

OFFICIAL PUBLICATION OF THE MINNESOTA BOARD OF ACCOUNTANCY

THE BOARD REPORT

Spring/Summer 2014



Message from the Board Chair

Robert P. Saunders, CPA, CFP
Saunders, Mertens & Schmitz, PA

Greetings from the new Board Chair. In my first article, I want to touch on several topics.

1. Effective the 28th of April the new rules have been issued. These rules codify the legislation from the 2012-2013 session. As professionals, it is now our duty to read, understand, and apply all the rules of Chapter 1105. Please print/review a copy of the rules from the Board's website. We need to understand not only the rules, but also the "incorporated by reference materials" of Part 1105.0250. The Minnesota Society of CPAs (MNCPA) and the Minnesota Association of Public Accountants (MAPA), through the Footnote and MAPAN, are helping the Board to communicate the major changes to the rules. We greatly appreciate their assistance in this endeavor. That said, it is still the responsibility of each licensee to read and understand the rules under which we practice.

2. Congratulations to Sharon Jensen who was appointed by the Governor to her second term on the Board. In addition to serving on the Board's Executive Committee, she has been representing Minnesota on two National Association of State Boards of Accountancy (NASBA) committees giving the Board insight to regulatory issues across the United States, allowing the Board to be proactive in the regulatory environment.

3. I would also like to thank John Edson, outgoing chair of the Quality Review Oversight Committee (QROC), and John Arlandson, member of the QROC, for their service in providing valuable oversight of the peer review processes of MAPA and the MNCPA. We are in need of three new members for the QROC. If you have peer review experience and want to give back to the profession, please contact the Board office or your professional association.

Finally, I would like to send a BZ (Bravo Zulu) to the staff of the Board of Accountancy who do so much to help protect our profession. The scope and quality of oversight of the profession is always changing and expanding and they keep the Board ahead of the curve.

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BOARD CONTACT INFORMATION

Phone: 651-296-7938

Fax: 651-282-2644

TTY: 800-627-3529

www.boa.state.mn.us

Did You Know?

The Board's website has a variety of useful tools and information. You can look up the license status of CPAs and CPA firms, change your address, file a complaint, obtain application information and find updates on Board statutes and rules and Board meeting information. Bookmark the Board's website and visit often!

New Rules in Effect

The Board's Notice of Adoption of rules regarding license renewal, firm registration, continuing professional education and housekeeping updates was published in the State Register on April 21, 2014. **The rules were effective April 28, 2014.**

What does this mean for you?

The three-year renewal cycle will be phased out. When your current license expires (either in 2014, 2015 or 2016), your license will be renewed for one year.

The July 31 Continuing Professional Education reporting deadline has been removed. Continuing education must be completed by June 30 and must be reported by December 31 each year.

Continuing education requirements are clarified, but the actual requirements have not changed. Within a rolling three-year period, you must complete a minimum of 120 hours of CPE, with a minimum of 20 hours per year and 8 hours of ethics training. Of those 120 hours, at least 24 must be from instructor-led programs and 72 hours must be from Board-approved sponsors.

CPA firms may use a common brand name or network name as its firm name if the firm meets certain requirements. The use of a common brand name or network name is not misleading. Firms may not use its name until it has been registered with and approved by the Board.

Misleading and fictitious firm names have been defined.

To read the Board's adopted rules, please visit the website at www.boa.state.mn.us.

BOARD MEMBERS

Term Expiration

Robert P. Saunders, CPA <i>Board Chair</i>	January 2015
Gregory Steiner, CPA <i>Vice Chair</i>	January 2015
Sharon Jensen, CPA <i>Secretary/Treasurer</i>	January 2018
Kristine Eustice Public Member	January 2015
Thomas Lydon, CPA	January 2016
Kate Mooney, PhD, CPA	January 2016
Mark Sellner, CPA	January 2016
Scott Van Binsbergen Public Member	January 2015
Michael M. Vekich, CPA	January 2017

BOARD CONTACTS

Doreen Frost 651-757-1517	<i>Executive Director</i> doreen.frost@state.mn.us
Bev Carey 651-757-1514	<i>Investigator</i> bev.carey@state.mn.us
Kufre Eyoh 651-757-1522	<i>Complaint Specialist</i> kufre.eyoh@state.mn.us
Holly Salmela 651-757-1520	<i>State Program Administrator</i> holly.a.salmela@state.mn.us
Vicky Oehrlein 651-757-1521	<i>Office and Administrative Specialist Intermediate</i> vicky.oehrlein@state.mn.us

Board Member Re-appointed



On March 24, 2014, **Sharon Jensen, CPA**, was appointed by Governor Dayton to a second four-year term.

