The license expired on December  
3 6, 2010, and has not been renewed.

4 **Field Representative's License No. FR 45160**

5 25. On or about January 27, 2010, the Board issued Field Representative's License  
6 Number FR 45160 in Branch 2 to Respondent Bohannon. The license was in full force and effect  
7 at all times relevant to the charges brought herein and will expire on June 30, 2012, unless  
8 renewed.

9 **David H. Bertram**

10 **Applicator License No. RA 49653**

11 26. On or about February 4, 2009, the Board issued Applicator License Number RA  
12 49653 in Branches 2 and 3 to David H. Bertram ("Respondent D. Bertram") as an employee of  
13 Eagleshield Pest Control. On or about March 4, 2010, the license was downgraded to Branch 3  
14 due to the issuance of a Branch 2 Field Representative License. The license will expire on  
15 February 4, 2012, unless.

16 **Field Representative's License No. FR 45266**

17 27. On or about March 4, 2010, the Board issued Field Representative's License Number  
18 FR 45266 in Branch 2 to Respondent D. Bertram as an employee of Eagleshield Pest Control,  
19 L.P. The license was in full force and effect at all times relevant to the charges brought herein  
20 and will expire on June 30, 2012, unless renewed.

21 **STATUTORY PROVISIONS**

22 28. Business and Professions Code ("Code") section 8620 provides, in pertinent part, that  
23 the Board may suspend or revoke a license when it finds that the holder, while a licensee or  
24 applicant, has committed any acts or omissions constituting cause for disciplinary action or in lieu  
25 of a suspension may assess a civil penalty.

26 29. Code section 8625 states:

27 The lapsing or suspension of a license or company registration by operation of  
28 law or by order or decision of the board or a court of law, or the voluntary surrender  
of a license or company registration shall not deprive the board of jurisdiction to

1 proceed with any investigation of or action or disciplinary proceeding against such  
2 licensee or company, or to render a decision suspending or revoking such license or  
3 registration.

4 30. Code section 8637 states:

5 Misrepresentation of a material fact by the applicant in obtaining a license or  
6 company registration is a ground for disciplinary action.

7 31. Code section 8639 states:

8 Aiding or abetting an unlicensed individual or un company to evade the  
9 provisions of this chapter or knowingly combining or conspiring with an unlicensed  
10 individual or un company, or allowing one's license or company registration to be  
11 used by an unlicensed individual or un company or acting as an agent or partner or  
12 associate or otherwise of an unlicensed individual or un company to evade provisions  
13 of this chapter is a ground for disciplinary action.

14 32. Code section 8641 states:

15 Failure to comply with the provisions of this chapter, or any rule or regulation  
16 adopted by the board, or the furnishing of a report of inspection without the making  
17 of a bona fide inspection of the premises for wood-destroying pests or organisms, or  
18 furnishing a notice of work completed prior to the completion of the work specified in  
19 the contract, is a ground for disciplinary action.

20 33. Code section 8613 states:

21 A company which changes the location of its principal office or any branch  
22 office or which changes its qualifying manager, branch supervisor, officers, or its  
23 bond or insurance shall notify the registrar in writing of such change within 30 days  
24 thereafter. A fee or filing such changes shall be in accordance with Section 8674.

25 34. Code section 8651 states:

26 The performing or soliciting of structural pest control work, the inspecting for  
27 structural or household pests, or the applying of any pesticide, chemical, or allied  
28 substance for the purpose of eliminating, exterminating, controlling, or preventing  
structural pests in branches of pest control other than those for which the operator,  
field representative, or applicator is licensed or the company is is a ground for  
disciplinary action.

35. Code section 8610(c) states:

Each company shall designate an individual or individuals who hold an  
operator's license to act as its qualifying manager or managers. The qualifying  
manager or managers must be licensed in each branch of pest control in which the  
company engages in business. The designated qualifying manager or managers shall  
supervise the daily business of the company and shall be available to supervise and  
assist all employees of the company, in accordance with regulations which the board  
may establish.

1 36. Code section 8612 states:

2 The licenses of qualifying managers and company registrations shall be  
3 prominently displayed in the company's office, and no registration issued hereunder  
4 shall authorize the company to do business except from the location for which the  
5 registration was issued. Each company having a branch office or more than one  
6 branch office shall be required to display its branch office registration prominently in  
7 each branch office it maintains.

8 When a company opens a branch office it shall notify the registrar in writing  
9 on a form prescribed by the board and issued by the registrar in accordance with  
10 rules and regulations adopted by the board. The notification shall include the name  
11 of the individual designated as the branch supervisor and shall be submitted with the  
12 fee for a branch office prescribed by this chapter.

13 37. Code section 8550(e) states:

14 It is unlawful for any firm, sole proprietorship, partnership, corporation,  
15 association, or other organization or combination thereof to engage or offer to  
16 engage in the practice of structural pest control, unless in accordance with Article 6  
17 (commencing with Section 8610).

## 18 REGULATORY PROVISIONS

19 38. California Code of Regulations, title 16, section 1918 states, in pertinent part:

20 "Supervise" as used in Business and Professions Code Sections 8506.2, 8610  
21 and 8611 means the oversight, direction, control, and inspection of the daily business  
22 of the company and its employees, and the availability to observe, assist, and instruct  
23 company employees, as needed to secure full compliance with all laws and  
24 regulations governing structural pest control.

