LETTER OF UNDERTAKING REGARDING COMPLIANCE WITH THE
ENGINEERS AND GEOcientISTS ACT, RSBC 1996, c.116 AS AMENDED

WHEREAS:

a. It is the mandate of the Association of Professional Engineers and Geoscientists of British Columbia ("APEGBC") under the provisions of the Engineers and Geoscientists Act (the "Act") to protect the public interest in the practices of professional engineering and professional geoscience, including in terms of restricting those practices to members and licensees of APEGBC;

b. Information and documents (in the form of audio recordings) have been received by APEGBC indicating that, in August and December 2014, Yogeshchandra Ramanlal Nathawad represented himself to a third party as a geotechnical engineer and implied that he is a member of APEGBC.

c. Mr. Nathawad's membership in APEGBC was revoked in April 2001, and since that time, Mr. Nathawad has not been a member of APEGBC and has not been licensed to practice as a professional engineer or a professional geoscientist in British Columbia;

d. Mr. Nathawad's conduct as set out at paragraph b above was in breach of section 22 of the Act;

e. APEGBC and Mr. Nathawad wish to resolve this matter without resort to legal action; and

f. Mr. Nathawad has had an opportunity to seek independent legal advice regarding this matter and this Letter of Undertaking.

THEREFORE:

In recognition of the time, effort and expense involved for Mr. Nathawad to go through an enforcement procedure and the risk of an injunction and up to $25,000 in exemplary damages being granted to APEGBC, and in consideration of APEGBC not commencing enforcement action in respect of Mr. Nathawad's conduct as set out at paragraph b above by way of a legal proceeding in the Supreme Court of British Columbia, Mr. Nathawad agrees to this Letter of Undertaking and the following terms:

1. I, Yogeshchandra Ramanlal Nathawad, unless and until I am duly registered as a member or licensee of APEGBC in the future, will hereafter cease and desist from:
(i) engaging in the practice of professional engineering or professional geoscience in British Columbia;

(ii) assuming, verbally or otherwise, the title of professional engineer or professional geoscientist in British Columbia;

(iii) using any word, name, title, designation, descriptive term or statement implying, or calculated to lead any other person to believe, that I am a professional engineer or professional geoscientist, or that I am ready or entitled to engage in, or that I am engaged in, the practice of professional engineering or professional geoscience in British Columbia;

(iv) acting in any manner that leads any person to believe that I am authorized to fill the office of or act as a professional engineer or professional geoscientist in British Columbia; and

(v) representing or implying in any publication or communication to any person, that I am a member of APEGBC.

2. I understand and accept that my breach of the terms set out at paragraph 1 above would be a breach of section 22 of the Act.

3. I understand and accept that this Letter of Undertaking may be published in Innovation, and on APEGBC’s website, and in such other places and in such manner as APEGBC deems appropriate.

4. I agree that APEGBC may refer to this Letter of Undertaking in any legal proceeding against me, in the event that I breach any of the terms of this Letter of Undertaking.

[section of page intentionally left blank]
5. If APEGBC takes legal action against me for breach of the Act, I will not argue delay as a result of this Letter of Undertaking.

AGREED and ACCEPTED by
Yogeshchandra Ramanlal Nathawad
this 13th day of March, 2015 in the presence of:

Yogeshchandra Ramanlal Nathawad

ACCEPTED by APEGBC this 13th day of
March, 2015

Ann English, P.Eng.
CEO and Registrar of APEGBC