STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

In the Matter of the Petition of: THE DEAF WELCOME FOUNDATION, Petitioner, To Review Under Section 101 of the Labor Law: An Order to Comply with Article 6 and an Order under Article 19 the Labor Law, both dated July 29, 2008, - against - THE COMMISSIONER OF LABOR, Respondent.	DOCKET NO. PR 08-147 RESOLUTION OF DECISION

APPEARANCES

Michaelangelo Matera, Esq., 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 September 29, 2008, the Petitioner commenced the above proceeding by filing a petition for review of the Orders that the Respondent issued July 29, 2008 against the Petitioner; and

2. Respondent Commissioner of Labor filed an answer to the petition on December 3, 2008; and

3. The parties participated in a pre-hearing telephone conference held on behalf of the Board; and

4. On January 13, 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

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.