25 39. California Code of Regulations, title 16, section 1999.5 states, in pertinent part:

26 It is the purpose of this regulation to protect the public from false, misleading,  
27 deceptive, or unfair representations or claims concerning structural pest control while  
28 enabling the public to receive truthful and legitimate information about those  
structural pest control products and services and the potential of these products and  
services to reduce impact to health or the environment.

(f) Examples of direct or indirect statements or representations which are  
unfair, deceptive, untrue or misleading include, but are not limited to, the following:

(6) any statement or representation that a pest control, product, pesticide, or  
device or combination therefore offers a general environmental protection or benefit  
unless the statement or representation can be sustained within the meaning of 16  
CFR, 260.5 and is limited to the specific nature of the environment or health benefit  
being asserted.

(10) any unfair, deceptive, untrue or misleading comparison of pest control  
services, methods, products, pesticides or devices.

(11) any statement or representation that a pesticide or device is certified,  
sponsored, recommended, endorsed, or approved by any agency of the Federal  
Government or the State of California, including but not limited to, "tested by the

1 Department of the Interior," "EPA approved," "EPA," "approved by the Structural  
2 Pest Control Board," or "recommended by the Structural Pest Control Board," except  
3 that a statement or representation of this type is permissible specifically authorized by  
4 the Federal or State agency to which it prefers.

#### 5 COST RECOVERY

6 40. Code section 125.3 provides, in pertinent part, that the Board may request the  
7 administrative law judge to direct a licensee found to have committed a violation or violations of  
8 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
9 enforcement of the case.

#### 10 BACKGROUND INFORMATION

11 41. On or about June 20, 2010, the Board became aware that Respondent Eagleshield was  
12 allowing its employees and/or partners to work on their own behalf without supervision, and  
13 allowing them to engage in pest control work that they were not licensed to perform. The  
14 partners and/or employees were working and/or living throughout all of California. The Board  
15 also discovered that there were no registered branch offices in the near geographic area where the  
16 applicators were working and/or living.

### 17 **DISCIPLINE AGAINST EAGLESHIELD PEST CONTROL, L.P.**

18 **Company Registration Certificate No. 5706**

19 **Operator's License No. OPR 11493**

#### 20 FIRST CAUSE FOR DISCIPLINE

21 **(Failure to Supervise Company Operations)**

22 42. Respondent Eagleshield's company registration and Respondent Flores' operator's  
23 licenses are subject to discipline under Code section 8641, in that between October 23, 2008, and  
24 February 24, 2011, Respondents violated Code section 8610(c), by failing to supervise the daily  
25 operations of the company and failing to be available to supervise and assist all employees of the  
26 company, as defined in California Code of Regulations, title 16, section 1918.

27 ///

28 ///

///



1 **FIFTH CAUSE FOR DISCIPLINE**

2 **(Failure to Register Branch Offices)**

3 46. Respondent Eagleshield's company registration and Respondent Flores' operator's  
4 licenses are subject to discipline under Code section 8641, in that between October 23, 2008, and  
5 February 24, 2010, Respondents violated Code section 8612 by failing to register branch offices  
6 within 30 days of operation and/or performing work from addresses that were not registered with  
7 the Board, as defined in California Code of Regulations, title 16, section 1912.

8 **SIXTH CAUSE FOR DISCIPLINE**

9 **(False and Misleading Advertisement)**

10 47. Respondent Eagleshield's company registration and Respondent Flores' operator's  
11 licenses are subject to discipline under Code section 8641, in that in or about 2010, Respondents  
12 violated California Code of Regulations, title 16, by presenting false, misleading, unfair  
13 representations, or deceptive advertisements in the following respects:

14 **Section 1999.5, subdivision (f)(6):**

15 a. That it used Eco Friendly products.

16 **Section 1999.5, subdivision (f)(10):**

17 b. That its service was better than others because it had local partners or independent  
18 owners when, in fact, it did not.

19 c. That it had over 50 years of combined experience when, in fact, it does not.

20 **Section 1999.5, subdivision (f)(11):**

21 d. That it used only EPA certified products approved by the State of California.

22 **DISCIPLINE AGAINST RAY GENE TEEL**

23 **Operator's License No. OPR 7278**

24 **SEVENTH CAUSE FOR DISCIPLINE**

25 **(Failure to Supervise Company Operations)**

26 48. Respondent Teel's operator license is subject to discipline under Code section 8641,  
27 in that between October 5, 2005, and October 23, 2008, while the Qualifying Manager of  
28 Eagleshield Pest Control (PR 4875), Respondent Teel violated Code section 8610(c), by failing to

1 supervise the daily operations of the company and be available to supervise and assist all  
2 employees of the company, as defined in California Code of Regulations, title 16, section 1918.

3 **EIGHTH CAUSE FOR DISCIPLINE**

4 **(Aiding and Abetting Unlicensed Activity)**

5 49. Respondent Teel's operator license is subject to discipline under Code section 8639,  
6 in that between October 5, 2005, and October 23, 2008, while the Qualifying Manager of  
7 Eagleshield Pest Control (PR 4875), Respondent aided or abetted unlicensed activities by  
8 allowing applicators to perform activities that they were not licensed to perform, such as making  
9 identifications, performing inspections, submitting bids, and securing pest control work.

10 **NINTH CAUSE FOR DISCIPLINE**

11 **(Misrepresentation of a Material Fact)**

12 50. Respondent Teel's operator license is subject to discipline under Code section 8637,  
13 in that on or about October 3, 2005, Respondent Teel misrepresented a material fact in his  
14 application for a company registration for Eagleshield Pest Control, PR 4875, by stating that the  
15 registration was a sole ownership when, in fact, it was a limited partnership.

