

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

-----X
In the Matter of the Application of: :

UNION TRADE WHOLESALE CORP. :

For Approval of a Corporate Instrument Pursuant to Section :
104 of the New York Labor Law. :

DOCKET NO. CI 11-012

-----X

RESOLUTION OF DECISION
(Dismissal and Discontinuance Due to Failure to Complete Proper Filing)

WHEREAS:

1. An application having been filed for approval of a proposed corporate instrument, on July 25, 2011, in the above entitled matter; and
2. As submitted, the application was legally insufficient, and the applicant was so advised by letter dated July 28, 2011, which letter requested the applicant to obtain proof from the New York State Secretary of State or an attorney's statement that the applicant's proposed name was available; and
3. 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, including any correspondence providing either the requested information or objecting to the 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, dismissed 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 14th day of December, 2012.

Absent.

Anne P. Stevason, Chairman

J. Christopher Meagher

J. Christopher Meagher, Member

Jean Grunet

Jean Grunet, Member

LaMarr J. Jackson

LaMarr J. Jackson, Member

Jeffrey R. Cassidy

Jeffrey R. Cassidy, Member

Dated and signed in the Office
of the Industrial Board of Appeals
at New York, New York, on
December 14, 2012.