

STATE OF NEW YORK DEPARTMENT OF LABOR

IN THE MATTER OF

GENERATION II PLUMBING & HEATING, INC.  
Prime Contractor

and

JOHN HUBNER  
Individually as President and as one who owns or control  
ten percent of the stock of  
GENERATION II PLUMBING & HEATING, INC.

A proceeding pursuant to Article 8 of the Labor Law to  
determine whether a contractor paid the rates of wages or  
provided the supplements prevailing in the locality to  
workers employed on a public work project.

**DEFAULT  
DETERMINATION  
&  
ORDER**

Prevailing Rate Case  
00-04298 New York County

IN THE MATTER OF

GENERATION II PLUMBING & HEATING, INC.  
Prime Contractor

and

JOHN HUBNER  
Individually as President and as one who owns or control  
ten percent of the stock of  
GENERATION II PLUMBING & HEATING, INC.

A proceeding pursuant to article 8 of the Labor Law to  
determine whether a contractor paid the rates of wages or  
provided the supplements prevailing in the locality to  
workers employed on a public work project.

Prevailing Rate Case  
02-05955 Westchester County

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

WHEREAS the Hearing Officer submitted the annexed Default Report &  
Recommendation dated July 8, 2009:

NOW, THEREFORE, upon review of the Hearing Officer's Default Report &  
Recommendation, the Notice of Hearing and evidence submitted in support thereof, and

upon the Respondents' 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: August 11, 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