16 **TENTH CAUSE FOR DISCIPLINE**

17 **(Failure to Register Branch Offices)**

18 51. Respondent Teel's operator license is subject to discipline under Code section 8641,  
19 in that between October 5, 2005, and October 23, 2008, while the Qualifying Manager of  
20 Eagleshield Pest Control (PR 4875), Respondent violated Code section 8612 by failing to register  
21 branch offices within 30 days of operation and/or performing work from addresses that were not  
22 registered with the Board, as defined in California Code of Regulations, title 16, section 1912.

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///



1                                   **DISCIPLINE AGAINST FIELD REPRESENTATIVES**  
2                                   **AND/OR APPLICATORS LICENSES**

3   **BRADLEY D. NEUFELD (Partner)**

4   Field Representative License No. FR 44699

5   Applicator License No. RA 44714

6                                   **ELEVENTH CAUSE FOR DISCIPLINE**

7                                   **(Unlicensed Activity)**

8           52. Respondent Bradley Neufeld's field representative license and applicator license are  
9 subject to discipline under Code section 8651, in that between October 27, 2005, and  
10 August 28, 2009, while an applicator, he engaged in pest control work in a branch other than that  
11 for which he was licensed.

12                                   **TWELFTH CAUSE FOR DISCIPLINE**

13                                   **(Aiding and Abetting Unlicensed Activities)**

14           53. Respondent Bradley Neufeld's field representative license and applicator license are  
15 subject to discipline under Code section 8639, in that between October 23, 2008, and  
16 February 24, 2011, while a partner of Eagleshield, he aided or abetted unlicensed activities by  
17 allowing applicators, who were either employees or partners, to perform activities that they were  
18 not licensed to perform.

19                                   **THIRTEENTH CAUSE FOR DISCIPLINE**

20                                   **(False and Misleading Advertisement)**

21           54. Respondent Bradley Neufeld's field representative license and applicator license are  
22 subject to discipline under Code section 8641, in that in or about 2010, he violated California  
23 Code of Regulations, title 16, by presenting false, misleading, unfair representations, or deceptive  
24 advertisements in the following respects:

25           **Section 1999.5, subdivision (f)(6):**

26           a. That he used Eco Friendly products.

27           **Section 1999.5, subdivision (f)(11):**

28           b. That he used only EPA certified products approved by the State of California.

1 **JONATHAN D. KENDRICK (Partner)**

2 **Field Representative License No. FR 45047**

3 **FOURTEENTH CAUSE FOR DISCIPLINE**

4 **(Aiding and Abetting Unlicensed Activities)**

5 55. Respondent Jonathan D. Kendrick's field representative license is subject to discipline  
6 under Code section 8639, in that between October 23, 2008, and February 2011, while a partner  
7 of Eaglesfield, he aided or abetted unlicensed activities by allowing applicators, who were either  
8 employees or partners, to perform activities that they were not licensed to perform.

9 **BRADLEY D. KENDRICK (Partner)**

10 **Field Representative License No. FR 45047**

11 **FIFTEENTH CAUSE FOR DISCIPLINE**

12 **(Aiding and Abetting Unlicensed Activities)**

13 56. Respondent Bradley Kendrick's field representative license is subject to discipline  
14 under Code section 8639, in that between October 23, 2008, and February 2011, while a partner  
15 of Eaglesfield, he aided or abetted unlicensed activities by allowing applicators, who were either  
16 employees or partners, to perform activities for that they were not licensed to perform.

17 **JONATHAN P. BERTRAM (Partner)**

18 **Applicator License No. RA 48099**

19 **SIXTEENTH CAUSE FOR DISCIPLINE**

20 **(Unlicensed Activity)**

21 57. Respondent Jonathan Bertram's applicator license is subject to discipline under Code  
22 section 8651, in that between October 11, 2007, and February 2011, while an applicator, he  
23 engaged in pest control work in a branch other than that which he was licensed.

24 **MICHAEL DAVID KLANN (Partner)**

25 **Field Representative License No. FR 45031**

26 **Applicator License No. RA 44704**

27 **SEVENTEENTH CAUSE FOR DISCIPLINE**

28 **(Unlicensed Activity)**

58. Respondent Michael David Klann's field representative license and applicator  
licenses are subject to discipline under Code section 8651, in that between October 27, 2005, and

1 December 14, 2009, while an applicator, he engaged in pest control work in a branch other than  
2 that for which he was licensed.

3 **EIGHTEENTH CAUSE FOR DISCIPLINE**

4 **(Aiding and Abetting Unlicensed Activities)**

5 59. Respondent Michael David Klann's field representative license and applicator license  
6 are subject to discipline under Code section 8639, in that between October 23, 2008, and  
7 February 2011, while a partner of Eagleshield, he aided or abetted unlicensed activities by  
8 allowing applicators, who were either employees or partners, to perform activities that which  
9 they were not licensed to perform.

10 **JACOB S. MIDDLETON (Partner)**

11 **Field Representative License No. FR 45135**

12 **Applicator License No. RA 45305**

13 **NINETEENTH CAUSE FOR DISCIPLINE**

14 **(Unlicensed Activity)**

15 60. Respondent Jacob Middleton's field representative license and applicator license are  
16 subject to discipline under Code section 8651, in that between March 21, 2006, and  
17 January 20, 2010, while an applicator, he engaged in pest control work in a branch other than that  
18 for which he was licensed.

