

STATE OF NEW YORK  
INDUSTRIAL BOARD OF APPEALS

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 In the Matter of the Application of: :  
 :  
 UNIONCARE, LLC :  
 : DOCKET NO. CI 09-002  
 For Approval of a Corporate Instrument Pursuant to :  
 Section 404 of the New York State Not-for-Profit :  
 Corporation Law. :  
 -----X

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

WHEREAS:

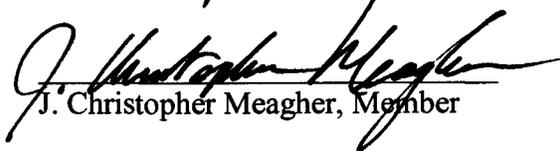
1. An application having been made for approval of a proposed Certificate of Incorporation, on January 23, 2009, in the above entitled matter; and
2. As submitted, the application was legally insufficient, and the applicant was so advised by letter dated February 2, 2009 which also requested that the applicant provide additional specified information by March 6, 2009; 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, providing the requested information or objecting to the request for the additional information; and
  - (b) the application is and remains legally incomplete; 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.

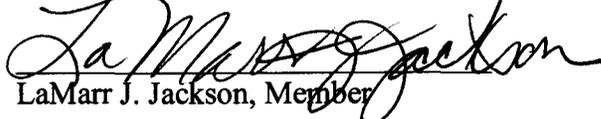
WITNESS, the signatures of the Members of the Industrial Board of Appeals and the Seal of the Industrial Board of Appeals of the State of New York, at Albany, New York, on the 22nd day of July 2009.

  
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Anne P. Stevason, Chairman

  
\_\_\_\_\_  
J. Christopher Meagher, Member

Absent  
\_\_\_\_\_  
Mark G. Pearce, Member

Absent  
\_\_\_\_\_  
Jean Grumet, Member

  
\_\_\_\_\_  
LaMarr J. Jackson, Member

Dated and signed in the Office  
of the Industrial Board of Appeals  
at New York, New York, on  
July 22, 2009.