

IOWA ACCOUNTANCY EXAMINING BOARD

90-28

IN THE MATTER OF: )  
 )  
Bret M. Schwier ) STIPULATION  
IOWA CPA CERTIFICATE )  
NO. 3596 )  
RESPONDENT )

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WHEREAS, it has come to the attention of the Iowa Accountancy Examining Board that Bret M. Schwier has:

1. Prepared financial statements which are not in conformity with Generally Accepted Accounting Principles and;
2. Practicing as a certified public accountant in a firm that is not registered as a firm of certified public accountants.

WHEREAS, following the investigation of this matter Bret W. Schwier was given the opportunity to appear voluntarily with legal counsel before the Board's Committee on Ethics and Enforcement to be apprised of the results of the investigation and to orally present additional data, views and comments at an informal conference held on May 23, 1991, and;

WHEREAS, Bret W. Schwier with full knowledge of the investigation, its potential legal consequences, the right to counsel, and the right to formal adjudicatory proceedings under Iowa Code section 116.23, did appear voluntarily;

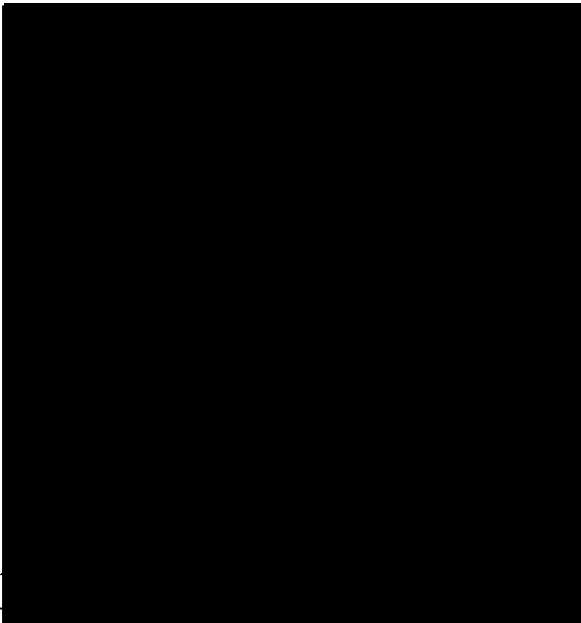
NOW THEREFORE, the Iowa Accountancy Examining Board and Bret W. Schwier do hereby stipulate and agree as follows:

1. Bret W. Schwier shall cease practicing as a CPA in the office of R. E. Scott. Mr. Schwier shall remove his CPA certificate and permit to practice from the wall of his office at R. E. Scott; shall not perform services requiring a CPA certificate while under the auspices of his position at R. E. Scott; and shall not use the CPA designation or hold himself out in any manner as a CPA in the R. E. Scott office.
2. Bret W. Schwier shall cease from using the CPA designation in the course of representation of R. E. Scott tax clients before the Internal Revenue Service. If he continues to engage in such representation, he shall do so in a manner other than under his CPA certificate and permit to practice.

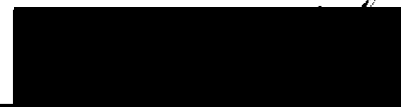
3. Bret W. Schwier, if he chooses to continue his CPA practice outside the offices of R. E. Scott, shall develop a reference library, utilizing the materials published by the Practitioners Publishing Company, P. O. Box 966, Fort Worth, Texas 76101-0966. The materials shall be ordered before Mr. Schwier performs any work as a CPA outside the offices of R. E. Scott. A copy of the shipping invoice for all material ordered shall be submitted to the Board office within ten days of receipt of the reference materials.
4. Failure to execute the provisions of the Stipulation shall result in the Board setting a date for a formal hearing for failure to comply with an order of the Board pursuant to Iowa Code section 258A.3(2)(a).
5. This agreement shall constitute the entire agreement of the parties hereto and is intended to be a final disposition of all matters which are the subject of this stipulation. Satisfactory completion of the terms of this stipulation shall be considered a final disposition of this matter and no other proceedings shall be instituted in this matter.
6. This stipulation is voluntarily entered into by Bret W. Schwier and Bret W. Schwier fully realizes the legal consequences of this stipulation.

Dated this 23rd day of May, 1991.

FOR THE BOARD:



RESPONDENT:



          
Bret W. Schwier