

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

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In the Matter of the Application of  
Police Benevolent Association

Petitioner

-against-

Index No.763/80

Arvid Anderson, et al

Respondents

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In this Article 78 proceeding, petitioner seeks to overturn the denial by respondent Board of Certification of petitioner's application to be designated as bargaining agent for employees of respondent City of New York employed in certain special officer titles. Respondent Board, joined by respondent City, cross move to have the proceeding transferred to the Appellate Division.

Even in its opposition to the cross-motion, petitioner contends the determination was not supported by substantial evidence. Since a question of substantial evidence as specified in CPLR 7803(4) has been raised, the proceeding is, pursuant to CPLR 7804(g), respectfully referred to the Appellate Division, First Judicial Department, for disposition.

ENTER:

Nathan T. Helman, J.