

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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 In the Matter of the Petition of: :
 :
 ANDREW L. AMABILE AND HIGH FREQUENCY :
 TECHNOLOGY CO., INC., :
 :
 Petitioners, :
 :
 To Review Under Section 101 of the Labor Law: :
 An Order to Comply with Article 6 of the Labor Law, :
 dated March 14, 2008, :
 :
 - against - :
 :
 THE COMMISSIONER OF LABOR, :
 :
 Respondent. :
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DOCKET NO. PR 08-057

RESOLUTION OF DECISION

APPEARANCES

Frank & Associates, P.C., Robert Jacovetti of Counsel, for Petitioner.

Maria L. Colavito, Counsel, NYS Department of Labor, Benjamin T. Garry of Counsel, for Respondent.

WHEREAS:

1. Pursuant to Labor Law Section 101 and Part 66 of the Board's Rules of Procedure and Practice, on May 7, 2008, the Petitioners commenced the above proceeding by filing a petition for review of the Order that the Respondent issued March 14, 2008 against the Petitioners; and
2. Respondent Commissioner of Labor filed an answer to the petition on July 16, 2008; and
3. The parties participated in a pre-hearing telephone conference held on behalf of the Board; and
4. On February 22, 2010 the parties filed a fully executed Stipulation of Settlement (Settlement); and
5. The parties' Settlement provides, in part, that the Petitioners withdraw the petition; and

6. The Board's Rules of Procedure and Practice (Rules) 65.15 provide the "[a]t any stage of a proceeding, a party may withdraw his petition . . . subject to the approval of the Board; and
7. The Board approves the Petitioners' withdrawal of the petition, finds that further review of the Order here is unnecessary, and that the proceeding should be discontinued.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

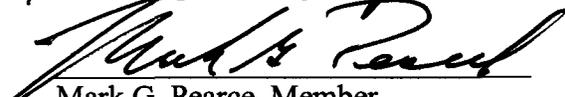
The above proceeding be, and the same hereby is, discontinued in accordance with the Board's Rules.



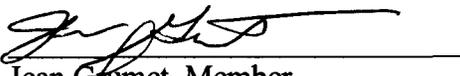
Anne P. Stevason, Chairman



J. Christopher Meagher, Member



Mark G. Pearce, Member



Jean Grumet, Member



LaMarr J. Jackson, Member

Dated and signed in the Office
of the Industrial Board of Appeals
at New York, New York, on
March 24, 2010.