

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of:

ANN L. HEIDENREICH AND SCOTT C. SHIPLEY
AND LOUISE S. JENSEN AND SUSAN C.
KRAMER AND COMMUNITY ENERGY
SERVICE, INC.,

Petitioners,

To Review Under Section 101 of the Labor Law:
An Order to Comply With Article 6, and an Order
Under Article 6 of the Labor Law, both dated June 10,
2010,

- against -

THE COMMISSIONER OF LABOR,

Respondent.
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DOCKET NO. PR 10-236

RESOLUTION OF DECISION

APPEARANCES

John C. Parcell, IV, CPA, for petitioners.

Pico Ben-Amotz, Acting Counsel, NYS Department of Labor (Michael Paglialonga of counsel), for respondent.


WHEREAS:

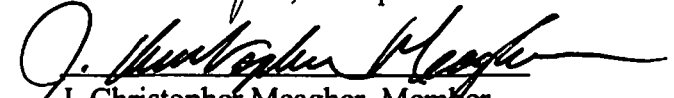
The above proceeding was commenced on July 19, 2010, when petitioners filed a petition for review pursuant to Labor Law § 101 and Part 66 of the Industrial Board of Appeals' Rules of Procedure and Practice (12 NYCRR Part 66) challenging two orders issued against them on June 10, 2010. On August 26, 2010, respondent answered the petition.

A pre-hearing telephone conference was held by the Board on August 20, 2012. On October 2, 2012, respondent filed a letter with the Board indicating that upon further review it determined that claimant had been paid all monies due and owing and that the orders should be withdrawn.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

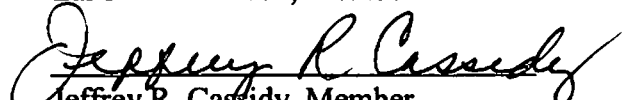
1. The orders are revoked; and
2. The petition is granted.


Anne P. Stevason, Chairperson


J. Christopher Meagher, Member


Jean Grumet, Member

LaMarr J. Jackson, Member


Jeffrey R. Cassidy, Member

Dated and signed in the Office
of the Industrial Board of Appeals
at New York, New York, on
October 17, 2012.

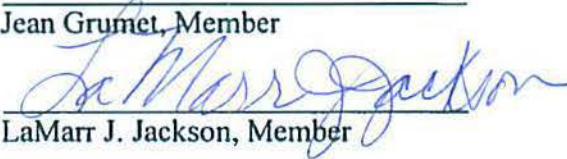
NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. The orders are revoked; and
2. The petition is granted.

Anne P. Stevason, Chairperson

J. Christopher Meagher, Member

Jean Grumet, Member



LaMarr J. Jackson, Member

Jeffrey R. Cassidy, Member

Dated and signed by a Member
of the Industrial Board of Appeals
at Rochester, New York, on
October 17, 2012.