STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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,

DOCKET NO. PR 10-236

RESOLUTION OF DECISION

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.

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should be withdrawn.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.
PR 10-236

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.