19 **TWENTIETH CAUSE FOR DISCIPLINE**

20 **(Aiding and Abetting Unlicensed Activities)**

21 61. Respondent Jacob Middleton's field representative license and applicator license are  
22 subject to discipline under Code section 8639, in that between October 23, 2008, and  
23 February 2011, while a partner of Eagleshield, he aided or abetted unlicensed activities by  
24 allowing applicators, who were either employees or partners, to perform activities that they were  
25 not licensed to perform.

26 ///

27 ///

28 ///

1 **JOSHUA M. WEBB**

2 Field Representative License No. FR 45035

3 Applicator License No. RA 50212

4 **TWENTY-FIRST CAUSE FOR DISCIPLINE**

5 (Unlicensed Activity)

6 62. Respondent Joshua M. Webb's field representative license and applicator license are  
7 subject to discipline under Code section 8651, in that between August 13, 2009, and  
8 December 14, 2009, while an applicator, he engaged in pest control work in a branch other than  
9 that for which he was licensed.

10 **TWENTY-SECOND CAUSE FOR DISCIPLINE**

11 (False and Misleading Advertisement)

12 63. Respondent Joshua M. Webb's field representative license and applicator license are  
13 subject to discipline under Code section 8641, in that in or about 2010, he violated California  
14 Code of Regulations, title 16, by presenting false, misleading, unfair representations, or deceptive  
15 advertisements in the following respects:

16 a. Section 1999.5, subdivision (f)(11): That he used only EPA certified products  
17 approved by the State of California.

18 **SETH D. THOMAS**

19 Field Representative License No. FR 45034

20 Applicator License No. RA 50224

21 **TWENTY-THIRD CAUSE FOR DISCIPLINE**

22 (Unlicensed Activity)

23 64. Respondent Seth D. Thomas' field representative license and applicator license are  
24 subject to discipline under Code section 8651, in that between August 20, 2009, and  
25 December 14, 2009, while an applicator, he engaged in pest control work in a branch other than  
26 that for which he was licensed.

27 ///

28 ///

///

1 **LUIS M. HURTADO, JR. (Partner)**

2 **Applicator License No. RA 44711**

3 **TWENTY-FOURTH CAUSE FOR DISCIPLINE**

4 **(Unlicensed Activity)**

5 65. Respondent Luis M. Hurtado's applicator license is subject to discipline under Code  
6 section 8651, in that between October 27, 2005, and March 2010, while an applicator, he engaged  
7 in pest control work in a branch other than that for which he was licensed.

8 **ISAAC M. CRUZ**

9 **Applicator License No. RA 50408**

10 **TWENTY-FIFTH CAUSE FOR DISCIPLINE**

11 **(Unlicensed Activity)**

12 66. Respondent Isaac M. Cruz's applicator license is subject to discipline under Code  
13 section 8651, in that between October 21, 2009, and March 2010, while an applicator, he engaged  
14 in pest control work in a branch other than that for which he was licensed.

15 **TWENTY-SIXTH CAUSE FOR DISCIPLINE**

16 **(False and Misleading Advertisement)**

17 67. Respondent Isaac Cruz's applicator license is subject to discipline under Code section  
18 8641, in that in or about 2010, he violated California Code of Regulations, title 16, by presenting  
19 false, misleading, unfair representations, or deceptive advertisements in the following respects:

20 a. **Section 1999.5, subdivision (f)(10):** Having local partners or independent owners  
21 when, in fact, he did not.

22 **SEAN D. NEUFELD**

23 **Applicator License No. RA 50644**

24 **TWENTY-SEVENTH CAUSE FOR DISCIPLINE**

25 **(Unlicensed Activity)**

26 68. Respondent Sean Neufeld's applicator license is subject to discipline under Code  
27 section 8651, in that between February 4, 2010, and March 2010, while an applicator, he engaged  
28 in pest control work in a branch other than that for which he was licensed.

///

1 **MARTIN C. AGUINAGA**

2 **Applicator License No. RA 50864**

3 **TWENTY-EIGHTH CAUSE FOR DISCIPLINE**

4 **(Unlicensed Activity)**

5 69. Respondent Martin C. Aguinaga's applicator license is subject to discipline under  
6 Code section 8651, in that in or about April 2010, while an applicator, he engaged in pest control  
7 work in a branch other than that for which he was licensed.

8 **ANDREW W. HOWARD**

9 **Applicator License No. RA 51152**

10 **TWENTY-NINTH CAUSE FOR DISCIPLINE**

11 **(Unlicensed Activity)**

12 70. Respondent Andrew W. Howard's applicator license is subject to discipline under  
13 Code section 8651, in that in or about July 2010, while an applicator, he engaged in pest control  
14 work in a branch other than that for which he was licensed.

15 **JOHN E. PENTON**

16 **Applicator License No. RA 50355**

17 **THIRTIETH CAUSE FOR DISCIPLINE**

18 **(Unlicensed Activity)**

19 71. Respondent John E. Penton's applicator license is subject to discipline under Code  
20 section 8651, in that between September 25, 2009, and October 2010, while an applicator, he  
21 engaged in pest control work in a branch other than that for which he was licensed.