Ms. Jensen has actively participated in the recent modifications to the Board's statutes and rules and is currently serving on the Legislative and Rules Committee and the Complaint Committee. She was elected to the Executive Committee in December as the Secretary/Treasurer.

Congratulations Sharon!

IRS Office of Professional Responsibility

News from the Internal Revenue Service

By Carole Smith, Stakeholder Liaison, IRS

Virtual Currencies

The Internal Revenue Service has issued guidance on the tax treatment of transactions using virtual currencies, such as Bitcoins or other similar currencies.

The sale or other exchange of virtual currencies, or the use of virtual currencies to pay for goods or services, or holding virtual currencies as an investment, generally has tax consequences that could result in tax liability. This guidance applies to individuals and businesses that use virtual currencies.

See Notice 2014-21 for more information.

What is a CAF number?

A CAF number is a unique nine-digit identification number and is assigned the first time you file a third party authorization with IRS. A letter is sent to you informing you of your assigned CAF number. Use your assigned CAF number on all future authorizations.

CAF numbers are different from the third party's TIN (Taxpayer Identification Number), EIN (Employer Identification Number) or PTIN (Preparer Identification Number). CAF numbers may be assigned to an individual or a business entity.

If you are a tax professional and cannot remember your CAF number, you may call the Practitioner Priority Service, otherwise known as PPS. PPS may be reached

at (866) 860-4259. Once you provide your authenticating information, they can verbally give it to you over the phone. If PPS is unable to authenticate you as the owner of the CAF number then PPS will mail the number to the CAF address of record.

Do you know the proper way to complete a Form 2848 when your client is a LLC? See irs.gov for more information, www.irs.gov/uac/Powers-of-Attorney-for-LLCs.

TDS No Longer Processing Transcript Requests for ID Theft Victims

To help better protect taxpayer information, the IRS will no longer process transcript requests through the Transcript Delivery System if an Identity Theft Indicator is on the taxpayer's account. A taxpayer, instead, will receive a notice alerting him or her of any request for the transcript and instruct the taxpayer to contact the Identity Protection Specialized Unit at 1-800-908-4490. Once proper authentication has been performed, the IRS will issue a transcript directly to the taxpayer.

Automatic Extension of Time for Estates Without a Filing Requirement

Revenue Procedure 2014-18 provides an automatic extension of time for certain estates without a filing requirement to elect portability of the decedent's unused exclusion amount for the benefit of the decedent's surviving spouse. No user fee is required for submissions filed under this revenue procedure.

Elijah Watt Sells Award Winners

This award is presented to CPA candidates who obtain the highest combined grades when taking all four sections of the Uniform Certified Public Accountant Examination at one administration.

The award was created in 1923 to honor Elijah Watt Sells, a founding partner of Haskins & Sells, which was a predecessor to the international firm Deloitte & Touche. Mr. Sells was active in the creation of the AICPA.

Congratulations on achieving this award!



Carianne Taggart of Richfield, Minnesota is a 2008 graduate of Northwest Missouri State University with a Bachelor's Degree in Accounting and Finance. She was licensed as a CPA in Minnesota on April 19, 2013 and is currently employed at CliftonLarsonAllen, LLP.



Nathan Chivers of Lakeville, Minnesota is a graduate of the University of Wisconsin - Madison with a Bachelor of Business Administration and Master of Accountancy. He is currently employed by Ernst & Young, LLP.



