

**New York State
Industrial Board of Appeals**

Anne P. Stevason
Chairman

Susan Sullivan-Bisceglia
J. Christopher Meagher
Mark G. Pearce
Jean Grumet
Members



Sandra M. Nahan
Deputy Counsel

Devin A. Rice
Associate Counsel

Empire State Plaza
Agency Building 2, 20th floor
Albany, New York 12223
Phone: (518) 474-4785 Fax: (518) 473-7533

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

-----X
In the Matter of the Application of: :
: :
HERITAGE UNION SERVICES, LLC, :
: DOCKET NO. CI 08-002
Petitioner, :
: :
For Approval of a Certificate of Incorporation :
Pursuant to Section 104 of the New York State :
Labor Law. :
-----X

RESOLUTION OF DECISION

(Dismissal and Discontinuance Due to Failure to Complete Proper Filing)

WHEREAS:

1. An application having been duly made for approval of said proposed Certificate of Incorporation, received by the Board on January 17, 2008; and
2. As submitted, the application was legally insufficient for the Board to consider, and the applicant was so advised by letter of the Board's counsel dated February 22, 2008; and
3. In response the applicant filed additional papers with the Board on March 25, 2008; and
4. By letter dated April 1, 2008 the applicant was advised that the filed papers did not provide all of the information and/or documents the Board needed; and
5. By letter dated August 4, 2008, with a copy of the letter(s) dated February 22, 2008 and March 25, 2008, the applicant was advised that failure to provide the Board with the information necessary to complete the submission by August 18, 2008, would result in a discontinuance; and
6. The Board having given due consideration to all the papers filed herein makes the following determinations pursuant to the provisions of Labor Law Section 104:

- (a) to date, there has been no reply or further written communication from the applicant providing the necessary information or objecting to the Board's request for the additional information; and
- (b) the application is and remains legally incomplete and a determination concerning the application requires further submission by the applicant; and
- (c) the applicant has 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.

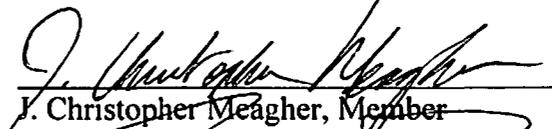
WITNESS, the signatures of the Members of the Industrial Board of Appeals and the Seal of the Industrial Board of Appeals of the State of New York, at New York, New York on the 19th day of November 2007.



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 November 19, 2008.