

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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Jean Grumet
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STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of: :

XIAN HUA QUI :
(D/B/A WONG'S KITCHEN) :

Petitioner, :

To Review Under Section 101 of the Labor Law: :
An Order to Comply with Article 19 and an Order to :
Comply under Articles 6 and 19 of the Labor Law, :
both dated September 28, 2007, :
- against - :
THE COMMISSIONER OF LABOR, :
Respondent. :

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DOCKET NO. PR 07-078

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 November 23, 2007 by the filing of a petition to review orders that the Commissioner of Labor (Commissioner) issued against the Petitioner on September 28, 2007; and
2. The Commissioner filed an answer to the petition on January 17, 2008; and
3. The parties participated in a pre-hearing telephone conference held on behalf of the Board; and
4. On October 6, 2008, the parties filed a fully executed stipulation settling this matter; and

5. The parties' stipulation of settlement provides that the Petitioner withdraws the petition with prejudice; and
6. Rule 65.15 provides that at any stage of a proceeding, a party may withdraw the petition with the Board's approval; and
7. The Board approves petitioner's withdrawal of the petition.

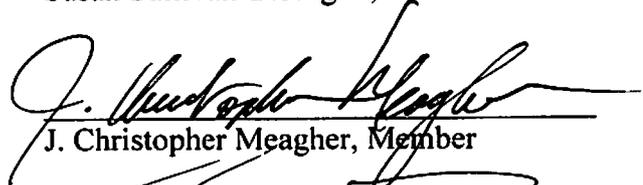
NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

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

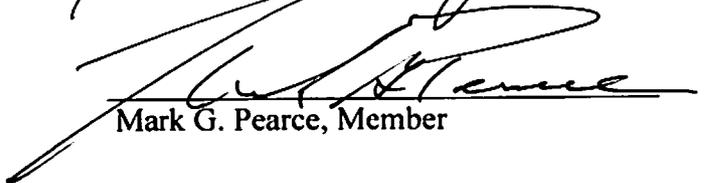


Anne P. Stevason, Chairman

Susan Sullivan-Bisceglia, Member



J. Christopher Meagher, Member



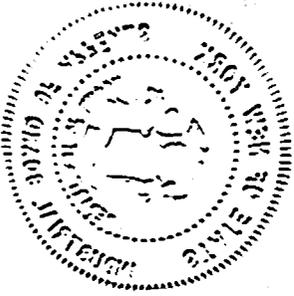
Mark G. Pearce, Member



Jean Grumet, Member

Dated and signed in the Office
of the Industrial Board of Appeals,
at New York, New York, on
October 22, 2008.





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DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
WASHINGTON, D.C.

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