

**BEFORE THE DIRECTOR
OF THE
DEPARTMENT OF PESTICIDE REGULATION
STATE OF CALIFORNIA**

In the Matter of
Fraudulent Records by

SETTLEMENT AGREEMENT

Richard Garriott
P.O. Box 1461
Shafter, CA 93263

Respondent/_____

This Settlement Agreement ("Agreement") is entered into by and between the California Department of Pesticide Regulation ("the Department"), and Mr. Richard Garriott ("Mr. Garriott"), collectively referred to as the Parties.

1. Food and Agricultural Code section 11792, subdivision (d) provides that it is unlawful for any person to make any false or fraudulent statement, record, or report or use fraud or misrepresentation in connection with meeting any license requirement.

2. Mr. Garriott applied to be a sponsor of a continuing education course, the purpose of which was to provide students with 10 hours of continuing education credit in connection with renewing the students' licenses under the Food and Agricultural Code and California Code of Regulations, Title 3, section 6511.

3. On November 6, 2017, Mr. Garriott taught a continuing education course. Mr. Garriott provided each of the 39 students a Certificate of Completion indicating that each student completed 10 hours of continuing education. However, the class was only 4.5 hours in duration.

4. On November 7, 2017, Mr. Garriott taught a continuing education course. Mr. Garriott provided each of the 31 students a Certificate of Completion indicating that each student completed 10 hours of continuing education. However, the class was only 4.5 hours in duration.

5. Mr. Garriott admits violating California Food and Agricultural Code section 11792, subdivision (d).

6. The Parties agree by this Agreement to resolve this matter without the need for formal litigation.

THEREFORE, the Parties agree as follows:

7. The Department shall take no further civil or criminal action against Mr. Garriott for the actions described in paragraphs 2 through 4.

8. Mr. Garriott shall pay the Department \$3,000 in payments as follows: \$1,000 on August 27, 2018; \$1,000 on August 26, 2019; and \$1,000 on August 26, 2020. Each check shall be payable by check **made out to "Cashier, Department of Pesticide Regulation,"** and mailed to:

Daniel Rubin
Office of Legal Affairs
Department of Pesticide Regulation
1001 I Street, P.O. Box 4015
Sacramento, California 95812-4015

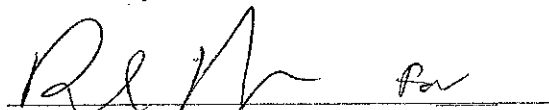
A copy of this agreement shall accompany the check.

9. Mr. Garriott agrees that he will no longer be eligible to apply to be a continuing education sponsor or a continuing education teacher, or otherwise participate in any way in continuing education related in any way to pesticides. This includes, but is not limited to courses related to license application or renewal under California Code of Regulations, Title 3, sections 6510 through 6512.

10. This Agreement constitutes the entire understanding between the Parties, is not intended to benefit or obligate any third party, and fully supersedes all prior written or oral negotiations between the Parties.

11. This Agreement tolls the statute of limitations relative to any violation covered by this Agreement and upon breach of any terms of this Agreement, at the discretion of the Department it becomes null and void, and the Department may take action concerning that violation.

Executed by:



Brian Leahy
Director
Department of Pesticide Regulation

on August 29, 2018
at Sacramento, California



Mr. Richard Garriott

on 22 AUGUST, 2018

at SHAN-TEC, California
(city)