



STATE OF NEW YORK  
DEPARTMENT OF TAXATION AND FINANCE

STATE TAX COMMISSION

NORMAN F. GALLMAN, PRESIDENT  
A. BRUCE MANLEY  
MILTON KOERNER

BUILDING 9, ROOM 214A  
STATE CAMPUS  
ALBANY, N. Y. 12227

AREA CODE 518  
457-2655, 6, 7

STATE TAX COMMISSION  
HEARING UNIT

EDWARD ROOK  
SECRETARY TO  
COMMISSION

ADDRESS YOUR REPLY TO

Dated: Albany, New York

March 5, 1973

Brand Grumet & Seigel, Inc.  
67 Broad Street  
New York, New York

Gentlemen:

Please take notice of the **DECISION** of  
the State Tax Commission enclosed herewith.

Please take further notice that pursuant to section 279-a  
the Tax Law any proceeding in court to review an adverse decision  
must be commenced within **90 Days** after  
the date of this notice.

Any inquiries concerning the computation of tax due or refund allowed  
in accordance with this decision or concerning any other matter relat-  
ing hereto may be addressed to the undersigned. These will be referred  
to the proper party for reply.

Very truly yours,

Nigel G. Wright  
HEARING OFFICER

cc Petitioner's Representative  
Law Bureau

STATE OF NEW YORK

STATE TAX COMMISSION

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In the Matter of the Application :

of :

BRAND GRUMET & SEIGEL, INC. :

DECISION

for a Hearing to review a Determination of :  
Stock Transfer Taxes due pursuant to :  
Article 12 of the Tax Law. :

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Brand Grumet & Seigel, Inc. filed an application pursuant to section 279(a) of the Tax Law for a hearing to review a determination of stock transfer taxes due dated March 22, 1963, in the amount of \$3,935.00. A hearing was duly held on June 25, 1964, at the offices of the State Tax Commission, 80 Centre Street, New York City. The applicant was represented by Lawrence Suslow, Esq., of Counsel to Martin Rosen, Esq. The record of said hearing has been duly examined and considered.

ISSUE

The issue in this case is whether transfers to a nominee are taxable when that nominee is not registered with the State Tax Commission.

FINDINGS OF FACT

1. Brand, Grumet & Seigel, Inc. and Kesselman & Co., Inc. entered into agreements for the secondary offerings of 90,000 shares of Donnkenny, Inc. and of 160,000 shares of Associated Baby Services, Incorporated. The underwriters agreed to take title to this stock.
2. On April 16, 1962, the applicant transferred 72,500 shares of Donnkenny, Inc. from its name into the name of "Bragsle". A tax of \$1,450.00 has been determined to be due on this transfer.
3. On April 17, 1962, the applicant transferred 4,250 shares

THE NEW YORK

NEW YORK, N.Y.

IN THE MATTER OF THE ESTATE OF

JOHN J. ROSS, DECEASED

WILLIAM J. ROSS, Executor

vs.

1

On motion of the executor, the court ordered that the

account of the executor be referred to the referee for his report.

The referee's report was filed on March 15, 1933, in the amount of

\$2,150.00, a copy of which was filed on June 25, 1933, in the amount of

\$1,000.00. The referee's report was also filed on June 25, 1933, in the

amount of \$1,000.00, a copy of which was filed on June 25, 1933, in the

amount of \$1,000.00, a copy of which was filed on June 25, 1933, in the

amount of \$1,000.00.

WITNESSES:

The referee's report was filed on March 15, 1933, in the amount of

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of Donnkenny to Edward Komar. A tax of \$85.00 has been determined to be due thereon which applicant has conceded.

4. On May 1, 1962, the applicant transferred 120,000 shares of Associated Baby Services, Inc. from its name into the name of "Bragale". A tax of \$2,400.00 has been determined to be due thereon.

5. On November 2, 1962, the applicant registered the name "Bragale" with the Commission as its nominee.

CONCLUSIONS OF LAW

The transfers are taxable since the nominee was not registered with the Tax Commission at the time of the transfers (see application of Herzog & Co., Inc. CCH N. Y. State Tax Rept. 199-365).

DECISION

The determination of tax under review is correct in its entirety.

