

STATE OF NEW YORK  
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of:	:
	:
EFTHIMIOS VLAHOS AND IONNIS GOUVAKIS	:
AND MADISON AVENUE BURGER CORP.	:
(T/A SOUP BURG),	:
	:
Petitioners,	:
	:
To Review Under Section 101 of the Labor Law:	:
An Order to Comply with Article 19 of the Labor	:
Law, dated January 9, 2009,	:
	:
- against -	:
	:
THE COMMISSIONER OF LABOR,	:
	:
Respondent.	:
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DOCKET NO. PR 09-038

RESOLUTION OF DECISION

APPEARANCES

Harry Manesis, Esq., for Petitioners.

Maria L. Colavito, Counsel, NYS Department of Labor, Benjamin A Shaw of Counsel, for Respondent.

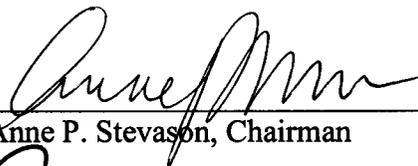
WHEREAS:

1. Pursuant to Labor Law Section 101 and Part 66 of the Board's Rules of Procedure and Practice (Rules), on March 2, 2009, the Petitioners commenced the above proceeding by filing a petition for review of the Order that the Respondent Commissioner of Labor (Commissioner) issued January 9, 2009 against them; and
2. Petitioners filed an amended petition on May 26, 2009; and
3. The Commissioner filed an answer to the petition and amended petition on June 30, 2009; and
4. The parties participated in a pre-hearing telephone conference held on behalf of the Board; and

5. On March 2, 2010, the parties filed a fully executed Stipulation of Settlement (Settlement); and
6. The parties' Settlement provides, in part, that the Petitioners withdraw the petition; and
7. Rule 65.15 provides that "[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 Petitioners' withdrawal of the petition, finds that further review of the Order here is unnecessary, and that the proceeding should be discontinued.

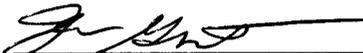
NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

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.