

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of:

MICHAEL CARUSO,

Petitioner,

To Review Under Section 101 of the Labor Law:
An Order to Comply with Article 6 of the Labor Law
and an Order Under Article 19 of the Labor Law, both
dated June 26, 2013,

- against -

THE COMMISSIONER OF LABOR,

Respondent.
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DOCKET NO. PR 13-128

RESOLUTION OF DECISION

APPEARANCES

Lawler, Mahon & Rooney LLP (James Mahon of counsel), for the petitioner.


Pico Ben-Amotz, General Counsel, NYS Department of Labor (Matthew D. Robinson-Loffler of counsel), for respondent.

WHEREAS:

The petition was filed with the Industrial Board of Appeals (Board) in this matter on August 22, 2013 appealing two orders issued by the respondent Commissioner of Labor on June 26, 2013. The respondent filed an answer on October 3, 2013, and the Board held a prehearing telephone conference with the parties on May 5, 2014. As a result of the discussions that took place at the prehearing conference, the respondent, by letter dated May 8, 2014, requested permission to withdraw the orders without prejudice. Such request is granted and the proceeding is discontinued under the Board's rules with the parties' understanding that if the orders are reissued, the petitioner must file a new petition with the Board should he wish to appeal the reissued orders.

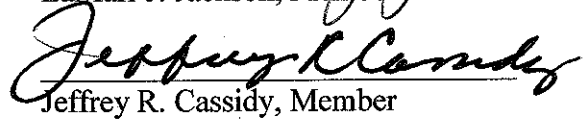
NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. The orders are withdrawn without prejudice.
2. The proceeding is hereby discontinued pursuant to the Board's rules.


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
May 22, 2014.