

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of: :

GEORGE DAGRACA, JAMES A. MARTIN, :
SUSAN C. GORDAN, LEONARD PIMM, JAMES :
RUSSELL MEE, AND PIMM MEE CORP. :

Petitioners, :

To Review Under Section 101 of the Labor Law: :
An Order to Comply with Article 6 of the Labor Law, :
An Order to Comply with Article 19 of the Labor Law :
and an Order under Article 4 of the Labor Law, all :
dated December 2, 2009, :

- against - :

THE COMMISSIONER OF LABOR, :

Respondent. :

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DOCKET NO. PR 10-029

RESOLUTION OF DECISION

APPEARANCES

Hancock & Estabrook, LLP, Lindsey H. Hazelton of Counsel, for Petitioners.

Maria L. Colavito, Counsel, New York State Department of Labor, Larissa C. Wasyl 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 January 29, 2010, the Petitioners commenced the above proceeding by filing a petition for review of the Orders that the Respondent issued December 2, 2009 against the Petitioners; and
2. On May 11, 2010, the Commissioner filed her answer; and
3. On August 26, 2010 the Petitioner filed a letter withdrawing its petition; and
4. The Board's Rules of Procedure and Practice (Rules) 65.15 provide the "[a]t any stage of a proceeding, a party may withdraw his petition . . . subject to the approval of the Board; and

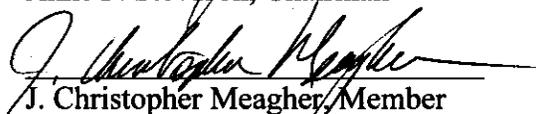
5. The Board approves the Petitioner's withdrawal of the petition, finds that further review of the Order here is unnecessary, and that the proceeding should be discontinued.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

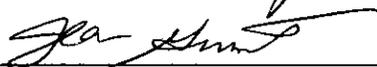
The above proceeding be, and the same hereby is, discontinued in accordance with the Board's Rules.



Anne P. Stevason, Chairman



J. Christopher Meagher, Member



Jean Grumet, Member

Absent

LaMarr J. Jackson, Member

Jeffrey R. Cassidy, Member

Dated and signed in the Office
of the Industrial Board of Appeals
at New York, New York, on
November 18, 2010.

5. 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.

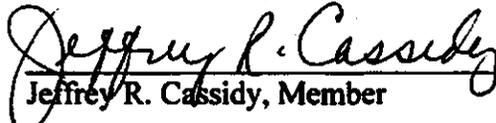
Anne P. Stevason, Chairman

J. Christopher Meagher, Member

Jean Grumet, Member

Absent

LaMarr J. Jackson, Member



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