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STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

In the Matter of the Application of:

HERITAGE UNION SERVICES, LLC,

Petitioner.

**For Approval of a Certificate of Incorporation
Pursuant to Section 104 of the New York State
Labor Law.**

DOCKET NO. CI 08-002

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.