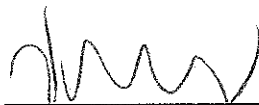


NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. The Board approves respondent's amendment of the orders to include "Michael Repole" as a responsible party, and upon amendment of the orders, their reissuance; and
2. Respondent shall serve the amended orders on all parties named by the amended orders, including petitioner, in accordance with Labor Law § 33 within 30 days of this decision, with proof of service filed with the Board; and
3. No later than sixty days from respondent's service of the amended orders, petitioner shall file with the Board an amended petition or writing stating he relies on his earlier petition, with proof of service of the petition or writing on respondent; and
4. Upon receipt of petitioners' amended petition, if any, respondent shall file an answer in accordance with Board Rule (12 NYCRR) § 66.5; and
5. Any petition filed by Energy Kitchen or Michael Repole shall be consolidated with the petition of Anthony Leone under Board docket number PR 16-035; and
6. The accrual of interest in the amended orders is suspended from November 18, 2016 until the date that respondent files an answer with the Board, with proof of service on petitioners.



Vilda Vera Maynga, Chairperson



J. Christopher Meagher, Member



Michael A. Arcuri, Member



Molly Doherty, Member



Gloribelle J. Perez, Member

Dated and signed by the Members
of the Industrial Board of Appeals
at New York, New York
on March 1, 2017.