

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

BARNEY'S STEAK HOUSE, INC.

For a Redetermination of a Deficiency or
a Refund of Sales and Use
Taxes under Article(s) 28 and 29 of the
Tax Law for the ~~XXXXXX~~ Period 8/1/65-
11/30/69.

AFFIDAVIT OF MAILING
OF NOTICE OF DECISION
BY (CERTIFIED) MAIL

State of New York
County of Albany

MARTHA FUNARO, 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 14th day of March, 1974, she served the within
Notice of Decision (or Determination) by (certified) mail upon BARNEY'S STEAK
HOUSE, INC. (representative of) the petitioner in the within
proceeding, by enclosing a true copy thereof in a securely sealed postpaid
wrapper addressed as follows: Barney's Steak House, Inc.
340 Lexington Avenue
New York, New York

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 Post Office Department within the State of New York.

That deponent further says that the said addressee is the (representative
of) 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

14th day of March, 1974

Joseph S. Vardanian
Martha Funaro

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

BARNEY'S STEAK HOUSE, INC.

AFFIDAVIT OF MAILING
OF NOTICE OF DECISION
BY (CERTIFIED) MAIL

For a Redetermination of a Deficiency or
a Refund of Sales and Use
Taxes under Article(s) 28 and 29 of the
Tax Law for the ~~YEARS~~ Period 8/1/65+
11/30/69.

State of New York
County of Albany

MARTHA FUNARO, 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 14th day of March, 1974, she served the within
Notice of Decision (or Determination) by (certified) mail upon LAURENCE FENTON, C.P.A.

(representative of) the petitioner in the within
proceeding, by enclosing a true copy thereof in a securely sealed postpaid
wrapper addressed as follows:


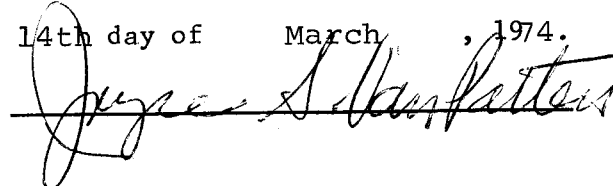
Laurence Fenton, C.P.A.
127 East 59th Street
New York, New York 10022

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 Post Office Department within the State of New York.

That deponent further says that the said addressee is the (representative
of) 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

14th day of March, 1974.



STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE

BUILDING 9, ROOM 214A

STATE CAMPUS

ALBANY, N. Y. 12226

AREA CODE 518

457-2655, 6, 7

STATE TAX COMMISSION
HEARING UNIT

EDWARD ROOK
SECRETARY TO
COMMISSION

STATE TAX COMMISSION

Mario A. Procaccino
~~XXXXXXXXXX~~ PRESIDENT

A. BRUCE MANLEY

MILTON KOERNER

ADDRESS YOUR REPLY TO

DATED: Albany, New York
March 14, 1974

Barney's Steak House, Inc.
340 Lexington Avenue
New York, New York

Gentlemen:

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

Please take further notice that pursuant to
Section(s) **1138 & 1243** of the Tax Law, any
proceeding in court to review an adverse deci-
sion must be commenced within **4 months**
from 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 relative
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

Enc.

cc: Petitioner's Representative
Law Bureau

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Application :
of :
BARNEY'S STEAK HOUSE, INC. : DEFAULT ORDER
for Revision or for Refund of Sales and :
Use Taxes under Articles 28 and 29 of :
the Tax Law for the Period 8/1/65 - :
11/30/69. :

Applicant, Barney's Steak House, Inc., filed an application for revision or for refund of sales and use taxes under Articles 28 and 29 of the Tax Law for the period 8/1/65 - 11/30/69. (Notice No. 90,742,699).

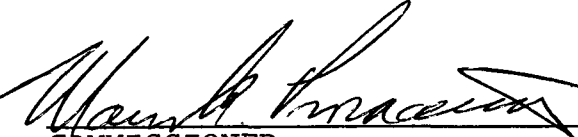
A calendar call on the application was scheduled before Honorable Milton Koerner, State Tax Commissioner, at the offices of the State Tax Commission, 2 World Trade Center, Room 6615, New York, New York, on February 20, 1974, at 2:45 P.M. Notice of said calendar call was given to applicant and applicant's representative, Laurence Fenton, C.P.A. Applicant and applicant's representative did not appear at the calendar call. A default has been duly noted.

Now on motion of the attorney for the Department of Taxation and Finance, it is

ORDERED that the application of Barney's Steak House, Inc. be and the same is hereby denied.

