

STATE OF NEW YORK DEPARTMENT OF LABOR

IN THE MATTER OF

MICHAEL A. GRILLO  
d/b/a  
HORIZON CONTRACTING CO.

Respondent's

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

**DEFAULT  
DETERMINATION  
&  
ORDER**

Asbestos Case Nos.  
AN-07-05-0466  
AC-07-06-0093

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

WHEREAS the Hearing Officer submitted the annexed Report &  
Recommendation dated May 21, 2009:

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 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 27, 2009  
Albany, New York

A handwritten signature in black ink that reads "M Patricia Smith". The signature is written in a cursive, flowing style.

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M. Patricia Smith  
Commissioner of Labor  
State of New York