

1 **BEFORE THE COMMISSIONER**  
2 **OF THE BUREAU OF LABOR AND INDUSTRIES**  
3 **OF THE STATE OF OREGON**

4 In the Matter of:

Case No. **15-02**

5 **SCHNEIDER EQUIPMENT, INC. and**  
6 **Stanley Schneider,**

**ORDER DISMISSING NOTICE OF INTENT**

7 Respondent.

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8 On September 21, 2001, the Bureau of Labor and Industries Wage and Hour  
9 Division ("Agency") issued a Notice of Intent to Assess Civil Penalties and to Place on  
10 List of Ineligibles alleging that Respondents Schneider Equipment, Inc. and Stanley  
11 Schneider violated certain ORS chapter 279 provisions from between approximately  
12 November 30, 2000, through March 15, 2001. Respondents duly filed an answer and  
13 request for hearing.

14 A contested case hearing was held on June 18-21 and June 25-26, 2002, in  
15 Salem, Oregon. I issued a Final Order on May 13, 2003. On May 21, 2003,  
16 Respondents timely filed a petition for judicial review of the Final Order. On December  
17 11, 2003, I withdrew the Final Order for reconsideration.

18 Having fully reconsidered the Final Order, I, Dan Gardner, Commissioner of the  
19 Bureau of Labor and Industries, hereby dismiss the Agency's Notice of Intent to Assess  
20 Civil Penalties and to Place on List of Ineligibles that issued on September 21, 2001.

21 **IT IS SO ORDERED.**

22 Entered at Portland, Oregon, on December 16, 2003.

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Dan Gardner, Commissioner  
Bureau of Labor and Industries

Dismiss/Schneider.doc