

At a Special Term Part I, of
the Supreme Court of the State
of New York, held in and for the
County of New York, at the Court-
house, 60 Centre Street, Borough
of Manhattan, City and State of
New York, on the day of
,198 .

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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In the Matter of the Application of

THOMAS ALBINO,

Petitioner,

For a Judgment under Article 78 of
the Civil Practice Law and Rules,

-against-

PROPOSED ORDER/
JUDGEMENT

Index No. 11131/85

ARVID ANDERSON, as Chairman and
Impartial Member of the Board of
Collective Bargaining BOARD OF
COLLECTIVE BARGAINING, and
HENRY J. STERN, as Commissioner of
the Department of Parks & Recreation
of the CITY OF NEW YORK,

Respondents.

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The petitioner having commenced this proceeding
pursuant to CPLR Article 78 challenging the decision of
respondent Board of Collective Bargaining dismissing peti-
tioner's improper practice petition against respondent New
York City Parks Department (Parks Department); and said
application having duly been submitted on July 8, 1985.

NOW, upon reading and filing the Notice of Petition dated May 24, 1985, the Petition dated May 24, 1985 and the exhibits annexed thereto submitted in support of the motion; Respondent Board of Collective Bargaining's Verified Answer verified June 27, 1985 and the exhibits annexed thereto submitted in opposition to the motion; and Respondent Parks Department's Notice of Motion to Dismiss and Affirmation of Susan R. Elsen in Support of Motion to Dismiss, dated July 3, 1985 and exhibits annexed thereto submitted in opposition to the motion and the petitioner having appeared by Thomas Albino, petitioner pro se, respondent office of Collective Bargaining having been represented by Malcolm D. MacDonald, Esq., and respondent Parks Department having been represented by Frederick A. O. Schwarz, Jr., Corporation Counsel of the City of New York, by Susan R. Elsen, and the matter having been submitted and due deliberation having been had thereon, and upon filing of the written decision of the Court dated August 30, 1985,

NOW, upon the motion of the Corporation Counsel of the City of New York, attorney for respondent Parks Department, it is,

ORDERED, ADJUDGED AND DECREED that the application is denied and the Petition is dismissed.

E N T E R:

J. S. C.