



BenchNOTES Newsletter

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BenchNOTES - April 2017

Last Month's OATH Decisions

Personnel

ALJ recommends dismissal of charges.

ALJ Alessandra F. Zornio recommended dismissal of charges alleging that sanitation workers allowed a civilian to throw garbage in the hopper, collected trade waste, and made false statements.

[Dep't of Sanitation v. Henriquez](#), OATH Index Nos. 1398/17 & 1400/17 (Apr. 24, 2017).

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Licensing

For-hire driver solicited ride with suspended license.

For-hire vehicle driver was charged with transporting a passenger with suspended for-hire vehicle and drivers licenses, without prearrangement through a licensed base.

[Taxi & Limousine Comm'n v. Portessoriano](#), OATH Index No. 1508/17 (Apr. 4, 2017), adopted, Comm'r Dec. (May 1, 2017).

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Practice and Procedure

Motion to vacate default granted.

Mobile food vendor who did not appear at his scheduled license revocation trial filed a motion to vacate the default, which was opposed by petitioner.

[Dep't of Health & Mental Hygiene v. Abouomar](#), OATH Index No. 1157/17, mem. dec. (Apr. 14, 2017).

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