

**State on New York,  
Court of Appeals**

At a session of the Court, held at Court of  
Appeals Hall in the City of Albany  
on the *twenty-second* day  
of *December* A.D. 1981

**Present**, HON. LAWRENCE H. COOKE, Chief, Judge, presiding.

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1                   Mo. No. 1311  
In the Matter of Civil Service  
Technical Guild, Local 375, DC  
37, A.F.S.C.M.E., AFL-CIO,  
                                  Respondent,

vs.

Arvid Anderson, Chairman of the  
Board of Certification, et al.,  
                                  Appellants.

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On the Court's own motion, it is

ORDERED, that the remittitur in the above cause be and the  
same hereby is recalled and, when returned, it will be amended  
to read as follows:

Order reversed, with costs and the  
petition dismissed for reasons stated  
in the dissenting memorandum by Justice  
Theodore R. Kupferman at the Appellate  
Division (79 AD 2d 542-545). Question  
certified answered in the negative.  
All concur.

AND the Supreme Court, County of New York, hereby is  
requested to direct its Clerk to return said remittitur to this  
Court for amendment accordingly.

Joseph W. Bellacosa  
Clerk of the Court