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 Application of:

JOSE PEREZ
(T/A SANTA BARBARA PARKING LOT),

Petitioner,

To Review Under Section 101 of the Labor Law: An Order to Comply under Article 19, and an Order to Comply under Article 6 of the Labor Law, both dated April 4, 2008,

- against -

THE COMMISSIONER OF LABOR,

Respondent.

DOCKET NO. PR 08-075

RESOLUTION OF DECISION

WHEREAS:

1. Pursuant to Labor Law § 101 and Part 66 of the Industrial Board of Appeals' Rules of Procedure and Practice (Rules) (12 NYCRR Part 66), the above proceeding was commenced on June 3, 2008 by the filing of a petition to review an order that the Commissioner of Labor (Commissioner) issued against the Petitioner on April 4, 2008; and

2. On July 14, 2008, the parties filed a fully executed stipulation settling this matter; and

3. The parties' stipulation of settlement provides that by executing the stipulation, the Petitioner withdraws the petition with prejudice; and

4. Rule 65.15 provides that at any stage of a proceeding, a party may withdraw the petition with the Board's approval; and

5. The Board approves the petitioner's withdrawal of the petition.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

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

Anne P. Stevason, Chairman

Susan Sullivan-Bisceglia, Member

J. Christopher Meagher, Member

Mark G. Pearce, Member

Jean Grumet, Member

Dated and signed in the Office of the Industrial Board of Appeals, at New York, New York, on July 30, 2008.