

STATE OF NEW YORK  
INDUSTRIAL BOARD OF APPEALS

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STATE OF NEW YORK  
INDUSTRIAL BOARD OF APPEALS

In the Matter of the Petition of:

ROBERT SCHILKE AND SCHILKE ENTERPRISES,  
LTD.,

Petitioner,

To review under Section 101 of the Labor Law: An Order  
to Comply under Article 6 and an Order under Article 19  
of the Labor Law, both dated November 16, 2007

-against-

THE COMMISSIONER OF LABOR,  
Respondent.

DOCKET NO. PR 07-089

RESOLUTION OF DECISION

**WHEREAS:**

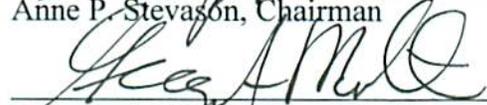
1. Pursuant to Labor Law § 101 and Part 66 of the Board's Rules of Procedure and Practice (Rules) (12 NYCRR Part 66), the above proceeding was commenced on December 7, 2007, by the filing of a petition to review an order that the Commissioner of Labor (Commissioner) issued against the petitioner on November 16, 2007; and
2. The Commissioner filed an answer to the petition on January 7, 2008; and
3. The parties participated in a pre-hearing telephone conference held on behalf of the Board on February 13, 2008; and
4. On March 13, 2008, the parties filed a fully executed stipulation settling this matter; and
5. The parties' stipulation of settlement provides that by executing the stipulation, 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.

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NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

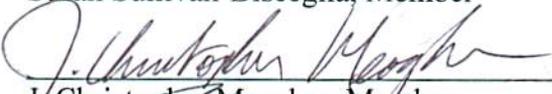
This proceeding be, and the same hereby is, discontinued in accordance with the Board's Rules.

  
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Anne P. Stevason, Chairman

  
\_\_\_\_\_  
Gregory A. Monteleone, Member

ABSENT

\_\_\_\_\_  
Susan Sullivan-Bisceglia, Member

  
\_\_\_\_\_  
J. Christopher Meagher, Member

  
\_\_\_\_\_  
Mark G. Pearce, Member

Dated and signed in the Office of the Industrial Board of Appeals, at New York, New York, on March 26, 2008.

Filed in the Office of the Industrial Board of Appeals, at Albany, New York, on March 28, 2008.