

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of:	:
	:
HENRY G. WILAMOWSKI, M.D., P.C.,	:
	:
Petitioner,	:
	:
To Review Under Section 101 of the Labor Law:	:
An Order to Comply with Article 6 of the Labor	:
Law, dated November 2, 2007,	:
	:
- against -	:
	:
THE COMMISSIONER OF LABOR,	:
	:
Respondent.	:
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DOCKET NO. PR 07-108

RESOLUTION OF DECISION

APPEARANCES

Lewandowski & Associates, Brian N. Lewandowski of Counsel, for Petitioner.

Maria L. Colavito, Counsel to the New York State Department of Labor, Benjamin A. Shaw of Counsel, for Respondent.

WHEREAS:

1. Pursuant to Labor Law Section 101 and Part 66 of the Board's Rules of Procedure and Practice (Rules), on December 28, 2007, Petitioner commenced the above proceeding by filing a petition for review of an Order to Comply with Labor Law article 6 (Order) that Respondent Commissioner of Labor (Commissioner) issued on November 2, 2007 against Petitioner; and
2. The Commissioner answered the petition on January 22, 2008; and
3. The parties participated in a pre-hearing telephone conference held on behalf of the Board; and
4. On May 4, 2009 the parties filed a fully executed Stipulation of Settlement; and

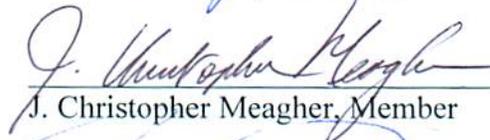
5. The parties' Settlement provides, in part, that the Petitioner withdraws the petition; and
6. Rule 65.15 provides that "[a]t any stage of a proceeding, a party may withdraw his petition . . . subject to the approval of the Board"; and
7. The Board approves the Petitioner's withdrawal of the petition, finds that further review of the Order here is unnecessary, and that the proceeding should be discontinued.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

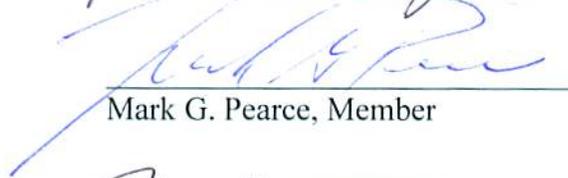
The above proceeding be, and the same hereby is, discontinued in accordance with the Board's Rules.



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 Albany, New York, on
June 18, 2009