Grant M. Daffin of Tulsa, Oklahoma graduated from the University of Minnesota Carlson School of Management with a Master's Degree in Accountancy in 2013. He is currently employed by Ernst & Young, LLP in Tulsa, Oklahoma.

Disciplinary Actions

Disclaimer: Every effort has been made to ensure that the following summary of enforcement information is correct; however, this information should not be relied upon without verification from the Board office. It should be noted that the names of companies and individuals listed may be similar to the names of parties who have not had enforcement actions taken against them. Disciplinary orders are public data and copies may be obtained by contacting the Board office.

On November 12, 2013, the Board issued the following orders:

In the Matter of James J. Maiser, CPA Firm Permit #05122

Facts:

- Respondent failed to complete a Peer Review for the year under review ended June 30, 2011.
- It is alleged that Respondent failed to comply with the applicable quality review requirements as set out in Minnesota statutes and rules.
- Respondent failed to renew his CPA firm permit by the established December 31, 2012 deadline.
- It is alleged that Respondent failed to renew his firm permit in a timely manner as required by Minnesota statutes and rules.

Remedy: Respondent shall pay to the Board a CIVIL PENALTY of \$1,000.

On December 9, 2013, the Board issued the following orders:

In the Matter of Peter and Associates, LLC CPA Firm Permit #01216

The Board issued a Stipulation and Consent Order.

Facts:

- A review of the system of quality control for Respondent's accounting and auditing practice for the period ended December 31, 2010, resulted in a peer review rating of fail. The principal findings were as follows:

- 1) Respondent failed to use a written audit program as required by professional standards.
 - 2) Respondent's audit procedures were not adequately performed or documented, including in the areas of planning and reporting.
 - 3) The audit work performed by Respondent for a U.S. Department of Housing and Urban Development (HUD) audit did not support the opinion issued and was not performed in conformity with applicable professional standards.
- Respondent did not timely file the quality review mate-

rials with the Board as required by Board rules.

- It is alleged that Respondent failed to comply with the applicable quality review requirements as set out in Minnesota statutes and rules.

Remedy: Respondent's CPA firm permit is CENSURED and REPRIMANDED and Respondent shall pay to the Board a CIVIL PENALTY of \$2,000.

On January 17, 2014, the Board issued the following orders:

In the Matter of James Carlyle Madsen, CPA CPA Firm Permit #09440

The Board issued a Stipulation and Consent Order.

Facts:

- A review of Respondent's accounting engagements for the period ended December 31, 2011 resulted in a peer review rating of fail.

- It is alleged that Respondent failed to comply with the applicable quality review requirements as set out in Minnesota statutes and rules.

Remedy: Respondent shall pay to the Board a CIVIL PENALTY of \$1,000. In addition to the pre-issuance review required by the Minnesota Association of Public Accountants, Respondent shall engage an outside party acceptable to the Board to perform a pre-issuance review of the next compilation engagement issued subsequent to Respondent's most recent peer review.

Order for Automatic Revocation of CPA Certificate

Pursuant to Minnesota Statutes 326A.04, subdivision 11 (2012), the CPA certificate of persons who have failed to renew their certificate for a period of more than two years shall be automatically revoked. IT IS HEREBY ORDERED that the CPA certificate in the State of Minnesota of each Respondent listed below is automatically REVOKED pursuant to Minnesota Statutes 326A.04, subdivision 11 (2012). The revocation shall take effect immediately. If any Respondent wishes to seek reinstatement of their CPA certificate, Respondent shall petition the Board pursuant to Minnesota Statutes 326A.09 (2012). The Board's consideration of and action upon any petition for reinstatement will be governed by Minnesota Statutes 326A.09 (2012) and other applicable Board Statutes and/or Rules in effect at the time the petition is received by the Board.

