

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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Susan Sullivan-Bisceglia
J. Christopher Meagher
Mark G. Pearce
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STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

In the Matter of the Petition of:

KERNER MANUFACTURING & TRIMMING CO., INC.,
Petitioner,

To review under Section 101 of the Labor Law: An Order
to Comply under Article 6 of the Labor Law, dated
September 28, 2007

-against-

THE COMMISSIONER OF LABOR,
Respondent.

DOCKET NO. PR 07-055

RESOLUTION OF DECISION

WHEREAS:

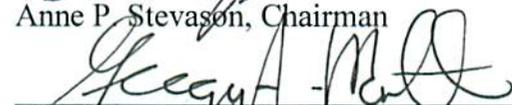
1. Pursuant to Labor Law § 101 and Part 66 of the Board's Rules of Procedure and Practice (Rules) (12 NYCRR Part 66), the above proceeding was commenced on October 2, 2007, by the filing of a petition to review an order that the Commissioner of Labor (Commissioner) issued against the petitioner on September 28, 2007; and
2. The Commissioner filed an answer to the petition on January 28, 2008; and
3. On March 4, 2008, the parties filed a fully executed stipulation settling this matter; and
4. The parties' stipulation of settlement provides that by executing the stipulation, the petitioner withdraws the petition with prejudice; and
5. Rule 65.15 provides that at any stage of a proceeding, a party may withdraw the petition with the Board's approval; and
6. The Board approves 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



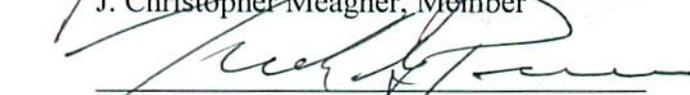
Gregory A. Monteleone, Member

ABSENT

Susan Sullivan-Bisceglia, Member



J. Christopher Meagher, Member



Mark G. Pearce, Member

Dated and signed in the Office of the Industrial Board of Appeals, at New York, New York, on March 26, 2008.

Filed in the Office of the Industrial Board of Appeals, at Albany, New York, on March 28, 2008.