

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of:	:
	:
ALEX DOLJANSKY AND MICHAEL VAITZMAN	:
AND DRC GROUP INC.,	:
	:
Petitioners,	:
	:
To Review Under Section 101 of the Labor Law:	:
Three Orders to Comply with Articles 6 and 19 the	:
Labor Law dated February 10, 2009,	:
	:
- against -	:
	:
THE COMMISSIONER OF LABOR,	:
	:
Respondent.	:
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DOCKET NO. PR 09-037

RESOLUTION OF DECISION

APPEARANCES

Howard R. Birnbach, Esq., for Petitioner.

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, on February 27, 2009, the Petitioners commenced the above proceeding by filing a petition for review of the Orders that the Respondent issued February 10, 2009 against the Petitioners; and
2. Respondent Commissioner of Labor filed an answer to the petition on April 17, 2009; and
3. The parties participated in a pre-hearing telephone conference held on behalf of the Board; and

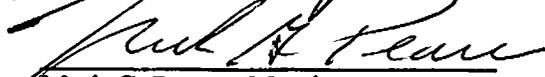
4. On January 11, 2010 the parties filed a fully executed Stipulation of Settlement (Settlement); and
5. The parties' Settlement provides, in part, that the Petitioners withdraw the petition; and
6. The Board's Rules of Procedure and Practice (Rules) 65.15 provide the "[a]t any stage of a proceeding, 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.

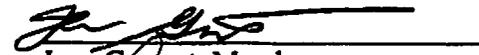
NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

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 Grunet, Member


LaMarr J. Jackson, Member

Dated and signed in the Office
of the Industrial Board of Appeals
at New York, New York, on
January 27, 2009.