

STATE OF NEW YORK

TAX APPEALS TRIBUNAL

In the Matter of the Petition	:	
of	:	
JOHN J. AND LAURA BARKER	:	ORDER
	:	DTA NO. 822324
for Redetermination of a Deficiency or for Refund of	:	
Personal Income Tax under Article 22 of the Tax Law	:	
for the Years 2002, 2003 and 2004.	:	

The Business Council of New York State, Inc. (Heather Briccetti, Esq. and Douglas J. Bohn, Esq., of counsel), filed a motion, dated May 10, 2011, before the Tax Appeals Tribunal for leave to appear and file a brief *amicus curiae* in support of petitioners' motion for reargument. Commissioner Nesbitt took no part in the consideration of this matter.

ORDERED that the motion seeking to appear and file a brief as *amicus curiae* in support of petitioners' motion to reargue is hereby granted.

DATED: Troy, New York
May 12, 2011

/s/ James H. Tully, Jr.
James H. Tully, Jr.
President

/s/ Carroll R. Jenkins
Carroll R. Jenkins
Commissioner