22 **JASON L. BOHANNON**

23 **Applicator License No. RA 48306**

24 **Field Representative License No. FR 45160**

25 **THIRTY-FIRST CAUSE FOR DISCIPLINE**

26 **(Unlicensed Activity)**

27 72. Respondent Jason L. Bohannon's applicator's license and field representative license  
28 are subject to discipline under Code section 8651, in that between December 6, 2007, and January

1 27, 2010, while a applicator, he engaged in pest control work in a branch other than that for  
2 which he was licensed.

3 **THIRTY-SECOND CAUSE FOR DISCIPLINE**

4 **(False and Misleading Advertisement)**

5 73. Respondent Jason L. Bohannon's applicator's license and field representative license  
6 are subject to discipline under Code section 8641, in that in or about 2010, he violated California  
7 Code of Regulations, title 16, by presenting false, misleading, unfair representations, or deceptive  
8 advertisements in the following respects:

9 a. Section 1999.5, subdivision (f)(6): That he had 50 years combined experience.

10 **DAVID H. BERTRAM**

11 **Applicator License No. RA 49653**

12 **Field Representative License No. FR 45266**

13 **FORTIETH CAUSE FOR DISCIPLINE**

14 **(False and Misleading Advertisement)**

15 74. Respondent Jason L. Bohannon's applicator's license and field representative license  
16 are subject to discipline under Code section 8641, in that in or about 2010, he violated California  
17 Code of Regulations, title 16, section 1999.5(f)(10), by presenting false, misleading, unfair  
18 representations, or deceptive advertisements.

19 **PRIOR DISCIPLINE**

20 **Company Registration Certificate No. PR 5706**

21 75. On or about August 25, 2009, the company registration paid a fine in the amount of  
22 \$250 levied by the San Diego County Agricultural Commissioner for violating Food and  
23 Agricultural Code section 15204.

24 **Operator's License No. OPR 11493**

25 76. On or about August 25, 2009, the operator's license paid a fine in the amount of \$250  
26 levied by the San Diego County Agricultural Commissioner for violating Food and Agricultural  
27 Code section 15204.

28 ///

**OTHER MATTERS**

77. Code section 8620 provides, in pertinent part, that a respondent may request that a civil penalty of not more than \$5,000 be assessed in lieu of an actual suspension of 1 to 19 days, or not more than \$10,000 for an actual suspension of 20 to 45 days. Such request must be made at the time of the hearing and must be noted in the proposed decision. The proposed decision shall not provide that a civil penalty shall be imposed in lieu of a suspension.

78. Pursuant to Code section 8624, the causes for discipline established as to Company Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., likewise constitute cause for discipline against Operator's License Number OPR 11493, issued to Robert Jesse Flores, who serves as the Qualifying Manager of Eagleshield Pest Control, L.P., regardless of whether Robert Jesse Flores had knowledge of or participated in the acts or omissions which constitute cause for discipline against Eagleshield Pest Control, L.P.

79. Pursuant to Code section 8654, if discipline is imposed on Company Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Robert Jesse Flores, who serves as the Qualifying Manager of Eagleshield Pest Control, L.P., shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or responsible managing employee for any company during the time the discipline is imposed, and any company which employs, elects, or associates him, shall be subject to disciplinary action.

80. Pursuant to section 8624 of the Code, if Operator License Number OPR 11493, issued to Robert Jesse Flores, is suspended or revoked, the Board may suspend or revoke Company Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P.

81. Pursuant to Code section 8624, the causes for discipline established as to Company Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., likewise constitute cause for discipline against Operator's License Number OPR 11493, issued to Robert Jesse Flores, who serves as the Qualifying Manager of Eagleshield Pest Control, L.P., regardless of whether Robert Jesse Flores had knowledge of or participated in the acts or omissions which constitute cause for discipline against Eagleshield Pest Control, L.P.



1        82. Pursuant to Code section 8624, the causes for discipline established as to Company  
2 Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., likewise  
3 constitute cause for discipline against Applicator License No. RA 44704 and Field Representative  
4 License No. FR 45031, issued to Michael David Klann, who serves as a Partner of Eagleshield  
5 Pest Control, L.P., regardless of whether or not he had knowledge of or participated in the acts or  
6 omissions which constitute cause for discipline against Eagleshield Pest Control, L.P.

7        83. Pursuant to Code section 8654, if discipline is imposed on Company Registration  
8 Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Michael David Klann,  
9 shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or  
10 responsible managing employee for any registered company during the time the discipline is  
11 imposed, and any company which employs, elects, or associates him, shall be subject to  
12 disciplinary action.

13        84. Pursuant to Code section 8624, the causes for discipline established as to Company  
14 Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., likewise  
15 constitute cause for discipline against Applicator License No. RA 44714 and Field Representative  
16 License No. FR 44699, issued to Bradley D. Neufeld, who serves as a Partner of Eagleshield Pest  
17 Control, L.P., regardless of whether or not he had knowledge of or participated in the acts or  
18 omissions which constitute cause for discipline against Eagleshield Pest Control, L.P.

19        85. Pursuant to Code section 8654, if discipline is imposed on Company Registration  
20 Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Bradley D. Neufeld,  
21 shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or  
22 responsible managing employee for any registered company during the time the discipline is  
23 imposed, and any registered company which employs, elects, or associates him, shall be subject  
24 to disciplinary action.

25        86. Pursuant to Code section 8624, the causes for discipline established as to Company  
26 Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., likewise  
27 constitute cause for discipline against Applicator License No. RA 45305 and Field Representative  
28 License No. FR 45135, issued to Jacob S. Middleton, who serves as a Partner of Eagleshield Pest

1 Control, L.P., regardless of whether or not he had knowledge of or participated in the acts or  
2 omissions which constitute cause for discipline against Eagleshield Pest Control, L.P.