Adopted and Implemented on January 17, 2014:

Deeann Mary Adams, #17327
Nicole Marie Blanchard, #25646
Michael Alan Dalton, #26355
Jordan David Fredkove, #26364
Michael Eugene Graves, #26365

Rachel Kathleen Greely, #26556
Kellie Darlaine Groom, #21469
William Edward Irrgang, #03213
Rhonda Rae Isaacson, #18690
Glaydon Paul Iverson, #07257
Timothy Patrick Jacobs, #17605
Michael Allen Jacoby, #15700
Susan Jean Jaeger, #16110
Shehab MH Jafari, #25293
Edward Roger Janzig, #21760
Thomas Francis Jasper, #17932
David B. Jenkins, #07499
Karen Elaine Johnsen, #24516
Donald Raymond Johnson, #03621
Keir Ian Johnson, #17934
Michael Edward Johnson, #26637
Nancy A. Johnson, #18125
Pamela Kaye Johnson, #11378
Michelle Anne Johnston, #06351
Angela Marie Jones, #25967
Tessa Marie Jones, #20408
Robert Anthony Jozwiak, #22306
Daniel Alfred Juntunen, #18571
Katherine M. Kaczmarek, #26564
Adrian Owen Kadue, #22014
Bruce A. Kaihoi, #12138
Kristin Elvera Kaiser, #24157
Kermit Lars Kalleberg, #C1066
Steven Elliot Katz, #12143
Christopher Kausch, #18714
Bruce D. Keller, #13972
Stephen John Kempainen, #11038
Mark Raymond Kennedy, #06328
David Douglas Kent, #11770
Duane J. Kerin, #C1800
Edward J. Kernan, #21829
David J. Kisch, #18444
Ernest Theodore Klinger, #C1530
Gregory John Klingler, #15724
Maurice Klingsporn, #03993
Gretchen Lissette Koehn, #08023
Gary Glenn Korby, #10651
Steven Farrell Kraemer, #05770
Larry V. Kroll, #04957
Luebbert Willm Kruizenga, #20007
Scott G. Krusemark, #19163
Stephen Christopher Kubes, #21143
Deborah E. Auth Kuehner, #15930
Lisa Marie Kunz, #14321
Soo Hyon Kwon, #25123
Kenneth Francis Landherr, #14537
Brandynn Young Landroche, #23237
Jane Alice Landry, #14151
Bruce Jeffrey Langer, #16548
Gwenn Lynette Larson, #14155
Sheryl Ann Larson, #19185
Thomas Edward Larson, #04213
Megan R. Lausten, #26378
Douglas James Law, #
Mui Lee, #18752
Rachele Marie Lehr, #20804
Dennis Lesmeister, #03479
Alvin Eugene Lewis, #06080
Randy John Lewis, #19465
Jerry Robert Licari, #02324
Lori Ann Licht, #05745

Peng Lin, #18298
Andrea Kay Ling, #09110
Tracey Elaine Littfin, #16166
Nancy L. Litwinski, #22172
Douglas Allen Livdahl, #05121
David Russell Lloyd, #25258
Julie Ann Lovin, #10680
Marcia Beth Lowry, #22642
Gerald L. Lucke, #03571
Michael G. Lutze, #22028
John Joseph Lynch, #14946
Kathleen Alice Madryga, #17649
Donald L. Malm, #21609
David G. Manzavrakos, #25727
Daniel Bert Marcotte, #08774
Gottlieb John Marmet, #05133
Richard Neven Martin, #06095
Wendy K. Mateega, #22818
Robert Paul Matheson, #02681
Alan Wayne Matthias, #C1343
Christopher L. Mattke, #24198
Roger John Maulik, #02281
Richard James McClellan, #05095
Jonathan W. McCorkell, #17654
James Phillip McCormick, #11607
Scott Michael McFadden, #19476
Ekaterina McGregor, #21160
Jodi Marie McKee, #16813
Carolynn Alice Meeker, #23765
Sheri Alane Merklings, #15769
Holly L. Meyer, #19092
Sherry Bernice Meyer, #15323
Gabrielle E. Meyertholen, #19184
Laurie Beth Mikkonen, #17302
Rebecca Jane Milless, #07917
Samuel R. Milner, #23914
Marvin Kenneth Mirsky, #02109
Laura Ann Mische, #14822
Delmar Ray Mohler, #06099
Andrew E. Mohr, #26075
Henry Eigen Moller, #02571
Jon T. Monacelli, #18897
James Lee Morris, #23168
Kevin John Mortezaei, #25776
Ntchanang Mpafe, #24603
Patricia Lyn Muir, #06642
Brian James Mulrooney, #26661
Christopher John Murphy, #12204
Thomas Martin Murray, #17316
Heidi Tabor Myers, #24719
Jan Perry Nagel, #05348
Carman Ann Nelson, #24928
Daniel Allen Nelson, #21772
Karen Lynn Nelson, #15507
Shelley Lynn Nelson, #22091
Todd James Nelson, #09827
Gary Gene Ness, #04756
Kathryn Leigh Nevens, #24088
Rick John Noel, #15103
Nicholas John Novak, #22989
Norman Karl Nystrom, #09468
Linda Lois O'Connell, #13885
Agnes D. O'Connor, #11463
Geoffrey Peter O'Connor, #06250
Richard James Olds, #11454
Marjean Renae Olsen, #22131

