

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of:

DAVID GREEN AND HOWARD GOLDBERG
AND DAVID GREEN ASSOCIATES, INC.,

Petitioners,

DOCKET NO. PR 10-331

To Review Under Section 101 of the Labor Law:
An Order to Comply with Article 6 and an Order
under Articles 6 and 19 of the Labor Law, both dated
August 24, 2010,

INTERIM
RESOLUTION OF DECISION

- against -

THE COMMISSIONER OF LABOR,

Respondent.
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APPEARANCES

Law Offices of Arnold H. Landis, P.C. (Brian G. Thompson of counsel), for petitioners David Green and David Green Associates.

Zisholtz & Zisholtz, P.C. (Robert Vadnais of counsel), for petitioner Howard Goldberg.

Pico Ben-Amotz, Acting Counsel, NYS Department of Labor (Benjamin A. Shaw of counsel), for respondent.

WHEREAS:

1. The above proceeding was commenced by the filing of a petition for review pursuant to Labor Law § 101 and Part 66 of the Industrial Board of Appeals' Rules of Procedure and Practice (Rules) (12 NYCRR Part 66) by petitioners David Green and David Green Associates on October 25, 2010. An amended petition was filed on October 16, 2011.
2. Petitioner Howard Goldberg filed a petition for review on October 25, 2010.
3. Respondent Commissioner of Labor filed an answer to the petitions on July 30, 2012; and
4. By letter filed with the Board on May 30, 2013, petitioners' David Green and David Green Associates' attorney withdrew the petition on behalf of both petitioners; and

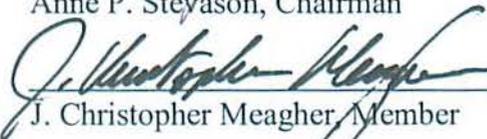
5. Pursuant to Board Rule 65.15, “[a]t any stage of a proceeding, a party may withdraw his petition or application, subject to the approval of the Board”; and
6. The Board approves petitioners’ David Green and David Green Associates’ withdrawal of their amended petition and finds that further review of the orders against them is unnecessary and the proceeding on their behalf should be discontinued; and
7. The petition filed by petitioner Howard Goldberg remains outstanding and is otherwise set for hearing and disposition pursuant to the Board’s Rules.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

This proceeding on behalf of petitioners David Green and David Green Associates be, and the same hereby is, discontinued in accordance with the Board’s Rules.



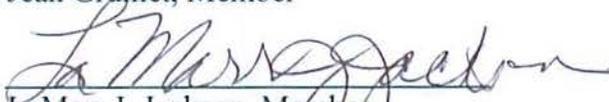
Anne P. Stevason, Chairman



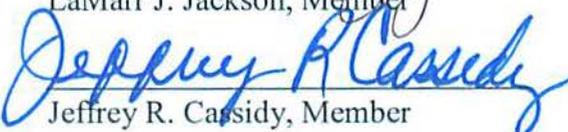
J. Christopher Meagher, Member



Jean Grumet, Member



LaMarr J. Jackson, Member



Jeffrey R. Cassidy, Member

Dated and signed in the Office
of the Industrial Board of Appeals
at New York, New York, on
October 2, 2013.