

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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 In the Matter of the Petition of: :
 :
 PERA-BATT COLLISION AND AUTO SERVICE, :
 INC., :
 :
 Petitioners, :
 :
 To Review Under Section 101 of the Labor Law: :
 An Order to Comply with Article 6 and An Order :
 under Article 19 of the Labor Law, dated March 12, :
 2009, :
 :
 - against - :
 :
 THE COMMISSIONER OF LABOR, :
 :
 Respondent. :
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DOCKET NO. PR 09-065

RESOLUTION OF DECISION

WHEREAS:

1. Pursuant to Labor Law § 101 and Part 66 of the Industrial Board of Appeals' Rules of Procedure and Practice (Rules) (12 NYCRR Part 66), the above proceeding was commenced on March 31, 2009 by filing a petition for review of the Orders that the Commissioner of Labor (Commissioner) issued against the Petitioner on March 12, 2009; and
2. Pursuant to a request by the Board, Petitioners filed an Amended Petition on May 7, 2009; and
3. Respondent Commissioner of Labor filed an answer to the petition on June 18, 2009; and
4. The pre-hearing teleconference scheduled to be held on November 23, 2009 was cancelled at the request of the parties due to settlement; and
5. On February 16, 2010, the parties filed a fully executed stipulation settling this matter; and
6. The parties' stipulation of settlement provides that by executing the stipulation, the Petitioner withdraws the petition; and

7. Rule 65.15 provides that at any stage of a proceeding, a party may withdraw the petition with the Board's approval; and
8. The Board approves the petitioner's withdrawal of the petition.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

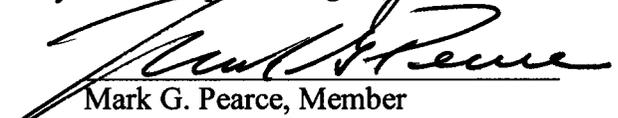
This proceeding be, and the same hereby is, discontinued in accordance with the Board's Rules.



Anne P. Stevason, Chairman



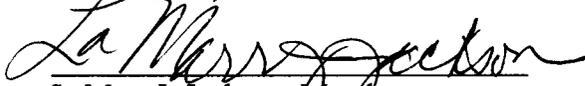
J. Christopher Meagher, Member



Mark G. Pearce, Member



Jean Grumet, Member



LaMarr J. Jackson, Member

Dated and signed in the Office
of the Industrial Board of Appeals
at New York, New York, on
March 24, 2010.