Candida Ann Olson, #18000
Peter Benjamin Olson, #03456
Baris Oran, #24745
Joel B. Oraw, #25028
Jodie Marie Ostergren, #24089
Scott A. Osterman, #25947
Eric P. Ostmo, #24550
Julia A. Langer Ozenberger, #19306
Scott William Paintner, #21005
Toni Tong Palmstein, #24861
Janki P. Parikh, #24742
Tiana Lee Parpart, #24551
Mary Jo Pearson, #16217
Sigfred Wilbur Peck, #04545
Dustin Alan Pederson, #25138
Michael John Pelzel, #20748
Michael Ross Peterzen, #26235
Kirk Courtney Phillips, #13421
Joel Edwin Pike, #13823
Randolph J. Pladson, #04432
Brian Bruce Plath, #25649
Kristen June Poore, #22177
Phyllis Diane Posner, #06369
Dennis Lawrence Power, #18449
Brandon Robert Pratt, #24779
Jason Steven Price, #22994
Nataly B. Pugachevsky, #17702

On April 8, 2014, the Board issued the following orders:

**In the Matter of Steven Greer
Bennewitz
Certificate #27753**

The Board issued a Stipulation and Consent Order.

Facts:

-Respondent passed the Uniform Certified Public Accountant Examination in 2010 and met the experience requirement in 2011.

- Respondent was required to apply for a license within 60 days of meeting the education and experience requirements for issuance of a CPA certificate.

- Respondent's initial application for an active CPA certificate was received by the Board on April 29, 2013; one year and six months after meeting the experience requirement.

- Respondent failed to apply for an active CPA certificate when required to do so.

Remedy: Respondent's certificate is CENSURED and REPRIMANDED and Respondent shall pay to the Board a CIVIL PENALTY of \$250.00.

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Failure to Renew Active CPA Certificate		Facts			Remedy					
		- Respondent's certificate expired and Respondent failed to renew the certificate or notify the Board that the Respondent was electing exemption from renewal. - Respondent violated MN Stat. §326A.08, subd. 5 (a)(1) (2012) and MR 1105.7800 D (2011).			- Respondent's certificate is CENSURED and REPRIMANDED. - Respondent shall pay the fees listed below and apply for an active CPA certificate. - Respondent shall submit to the Board written documentation satisfactory to the Board of having completed a minimum number of continuing education credits as specified below that would have been required had Respondent continuously held an active certificate.					
Date Stipulation and Order Issued	In the Matter of:	Certificate Expired on:	Failed to Renew Certificate for Cycles:	Date Revoked	Civil Penalty	Certificate Renewal Fees	Delinquency Fees	License Surcharge Fees	Reinstatement Application Fee	CPE Due
November 12, 2013	Jeffrey E. Scripture Cert. #21440	12/31/2004	2005-2011	4/27/07	\$750.00	\$405.00	\$350.00	\$23.50	\$20.00	120 hours
	Jay Abram Zack Cert. #06638	12/31/2010	2011	5/13/13	\$750.00	\$135.00	\$50.00	\$13.50	\$20.00	120 hours
December 9, 2013	Shamim K. Topiwala Cert. # 24816	12/31/2009	2010 and 2011	10/15/12	\$750.00	\$180.00	\$100.00	\$18.50	\$20.00	120 hours
	Sean Patrick McDonald Cert. #26071	12/31/2010	2011 and 2012	7/15/13	\$750.00	\$290.00	\$100.00	\$30.00	\$20.00	40 hours
January 17, 2014	Raylin Marie Patterson Cert. #12145	12/31/1991	1992-2010 and 2012	10/16/98	\$750.00	\$1035.00	\$1,000.00	\$27.50	\$20.00	120 hours
April 8, 2014	Sherree Lynn Amstutz Cert. #23789	12/31/2009	2010 and 2013	10/15/12	\$0.00	\$335.00	\$100.00	\$23.50	\$20.00	120 hours
	Timothy Patrick Jacobs Cert. #17605	12/31/2011	2012	1/17/14	\$750.00	\$200.00	\$50.00	\$25.00	\$20.00	120 hours
	Dean Alan Jorgensen Cert. #07652	12/31/2006	2007-2010 and 2012	4/21/09	\$750.00	\$470.00	\$250.00	\$40.00	\$20.00	120 hours
	Janki P. Parikh Cert. #24742	12/31/2011	2012	1/17/14	\$750.00	\$245.00	\$50.00	\$25.00	\$20.00	120 hours

