

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of

DAVID BERG

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :  
a Revision of a Determination or a Refund :  
of Personal Income :  
Taxes under Article(s) 22 of the :  
Tax Law for the Year(s) ~~XXXXXXX~~ :  
1971

State of New York  
County of Albany

Jay Vredenburg, being duly sworn, deposes and says that  
she is an employee of the Department of Taxation and Finance, over 18 years of  
age, and that on the 22nd day of June, 1979, she served the within  
Notice of Short Form Order by (certified) mail upon Cohen and Uretz  
(representative of) the petitioner in the within proceeding,  
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed  
as follows:

and by depositing same enclosed in a postpaid properly addressed wrapper in a  
(post office or official depository) under the exclusive care and custody of  
the United States Postal Service within the State of New York.

That deponent further says that the said addressee is the (representative  
of the) petitioner herein and that the address set forth on said wrapper is the  
last known address of the (representative of the) petitioner.

Sworn to before me this

22nd day of June, 1979.

Marilyn J. Lapineau

Jay Vredenburg

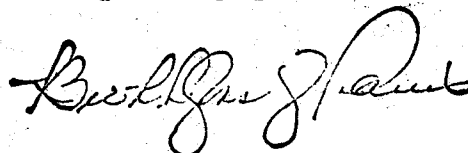
June 22, 1979

Cohen and Uretz  
1775 K Street, N.W.  
Fourth Floor  
Washington, D.C. 20006

Gentlemen:

Please take notice of the SHORT FORM ORDER of the State  
Tax Commission enclosed herewith.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Berthlynn J. Davis".

Berthlynn J. Davis  
Secretary to the  
State Tax Commission

Enclosure

cc: Taxing Bureau's Representative

STATE OF NEW YORK  
STATE TAX COMMISSION

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In the Matter of the Petition	:	
of	:	
DAVID BERG	:	
For Redetermination of a Partial Disallowance	:	SHORT FORM ORDER
of Claim for Refund under Article 22 of the	:	
Year 1971	:	

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Petitioner's motion for issuance of an order directing that certain matters should be deemed to be admitted is denied in view of the fact that petitioner's motion is premature, since a notice to admit has never been served on the Law Bureau as required by Section 601.11(b) of the Rules of Practice, nor does petitioner's motion otherwise conform to the requirements of Section 601.10(a)(i) of the Rules.

DATED: Albany, New York  
June 22, 1979

STATE TAX COMMISSION

  
\_\_\_\_\_  
PRESIDENT

  
\_\_\_\_\_  
COMMISSIONER

\_\_\_\_\_  
COMMISSIONER