

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of: :
 :
MICHAEL J. MAHAN :
(T/A TERRASYN GROUP INC.), :
 :
Petitioner, :
 :
To review under Section 101 of the Labor Law: :
An Order to Comply under Article 6 of the :
Labor Law, dated September 7, 2007 :
 :
- against - :
 :
THE COMMISSIONER OF LABOR, :
 :
Respondent. :
-----X

DOCKET NO. PR-07-075

RESOLUTION OF DECISION

WHEREAS:

1. Pursuant to Labor Law Section 101 and Part 66 of the Board's Rules of Procedure and Practice, on November 2, 2007, Petitioner commenced the above proceeding by filing a Petition for review of an Order to Comply (Order) that Respondent issued on September 7, 2007 against Petitioner; and
2. Respondent Commissioner of Labor filed an Answer to the Petition on December 18, 2007; and
3. The parties participated in a pre-hearing telephone conference held on behalf of the Board; and
4. Upon notice by the Board to the parties, a hearing was scheduled and held on May 21, 2008, in Albany, New York; and

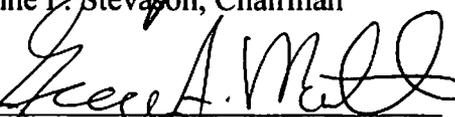
5. At the hearing, the parties entered a Stipulation of Settlement (Settlement) on the record; and
6. The parties' Settlement provides, in part, that the Petitioner withdraws the Petition; and
7. Based upon the above, the Board finds that further review of the Order here is unnecessary and that the proceeding should be discontinued.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

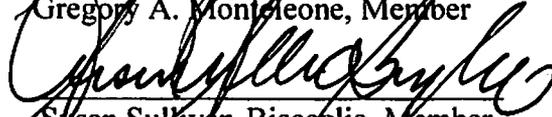
The above proceeding be, and the same hereby is, discontinued in accordance with the Board's Rules of Procedure and Practice.



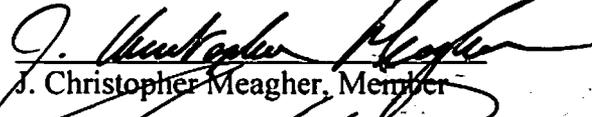
Anne P. Stevenson, Chairman



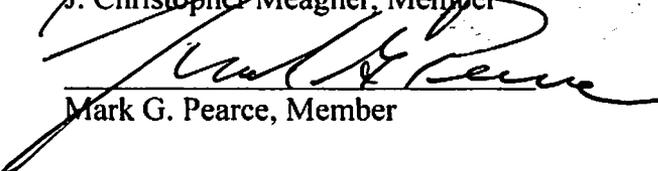
Gregory A. Monteleone, Member



Susan Sullivan-Biscaglia, 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 May 28, 2008.

Filed in the Office of the Industrial Board of Appeals, at Albany, New York, on May 30, 2008.

SMN