3 87. Pursuant to Code section 8654, if discipline is imposed on Company Registration  
4 Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Jacob S. Middleton,  
5 shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or  
6 responsible managing employee for any registered company during the time the discipline is  
7 imposed, and any registered company which employs, elects, or associates him, shall be subject  
8 to disciplinary action.

9 88. Pursuant to Code section 8624, the causes for discipline established as to Company  
10 Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., likewise  
11 constitute cause for discipline against Field Representative License No. FR 45029, issued to  
12 Jonathan D. Kendrick, who serves as a Partner of Eagleshield Pest Control, L.P., regardless of  
13 whether or not he had knowledge of or participated in the acts or omissions which constitute  
14 cause for discipline against Eagleshield Pest Control, L.P.

15 89. Pursuant to Code section 8654, if discipline is imposed on Company Registration  
16 Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Jonathan D. Kendrick,  
17 shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or  
18 responsible managing employee for any registered company during the time the discipline is  
19 imposed, and any registered company which employs, elects, or associates him, shall be subject  
20 to disciplinary action.

21 90. Pursuant to Code section 8624, the causes for discipline established as to Company  
22 Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., likewise  
23 constitute cause for discipline against Field Representative License No. FR 45047, issued to  
24 Bradley D. Kendrick, who serves as a Partner of Eagleshield Pest Control, L.P., regardless of  
25 whether or not he had knowledge of or participated in the acts or omissions which constitute  
26 cause for discipline against Eagleshield Pest Control, L.P.

27 91. Pursuant to Code section 8654, if discipline is imposed on Company Registration  
28 Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Bradley D. Kendrick,

1 shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or  
2 responsible managing employee for any registered company during the time the discipline is  
3 imposed, and any registered company which employs, elects, or associates him, shall be subject  
4 to disciplinary action.

5 92. Pursuant to Code section 8624, the causes for discipline established as to Company  
6 Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., likewise  
7 constitute cause for discipline against Applicator License No. RA 44711, issued to Luis M.  
8 Hurtado, Jr., who serves as a Partner of Eagleshield Pest Control, L.P., regardless of whether or  
9 not he had knowledge of or participated in the acts or omissions which constitute cause for  
10 discipline against Eagleshield Pest Control, L.P.

11 93. Pursuant to Code section 8654, if discipline is imposed on Company Registration  
12 Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Luis M. Hurtado, Jr.  
13 shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or  
14 responsible managing employee for any registered company during the time the discipline is  
15 imposed, and any registered company which employs, elects, or associates him, shall be subject  
16 to disciplinary action.

17 94. Pursuant to Code section 8624, the causes for discipline established as to Company  
18 Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., likewise  
19 constitute cause for discipline against Applicator License No. RA 48099, issued to Jonathan P.  
20 Bertram, who serves as a Partner of Eagleshield Pest Control, L.P., regardless of whether or not  
21 he had knowledge of or participated in the acts or omissions which constitute cause for discipline  
22 against Eagleshield Pest Control, L.P.

23 95. Pursuant to Code section 8654, if discipline is imposed on Company Registration  
24 Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Jonathan P. Bertram,  
25 shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or  
26 responsible managing employee for any registered company during the time the discipline is  
27 imposed, and any registered company which employs, elects, or associates him, shall be subject  
28 to disciplinary action.

1        96. Pursuant to Code section 8624, the causes for discipline established as to Company  
2 Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., likewise  
3 constitute cause for discipline against Applicator License No. RA 48306, and Field  
4 Representative License No. FR 45160, issued to Jason Bohannon, regardless of whether or not he  
5 had knowledge of or participated in the acts or omissions which constitute cause for discipline  
6 against Eagleshield Pest Control, L.P.

7        97. Pursuant to Code section 8654, if discipline is imposed on Company Registration  
8 Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Jason Bohannon, shall  
9 be prohibited from serving as an officer, director, associate, partner, qualifying manager, or  
10 responsible managing employee for any registered company during the time the discipline is  
11 imposed, and any registered company which employs, elects, or associates him, shall be subject  
12 to disciplinary action.

13        98. Pursuant to Code section 8624, the causes for discipline established as to Company  
14 Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., likewise  
15 constitute cause for discipline against Applicator License No. RA 49653 and Field Representative  
16 License No. FR 45266, issued to David H. Bertram, regardless of whether or not he had  
17 knowledge of or participated in the acts or omissions which constitute cause for discipline against  
18 Eagleshield Pest Control, L.P.

19        99. Pursuant to Code section 8654, if discipline is imposed on Company Registration  
20 Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then David H. Bertram,  
21 shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or  
22 responsible managing employee for any registered company during the time the discipline is  
23 imposed, and any registered company which employs, elects, or associates him, shall be subject  
24 to disciplinary action.

25        100. Pursuant to Code section 8624, the causes for discipline established as to Company  
26 Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., likewise  
27 constitute cause for discipline against Applicator License No. RA 50212 and Field Representative  
28 License No. FR 45035, issued to Joshua M. Webb, regardless of whether or not he had

1 knowledge of or participated in the acts or omissions which constitute cause for discipline against  
2 Eagleshield Pest Control, L.P.

