

**DEFAULT
DETERMINATION
&
ORDER**

IN THE MATTER OF

EUGENE E. HOLIDAY, SR. d/b/a
ENVIRONMENTAL SPECIALTY CONTRACTOR
and
MYRA E. HOLIDAY d/b/d
ENVIRONMENTAL SPECIALTY CONTRACTOR

Contractor – Respondent

A proceeding pursuant to NY Labor Law Article 30 and/or
12 NYCRR 56.

Asbestos Case Nos.
13424; 13426; 14296; 15511;
15515; 17881; 17901; 19324;
20596; 23557; 23558; 23560;
24139; 24145; 24467; 24749;
24750; 24752; 24753; 24754;
24755; 24756; 24818; 24819;
24820; 24821; 24822; 24823;
24824; 24825; 24826; 24827;
24828; 24829;
AC-02-05-0085 and 25626597

WHEREAS a hearing was held in the above-captioned matter; and

WHEREAS the Hearing Officer submitted the annexed Report & Recommendation dated
May 13, 2010:

NOW, THEREFORE, upon review of the Hearing Officer's Report & Recommendation;
the Notice of Hearing and evidence submitted in support thereof, and upon the Respondent's
Eugene E. Holiday, Sr. d/b/a Environmental Specialty Contractor and Myra E. Holiday d/b/a
Environmental Specialty Contractor failure to appear to controvert any of the allegations set
forth in the Notice of Hearing, or to serve an Answer raising any denials or defenses thereto, or
to tender any evidence contesting any of the foregoing, and upon the entire record of this
proceeding, it is

ORDERED that the Hearing Officer's Findings and Conclusions be, and hereby are,
adopted; and it is further

ORDERED that the Hearing Officer's recommended determinations and orders be, and hereby are, adopted, and they shall constitute the final **Determination & Order** of the Commissioner of Labor as if fully set forth herein.

Dated: May 14, 2010
Albany, New York

Colleen C. Gardner

Colleen C. Gardner
Commissioner of Labor
State of New York