

STATE OF NEW YORK DEPARTMENT OF
LABOR

IN THE MATTER OF

TRIUMPH DEVELOPMENT, LLC

for a determination pursuant to Section 909 of the New York Labor Law that violations of Labor Law, Article 30 and/or Code Rule 56 took place as hereinafter described.

**DEFAULT
DETERMINATION
&
ORDER**

Asbestos Case No.
25690897

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

WHEREAS the Hearing Officer submitted the annexed Report & Recommendation dated July 22, 2011:

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: September 9, 2011
Albany, New York

Colleen C. Gardner

Colleen C. Gardner
Commissioner of Labor
State of New York