

State of New York  
Industrial Board of Appeals

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Mark S. Perla  
Gregory A. Monteleone  
Susan Sullivan-Bisceglia  
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STATE OF NEW YORK  
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of: :

THE BATAVIA GRACE ANN FOUNDATION :  
(T/A MARY'S GRACE SCHOOL), :

Petitioner, :

DOCKET NO. PR-07-011

To review under Section 101 of the New York :  
State Labor Law: An Order to Comply :

-against- :

THE COMMISSIONER OF LABOR, :

Respondent. :  
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RESOLUTION OF DECISION

WHEREAS:

1. The above proceeding was duly commenced by the filing of a Petition for Review pursuant to New York State Labor Law § 101 and Part 66 of the Board's Rules of Procedure and Practice (12 N.Y.C.R.R. Part 66) on March 23, 2007; and
2. The Board, by letter dated March 29, 2007, advised the Petitioner that an Amended Petition must submitted in accordance with the Board's Rules of Procedure and Practice, a copy of which was provided to the Petitioner, no later than April 30, 2007, which time was later extended to June 1, 2007; and
3. To date, the required Amended Petition has not been filed and the same is now past due; and
4. Based upon the above, the Board finds that although ample opportunity has been provided therefor, Petitioner failed to file the required Amended Petition. Said

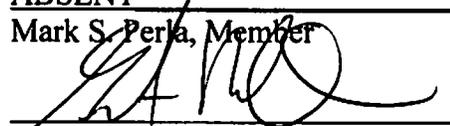
Amended Petition now being past due, the Board further finds that the proceeding herein should be dismissed in accordance with the Board's Rules of Procedure and Practice.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

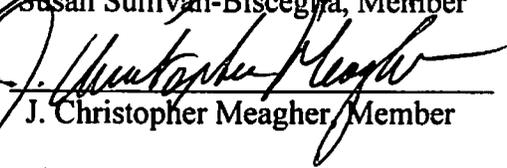
That the above proceeding be and the same hereby is discontinued in accordance with the Board's Rules of Procedure and Practice.

  
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Anne P. Stevason, Chairman

ABSENT  
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Mark S. Perla, Member

  
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Gregory A. Monteleone, Member

  
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Susan Sullivan-Bisceglia, Member

  
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J. Christopher Meagher, Member

Dated and Filed in the Office of the  
Industrial Board of Appeals,  
at Albany, New York,  
on August 22, 2007.

KHG