

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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J. Christopher Meagher
Mark G. Pearce
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STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Application of: :

CARLO SITA :
(T/A SITA CONSTRUCTION), :

Petitioner, :

To Review Under Section 101 of the Labor Law: :
An Order to Comply under Article 6 and an Order to :
Comply under Article 19 of the Labor Law, dated :
September 28, 2007, :

- against - :

THE COMMISSIONER OF LABOR, :

Respondent. :
-----X

DOCKET NO. PR 07-080

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 November 26, 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 7, 2008; and
3. The parties participated in a pre-hearing telephone conference held on behalf of the Board; and
4. On June 18, 2008, the parties filed a fully executed stipulation settling this matter; and

5. The parties' stipulation of settlement provides that the Petitioner withdraws the petition with prejudice; and
6. The Rules 65.15 provides that at any stage of a proceeding, a party may withdraw the petition with the Board's approval; and
7. 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.



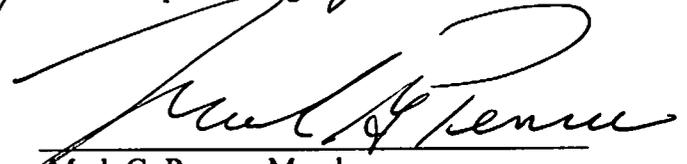
Anne P. Stevason, Chairman



Susan Sullivan-Bisceglia, Member



J. Christopher Meagher, Member



Mark G. Pearce, Member



Jean Grumet, Member

Dated and signed in the Office of the Industrial Board of Appeals, at New York, New York, on June 25, 2008.