3 101. Pursuant to Code section 8654, if discipline is imposed on Company Registration  
4 Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Joshua M. Webb,  
5 shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or  
6 responsible managing employee for any registered company during the time the discipline is  
7 imposed, and any company which employs, elects, or associates him, shall be subject to  
8 disciplinary action.

9 102. Pursuant to Code section 8624, the causes for discipline established as to Company  
10 Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., likewise  
11 constitute cause for discipline against Applicator License No. RA 50224 and Field Representative  
12 License No. FR 45034, issued to Seth D. Thomas, regardless of whether or not he had knowledge  
13 of or participated in the acts or omissions which constitute cause for discipline against  
14 Eagleshield Pest Control, L.P.

15 103. Pursuant to Code section 8654, if discipline is imposed on Company Registration  
16 Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Seth D. Thomas, shall  
17 be prohibited from serving as an officer, director, associate, partner, qualifying manager, or  
18 responsible managing employee for any registered company during the time the discipline is  
19 imposed, and any registered company which employs, elects, or associates him, shall be subject  
20 to disciplinary action.

21 104. Pursuant to Code section 8624, the causes for discipline established as to Company  
22 Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., likewise  
23 constitute cause for discipline against Applicator License No. RA 50408, issued to Isaac Cruz,  
24 regardless of whether or not he had knowledge of or participated in the acts or omissions which  
25 constitute cause for discipline against Eagleshield Pest Control, L.P.

26 105. Pursuant to Code section 8654, if discipline is imposed on Company Registration  
27 Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Isaac Cruz; shall be  
28 prohibited from serving as an officer, director, associate, partner, qualifying manager, or

1 responsible managing employee for any registered company during the time the discipline is  
2 imposed, and any registered company which employs, elects, or associates him, shall be subject  
3 to disciplinary action.

4 106. Pursuant to Code section 8624, the causes for discipline established as to Company  
5 Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., likewise  
6 constitute cause for discipline against Applicator License No. RA 50644, issued to Sean D.  
7 Neufeld, regardless of whether or not he had knowledge of or participated in the acts or omissions  
8 which constitute cause for discipline against Eagleshield Pest Control, L.P.

9 107. Pursuant to Code section 8654, if discipline is imposed on Company Registration  
10 Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Sean D. Neufeld, shall  
11 be prohibited from serving as an officer, director, associate, partner, qualifying manager, or  
12 responsible managing employee for any registered company during the time the discipline is  
13 imposed, and any registered company which employs, elects, or associates him, shall be subject  
14 to disciplinary action.

15 108. Pursuant to Code section 8624, the causes for discipline established as to Company  
16 Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., likewise  
17 constitute cause for discipline against Applicator License No. RA 50864, issued to Martin C.  
18 Aguinaga, regardless of whether or not he had knowledge of or participated in the acts or  
19 omissions which constitute cause for discipline against Eagleshield Pest Control, L.P.

20 109. Pursuant to Code section 8654, if discipline is imposed on Company Registration  
21 Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Martin C. Aguinaga,  
22 shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or  
23 responsible managing employee for any registered company during the time the discipline is  
24 imposed, and any registered company which employs, elects, or associates him, shall be subject  
25 to disciplinary action.

26 110. Pursuant to Code section 8624, the causes for discipline established as to Company  
27 Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., likewise  
28 constitute cause for discipline against Applicator License No. RA 51152, issued to Andrew w.

Howard, regardless of whether or not he had knowledge of or participated in the acts or omissions which constitute cause for discipline against Eagleshield Pest Control, L.P.

111. Pursuant to Code section 8654, if discipline is imposed on Company Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Andrew W. Howard, shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or responsible managing employee for any registered company during the time the discipline is imposed, and any registered company which employs, elects, or associates him, shall be subject to disciplinary action.

112. Pursuant to Code section 8624, the causes for discipline established as to Company Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., likewise constitute cause for discipline against Applicator License No. RA 50355, issued to John E. Penton, regardless of whether or not he had knowledge of or participated in the acts or omissions which constitute cause for discipline against Eagleshield Pest Control, L.P.

113. Pursuant to Code section 8654, if discipline is imposed on Company Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then John E. Penton, shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or responsible managing employee for any registered company during the time the discipline is imposed, and any registered company which employs, elects, or associates him, shall be subject to disciplinary action.

114. Pursuant to Code section 8654, if discipline is imposed on Company Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Keith W. Haney, shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or responsible managing employee for any registered company during the time the discipline is imposed, and any registered company which employs, elects, or associates him, shall be subject to disciplinary action.

115. Pursuant to Code section 8654, if discipline is imposed on Company Registration Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Timothy A. Sheppard, shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or

1 responsible managing employee for any registered company during the time the discipline is  
2 imposed, and any registered company which employs, elects, or associates him, shall be subject  
3 to disciplinary action.

4 116. Pursuant to Code section 8654, if discipline is imposed on Company Registration  
5 Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Troy Dwayne Sosa,  
6 shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or  
7 responsible managing employee for any registered company during the time the discipline is  
8 imposed, and any registered company which employs, elects, or associates him, shall be subject  
9 to disciplinary action.

10 117. Pursuant to Code section 8654, if discipline is imposed on Company Registration  
11 Certificate Number PR 5706, issued to Eagleshield Pest Control, L.P., then Jonathan L. Hale,  
12 shall be prohibited from serving as an officer, director, associate, partner, qualifying manager, or  
13 responsible managing employee for any registered company during the time the discipline is  
14 imposed, and any registered company which employs, elects, or associates him, shall be subject  
15 to disciplinary action.

