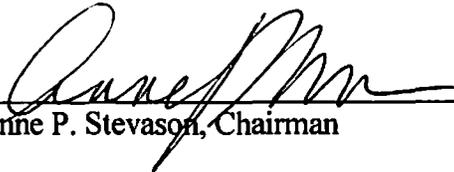


- (c) the applicant had had sufficient opportunity to comply with the requirements of the Board's Rules of Procedure and Practice concerning such application and the proceeding should be discontinued without prejudice.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

That the above proceeding be and the same hereby is discontinued, without prejudice, in accordance with the Board's Rules of Procedure and Practice

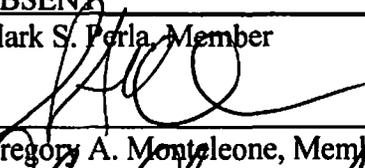
WITNESS, the signatures of the Members of the Industrial Board of Appeals and the Seal of the Industrial Board of Appeals of the State of New York, at Albany, New York, on the 22nd day of August 2007.



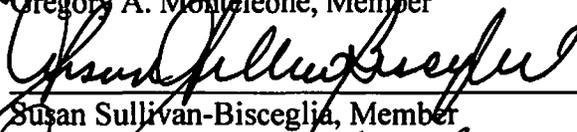
 Anne P. Stevason, Chairman

ABSENT

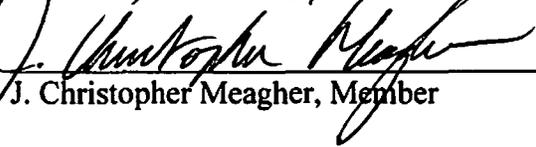
 Mark S. Perla, Member



 Gregory A. Monteleone, Member



 Susan Sullivan-Bisceglia, Member



 J. Christopher Meagher, Member

Dated and Filed in the Office of the Industrial Board of Appeals, at Albany, New York, on August 22, 2007.

KHG