

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of:

ISHAN MAQSOOD KHWAJA AND NATIONAL
ELECTRONICS, INC.,

Petitioners,

DOCKET NO. PR 09-040

To Review Under Section 101 of the Labor Law:
An Order to Comply with Article 19 of the Labor Law
and an Order Under Articles 6 and 19 of the Labor
Law, both dated January 9, 2009,

RESOLUTION OF DECISION

- against -

THE COMMISSIONER OF LABOR,

Respondent.
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APPEARANCES

Alan B. Pearl & Associates, P.C., Allan B. Pearl, of counsel for Petitioners.

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

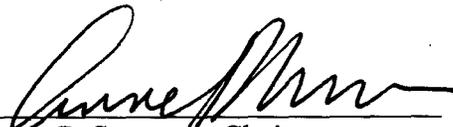
WHEREAS:

1. Pursuant to Labor Law Section 101 and Part 66 of the Board's Rules of Procedure and Practice, on March 5, 2009, Petitioners commenced the above proceeding by filing a petition for review of two Orders that Respondent issued against the Petitioners on January 9, 2009; and
2. Respondent Commissioner of Labor filed an answer to the petition on April 14, 2009; and
3. The parties participated in a pre-hearing telephone conference held on behalf of the Board; and

4. Upon notice to the parties, a hearing was commenced on March 9 and 10, 2010 in Old Westbury, New York before Board Member Jean Grumet, Esq., the designated Hearing Officer; and
5. Petitioners filed an amended petition on April 19, 2010; and
6. Respondent Commissioner of Labor filed an amended answer to the amended petition on May 17, 2010; and
7. On July 12, 2010, the parties filed a fully executed Stipulation of Settlement (Settlement); and
8. The parties' Settlement provides, in part, that the Petitioners withdraw the petition; and
9. 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
10. The Board approves the Petitioners' 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:

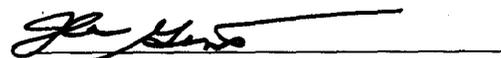
The above proceeding be, and the same hereby is, discontinued in accordance with the Board's Rules.



Anne P. Stevason, Chairman



J. Christopher Meagher, Member



Jean Grumet, Member

LaMarr J. Jackson, Member

Absent

Jeffrey R. Cassidy, Member

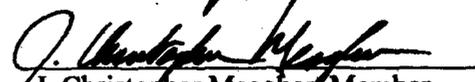
Dated and signed in the Office
of the Industrial Board of Appeals
at Albany, New York, on
July 28, 2010.

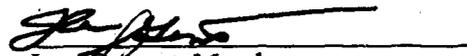
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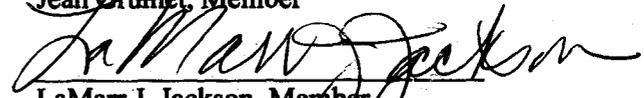
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