DATED: Albany, New York  
March 5, 1973

STATE TAX COMMISSION

Norman Gellman  
COMMISSIONER

Bruce Mauley  
COMMISSIONER

Milton Krinner  
COMMISSIONER

of Pennsylvania to Edward Jones. A list of \$25.00 has been submitted

to be the charges which applicant has connected.

4. On May 1, 1933, the applicant transferred \$10,000 to

of Associated in Philadelphia, Pa. from the name into the name of

"Phygas". A sum of \$1,400.00 has been determined to be due thereon.

5. On November 1, 1933, the applicant transferred the name

"Phygas" with the Commission as the name.

### CONCLUSIONS OF LAW

The law office and taxable since the name was not registered

with the Tax Commission at the time of the transfer (see application

of Edward Jones, Esq., dated May 1, 1933, 100-555).

### OPINION

The determination of tax under review is correct in its entirety.

STATE TAX COMMISSION

ALBANY, NEW YORK

March 5, 1933

COMMISSIONER

COMMISSIONER

COMMISSIONER

STATE OF NEW YORK  
Department of Taxation and Finance

STATE CAMPUS

ALBANY, N. Y. 12227

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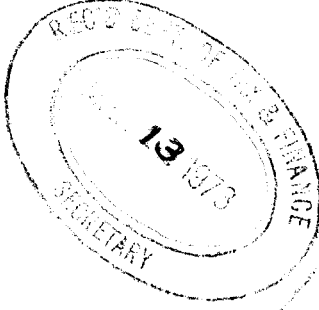
NEW YORK, N. Y. 10004

*h<sup>m</sup>*

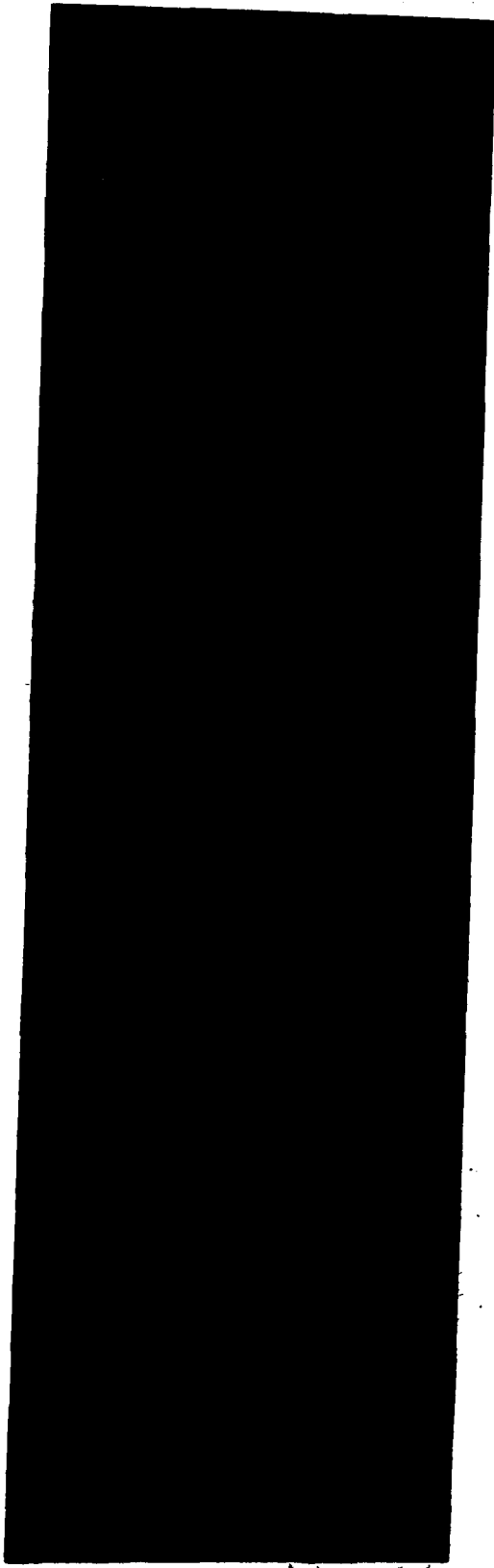
Brand Grumet & Seigel, Inc.

67 Broad Street

New York, New York



*Gift*  
*Seigel Whiskey*



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