

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of:	:	
	:	
CHRIS GRAHAM AND VOLLAND ELECTRIC	:	
EQUIPMENT CORPORATION	:	
(T/A VOLLAND ELECTRIC),	:	
	:	
Petitioners,	:	DOCKET NO. PR 08-150
	:	
To Review Under Section 101 of the Labor Law:	:	<u>RESOLUTION OF DECISION</u>
An Order to Comply with Article 6 of the Labor Law	:	
dated September 15, 2008; a second Order to Comply	:	
with Article 6 of the Labor Law, dated September 23,	:	
2008; and an Order under Article 19 of the Labor Law,	:	
dated September 23, 2008,	:	
	:	
- against -	:	
	:	
THE COMMISSIONER OF LABOR,	:	
	:	
Respondent.	:	

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APPEARANCES

Christopher A. Graham, *pro se* 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 (Rules), on September 30, 2008, Petitioner commenced the above proceeding by filing with the Board a petition for review of three Orders that Respondent issued on September 15, 2008 against Petitioner; and
2. Respondent Commissioner of Labor filed an answer to the petition on November 28, 2008; and
3. The parties participated in a pre-hearing telephone conference held on behalf of the Board; and

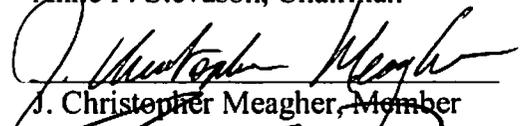
4. Upon notice to the parties, a hearing was held on August 25, 2009 in Buffalo, New York; and
5. At the hearing, the parties entered into a Stipulation of Settlement (Settlement) on the record; and
6. The parties' Settlement provides, in part, that the Petitioner withdraws the petition; and
7. Rule 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
8. The Board approves the Petitioner's 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

ABSENT
LaMarr J. Jackson, Member

Dated and signed in the Office
of the Industrial Board of Appeals
at New York, New York, on
October 21, 2009.