16 **PRAYER**

17 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein  
18 alleged, and that following the hearing, the Structural Pest Control Board issue a decision:

- 19 1. Revoking or suspending Company Registration Certificate Number PR 5706,  
20 issued to Eagleshield Pest Control LP;
- 21 2. Revoking or suspending Operator's License Number OPR 11493, issued to Robert  
22 Jesse Flores;
- 23 3. Revoking or suspending Operator's License Number OPR 6278, issued to Ray  
24 Gene Teel;
- 25 4. Revoking or suspending Field Representative's License Number FR 45031, issued  
26 to Michael David Klann;
- 27 5. Revoking or suspending Applicator License Number RA 44704, issued to Michael  
28 David Klann;



- 1           6.     Revoking or suspending Field Representative's License Number FR 44699, issued  
2 to Bradley D. Neufeld;
- 3           7.     Revoking or suspending Applicator License Number RA 44714, issued to Bradley  
4 D. Neufeld;
- 5           8.     Revoking or suspending Field Representative's License Number FR 45135, issued  
6 to Jacob S. Middleton;
- 7           9.     Revoking or suspending Applicator License Number RA 45305, issued to Jacob S.  
8 Middleton;
- 9           10.    Revoking or suspending Field Representative's License Number FR 45029, issued  
10 to Jonathan D. Kendrick;
- 11          11.    Revoking or suspending Field Representative's License Number FR 45057, issued  
12 to Bradley K. Kendrick;
- 13          12.    Revoking or suspending Field Representative's License Number FR 45160, issued  
14 to Jason L. Bohannon;
- 15          13.    Revoking or suspending Applicator License Number RA 48360, issued to Jason L.  
16 Bohannon;
- 17          14.    Revoking or suspending Field Representative's License Number FR 45266, issued  
18 to David H. Bertram;
- 19          15.    Revoking or suspending Applicator License Number RA 49653, issued to David  
20 H. Bertram;
- 21          16.    Revoking or suspending Field Representative's License Number FR 45035, issued  
22 to Joshua M. Webb;
- 23          17.    Revoking or suspending Applicator License Number RA 50212, issued to Joshua  
24 M. Webb;
- 25          18.    Revoking or suspending Field Representative's License Number FR 45034, issued  
26 to Seth D. Thomas;
- 27          19.    Revoking or suspending Applicator License Number RA 50224, issued to Seth D.  
28 Thomas;

- 1           20.    Revoking or suspending Applicator License Number RA 44711, issued to Luis M.  
2 Hurtado, Jr.;
- 3           21.    Revoking or suspending Applicator License Number RA 48099, issued to  
4 Jonathan P. Bertram;
- 5           22.    Revoking or suspending Applicator License Number RA 50408, issued to Isaac M.  
6 Cruz;
- 7           23.    Revoking or suspending Applicator License Number RA 50644, issued to Sean D.  
8 Neufeld;
- 9           24.    Revoking or suspending Applicator License Number RA 45317, issued to Sean D.  
10 Neufeld;
- 11          25.    Revoking or suspending Applicator License Number RA 50864, issued to Martin  
12 C. Aguinaga;
- 13          26.    Revoking or suspending Applicator License Number RA 51152, issued to Andrew  
14 W. Howard;
- 15          27.    Revoking or suspending Applicator License Number RA 50355, issued to John E.  
16 Penton;
- 17          28.    Prohibiting Robert Jesse Flores, Ray Gene Teel, Michael D. Klann, Bradley D.  
18 Neufeld, Jacob S. Middleton, Jonathan D. Kendrick, Bradley K. Kendrick, Jason L. Bohannon,  
19 David H. Bertram, Joshua M. Webb, Seth D. Thomas, Luis M. Hurtado, Jr., Jonathan P. Bertram,  
20 Isaac M. Cruz, Sean D. Neufeld, Martin C. Aguinaga, John E. Penton, Keith W. Haney, Timothy  
21 A. Sheppard, Troy Dwayne Sosa, Jonathan L. Hale, and Andrew W. Howard from serving as an  
22 officer, director, associate, partner, qualifying manager or responsible managing employee of any  
23 company during the period that discipline is imposed on Company Registration Certificate  
24 Number PR 5706, issued to Eagleshield Pest Control, L.P.;
- 25          29.    Ordering Robert Jesse Flores, Ray Gene Teel, Michael D. Klann, Bradley D.  
26 Neufeld, Jacob S. Middleton, Jonathan D. Kendrick, Bradley K. Kendrick, Jason L. Bohannon,  
27 David H. Bertram, Joshua M. Webb, Seth D. Thomas, Luis M. Hurtado, Jr., Jonathan P. Bertram,  
28 Isaac M. Cruz, Sean D. Neufeld, Martin C. Aguinaga, Keith W. Haney, Timothy A. Sheppard,

1 Troy Dwayne Sosa, Jonathan L. Hale, John E. Penton, and Andrew W. Howard, to pay the  
2 Structural Pest Control Board the reasonable costs of the investigation and enforcement of this  
3 case, pursuant to Business and Professions Code section 125.3; and,

4 30. Taking such other and further action as deemed necessary and proper.

5 DATED: 6/16/11

William H. Douglas  
William H. Douglas  
Interim Registrar/Executive Officer  
Structural Pest Control Board  
Department of Pesticide Regulation  
State of California  
Complainant

10 SA2011100856  
11 10688677.doc