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Respondent shall cease and desist from violation of any statute, rule or order that the Board has issued or is empowered to enforce.

**In the Matter of Jolene Schimek, CPA
Firm Permit #01443**

The Board issued a Stipulation and Consent Order.

Facts:

- Respondent's CPA firm permit expired in 2010 and Respondent failed to renew the firm permit.

- After the expiration of its firm permit, Respondent held out to the public in Minnesota as a CPA firm using the name Jolene M. Shimek, CPA, Ltd. on its website in connection with two Minnesota business addresses.

- Respondent admitted that her firm permit expired in 2010 and that Respondent performed compilations for clients after the expiration of the CPA firm permit.

Remedy:

- Respondent shall pay to the Board a CIVIL PENALTY of \$1,000.00.

- Respondent shall not use the business name *Jolene M. Shimek, CPA, Ltd.* in Minnesota until Respondent has met all applicable Board requirements for renewal of the firm permit and the firm permit has been renewed by the Board.

- Respondent shall not hold itself out to the public as a Minnesota CPA firm in any manner, whether in written, oral, electronic, or other communications until such time as Respondent's CPA firm permit has been renewed by the Board.

		Facts			Remedy				
		<p>- Respondent's certificate expired and Respondent failed to renew the certificate or notify the Board that the Respondent was electing exemption from renewal.</p> <p>- Respondent violated MN Stat. §326A.08, subd. 5 (a)(1) (2012) and MR 1105.7800 D (2011).</p>			<p>- Respondent's certificate is CENSURED and REPRIMANDED.</p> <p>- Respondent shall pay the fees listed below.</p> <p>- Respondent shall apply for an inactive certificate.</p> <p>- Respondent shall not engage in activities requiring an active certificate in this state, including but not limited to the performance of attest services, nor shall Respondent hold out to the public in any manner so as to suggest that the Respondent holds an active certificate.</p> <p>- Respondent shall comply with MN Stat. §326A.04, subd. 4 (2012).</p>				
Date Stipulation and Order Issued	In the Matter of:	Certificate Expired on:	Failed to Renew Certificate for Cycles:	Date Revoked	Civil Penalty	Certificate Renewal Fees	Delinquency Fees	License Surcharge Fees	Reinstatement Application Fee
November 12, 2013	Pamela Marie Reagan Cert. #18788	12/31/2009	2010 and 2011	8/17/12	\$750.00	\$25.00	\$100.00	\$15.00	\$20.00
	Michael John Skwira Cert. #C1742	12/31/2010	2011	7/15/13	\$750.00	\$45.00	\$50.00	\$15.00	\$20.00
April 8, 2014	Laurie Beth Mikkonen Cert. #17302	12/31/2011	2012	1/17/14	\$750.00	\$60.00	\$50.00	\$6.00	\$20.00
	Agmes D. O'Connor Cert. #11463	12/31/2011	2012	1/17/14	\$750.00	\$60.00	\$50.00	\$6.00	\$20.00
	Geoffrey Peter O'Connor Cert. #06250	12/31/2011	2012	1/17/14	\$750.00	\$60.00	\$50.00	\$6.00	\$20.00
	Brian John Wierzbinski Cert. #06193	12/31/2010	2011 and 2014	5/13/13	\$750.00	\$70.00	\$100.00	\$10.00	\$20.00

**In the Matter of Subramanian Krishnan
Certificate #07680**

The Board issued a Stipulation and Consent Order.

