

THULE TOWING SYSTEMS LLC

Docket No. PR 09-291

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of:

THULE TOWING SYSTEMS, LLC,

Petitioner,

To Review Under Section 101 of the Labor Law:
An Order to Comply with Article 6 of the Labor Law
and an Order Under Article 19 of the Labor Law,
both dated August 25, 2009,

- against -

THE COMMISSIONER OF LABOR,

Respondent.
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DOCKET NO. PR 09-291

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 October 19, 2009 by filing a petition for review of the Orders that the Commissioner of Labor (Commissioner) issued against the Petitioner on August 25, 2009; and
2. On November 25, 2009, Petitioner's attorney, Matthew S. Disbrow, submitted his Notice of Appearance form to the Board and advised that the parties to this matter were involved in litigation in the United States District Court for the Eastern District of Michigan, where a settlement was expected in the pending litigation; and
3. On November 25, 2009, Respondent requested a 30-day extension to file and serve her Answer because she was in the process of forming a settlement agreement with the Petitioner; and
4. By letter dated November 30, 2009, the Board granted the Commissioner's request for a 30-day extension of time to file an answer in the above-referenced matter; and

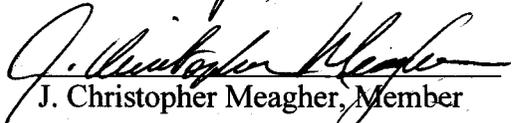
5. The hearing in the above captioned matter had not yet been scheduled prior to settlement; and
6. On December 18, 2010, the parties filed a fully executed stipulation settling this matter; and
7. The parties' stipulation of settlement provides that by executing the stipulation, the Petitioner withdraws the petition; and
8. Rule 65.15 provides that at any stage of a proceeding, a party may withdraw the petition with the Board's approval; and
9. The Board approves the 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



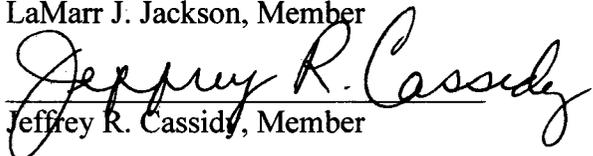
J. Christopher Meagher, Member



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 Albany, New York, on
May 26, 2010.