

STATE OF NEW YORK  
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of:

NYS METROPOLITAN TRANSPORTATION  
AUTHORITY, (146-01 Archer Avenue, Jamaica,  
Queens, NY 11235),

Petitioner,

To Review Under Section 101 of the Labor Law:  
A Notice of Violation and an Order to Comply, dated  
August 6, 2008,

- against -

THE COMMISSIONER OF LABOR,

Respondent.  
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DOCKET NO. PES 08-009

RESOLUTION OF DECISION

APPEARANCES

Ching Wah Chin, Esq., for Petitioner.

Maria L. Colavito, Counsel, New York State Department of Labor, Larissa C. Wasyl of  
Counsel, for Respondent.

William Waring, MTA Police Benevolent Association, for Intervenor.

WHEREAS:

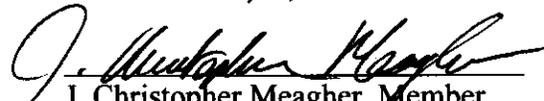
1. Pursuant to Labor Law Section 101 and Part 66 of the Board's Rules of Procedure and Practice, on October 7, 2008, the Petitioner commenced the above proceeding by filing a petition for review of the Order that the Respondent issued August 6, 2008 against the Petitioner; and
2. The parties participated in a number of case management conferences held on behalf of the Board; and

3. On August 30, 2010 the Petitioner filed a letter withdrawing its petition; and
4. 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
5. 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.

  
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Anne P. Stevason, Chairman

  
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J. Christopher Meagher, Member

  
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Jean Grumet, Member

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LaMarr J. Jackson, Member

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Jeffrey R. Cassidy, Member

Dated and signed in the Office  
of the Industrial Board of Appeals  
at New York, New York, on  
October 20, 2010.

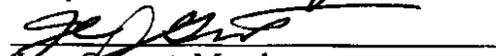
3. On August 30, 2010 the Petitioner filed a letter withdrawing its petition; and
4. The Board's Rules of Procedure and Practice (Rules) 65.15 provide the "[a]t any stage of a proceeding, a party may withdraw his petition . . . subject to the approval of the Board; and
5. The Board approves the Petitioner's withdrawal of the petition, finds that further review of the Order here is unnecessary, and that the proceeding should be discontinued.

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