Facts: On July 15, 2013, the United States District Court for the District of Minnesota entered final judgment, to which Respondent consented, in SEC v. Subramanian Krishnan (Civil No. 0:12-cv-02495-PAM-JJG) (the "Final Judgment"). The Final Judgment included an order:

(1) permanently restraining and enjoining Respondent from future violations of Section 17(a) of the Securities Act of 1933; Sections 10(b) and 13(b)(5) of the Exchange Act and Rules 10b-5, 13b2-1, 13b2-2 and 13a-14 thereunder, and from aiding and abetting violations of Sections 13(a), 13(b)(2)(A) and 13(b)(2)(B) of the Exchange Act and Rules 12b-20, 13a-1 and 13a-13 thereunder;

(2) prohibiting Respondent from acting as an officer or director of a public company for five (5) years; and

(3) ordering Respondent to pay a civil penalty of \$60,000 to the United States Securities and Exchange Commission.

On July 30, 2013, the United States Securities and Exchange Commission ("SEC") issued a Corrected Order Instituting Administrative Proceedings Pursuant to Rule 102(e) of the

Commission's Rules of Practice, Making Findings and Imposing Remedial Sanctions against Respondent (the "SEC Order"). Respondent consented to issuance of the SEC Order. (SEC Order, section II). The SEC Order suspended Respondent "from appearing or practicing before the Commission as an accountant," effective immediately, and provided that "[a]fter five years (or 60 months) from the date of this order, Respondent may request that the Commission consider his reinstatement by submitting an application...to resume appearing or practicing before the Commission" and established conditions that Respondent must meet before the SEC will consider an application by Respondent to resume appearing or practicing before the SEC. (SEC Order, section IV).

Remedy:

- Respondent's Certified Public Accountant Certificate is REVOKED.

- Respondent shall not offer to perform or perform services required by law to be performed by a Certified Public Accountant as set forth in Minnesota Statutes Chapter 326A (2012) and Minnesota Rules Chapter 1105 (2011); and Respondent shall not use the designations "Certified Public Accountant" nor "CPA" in connection with his name, nor shall Respondent hold himself out as a Certified Public Accountant or CPA in any manner in Minnesota.