DATED: Albany, New York
March 14, 1974

STATE TAX COMMISSION


COMMISSIONER


COMMISSIONER


COMMISSIONER



STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE

BUILDING 9, ROOM 214A

STATE CAMPUS

ALBANY, N. Y. 12226

AREA CODE 518

457-2655, 6, 7

STATE TAX COMMISSION
HEARING UNIT

EDWARD ROOK
SECRETARY TO
COMMISSION

STATE TAX COMMISSION

~~SCOTT A. MANLEY~~ **Mario A. Procaccino**
PRESIDENT

A. BRUCE MANLEY

MILTON KOERNER

ADDRESS YOUR REPLY TO

DATED: Albany, New York
March 14, 1974

Barney's Steak House, Inc.
340 Lexington Avenue
New York, New York

Gentlemen:

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

Please take further notice that pursuant to
Section(s) 1138 & 1243 of the Tax Law, any
proceeding in court to review an adverse deci-
sion must be commenced within 4 months
from 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 relative
hereto may be addressed to the undersigned.
These will be referred to the proper party for
reply.

Very truly yours,

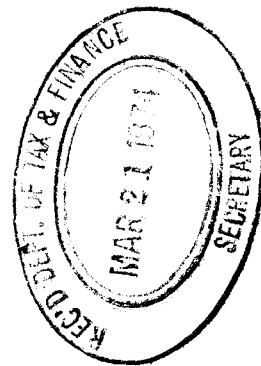
Nigel G. Wright
HEARING OFFICER

Enc.

cc: Petitioner's Representative
Law Bureau

STATE OF NEW YORK
Department of Taxation and Finance

STATE CAMPUS
ALBANY, N. Y. 12227



Barney's Steak House, Inc.
340 Lexington Avenue
New York, New York

[Faint, mostly illegible handwritten notes and stamps, possibly including a date like 10/10/73 and a signature.]

Fugel Whiggle
Bldg #9

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Application :
of :
BARNEY'S STEAK HOUSE, INC. : DEFAULT ORDER
for Revision or for Refund of Sales and :
Use Taxes under Articles 28 and 29 of :
the Tax Law for the Period 8/1/65 - :
11/30/69. :

Applicant, Barney's Steak House, Inc., filed an application for revision or for refund of sales and use taxes under Articles 28 and 29 of the Tax Law for the period 8/1/65 - 11/30/69. (Notice No. 90,742,699).

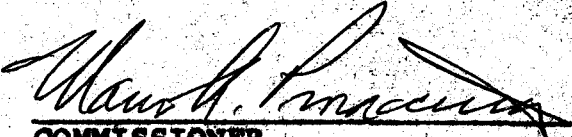
A calendar call on the application was scheduled before Honorable Milton Koerner, State Tax Commissioner, at the offices of the State Tax Commission, 2 World Trade Center, Room 6615, New York, New York, on February 20, 1974, at 2:45 P.M. Notice of said calendar call was given to applicant and applicant's representative, Laurence Fenton, C.P.A. Applicant and applicant's representative did not appear at the calendar call. A default has been duly noted.

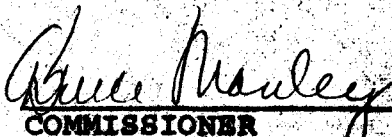
Now on motion of the attorney for the Department of Taxation and Finance, it is

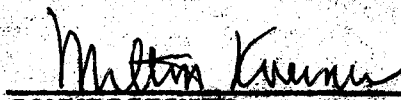
ORDERED that the application of Barney's Steak House, Inc. be and the same is hereby denied.

DATED: Albany, New York
March 14, 1974

STATE TAX COMMISSION


COMMISSIONER


COMMISSIONER


COMMISSIONER

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Application

JOSEPH A. GILBERT

Applicant

for revision of the return of sales and use taxes under Article 22 and 23 of the Tax Law for the period 1964-1965.

Applicant, Joseph A. Gilbert, filed an application for revision of the return of sales and use taxes under Article 22 and 23 of the Tax Law for the period 1964-1965.

(Article 22, 23, 24, 25)

A calendar call on the application was scheduled before

Honorable Milton Horowitz, State Tax Commissioner, at the office

of the State Tax Commission, 3 World Trade Center, Room 6012

New York, New York, on February 20, 1964, at 2:00 P.M. Notice of

said calendar call was given to applicant and applicant's representative

live, in person, C. A. Applicant and applicant's representative

did not appear at the calendar call. A default has been duly noted.

Not on motion of the attorney for the Department of Taxation

and Finance, to be

ORDERED that the application of Joseph A. Gilbert, do hereby

and the same is hereby denied.

STATE TAX COMMISSION

DATED: Albany, New York

March 14, 1964

COMMISSIONER

COMMISSIONER

COMMISSIONER