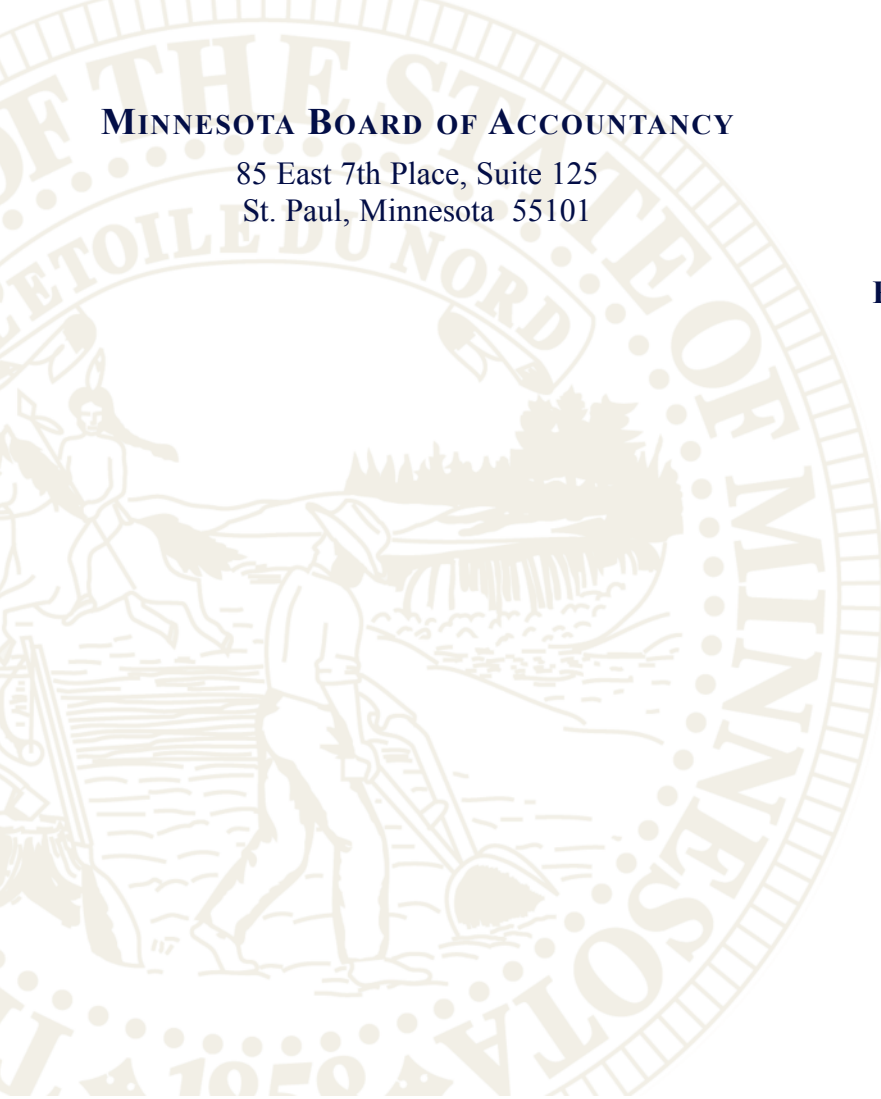
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MINNESOTA BOARD OF ACCOUNTANCY

85 East 7th Place, Suite 125
St. Paul, Minnesota 55101

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Return Service Requested



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- Respondent shall pay to the Board a CIVIL PENALTY of \$2,000.00.

- Respondent agrees that he will not petition to reinstate his CPA certificate until at least two (2) years after the date the Board Chair signs this Stipulation and Order.

**In the Matter of Diane Kae Dubej, Cert. #15233
and
Diane K. Dubej, CPA, Firm Permit #15233**

The Board issued an Order for Suspension of CPA Certificate and Firm Permit.

Facts: On February 20, 2014, the Board received a Notice of Noncompliance from Dakota County Child Support and Collections, which advised the Board that Respondent is not in compliance with a court order for child support. Under Minnesota Statutes section 214.101 (2012), the Board must suspend Respondent’s Certified Public Accountant (CPA) Certificate.

Remedy:

- Respondent’s CPA Certificate and CPA firm permit in the State of Minnesota are SUSPENDED pursuant to MN Stat. §214.101 (2012).

- During the period of suspension, Respondent shall not offer to perform or perform any services in this state that

are required to be performed by a Certified Public Accountant (CPA), and Respondent shall not hold herself out to the public as a Certified Public Accountant or “CPA” and shall remove the designation of being a CPA from all advertisements, business cards, business forms, and signage.

- The suspension shall take effect immediately and shall remain in effect until the Board receives notification from Dakota County Child Support and Collections confirming that Respondent is in compliance with both current support and arrearages.

**In the Matter of Diane Kae Dubej, Cert. #15233
and
Diane K. Dubej, CPA, Firm Permit #15233**

The Board issued an Order to Reinstate CPA Certificate and Firm Permit.

Facts: On April 9, 2014, the Board received a Notice to Reinstate Occupational or Professional License(s) from Dakota County Child Support and Collections requesting that the Board reinstate Respondent’s certificate.

Remedy: The Order for Suspension issued to Respondent on February 27, 2014, is hereby RESCINDED and shall have not further force and effect. The Certified Public Accountant (CPA) certificate and the CPA firm permit issued to Respondent are REINSTATED.