

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

EMKAY CATERERS, INC.

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :
a Revision of a Determination or a Refund :
of Sales & Use :
Taxes under Article (X) 28 & 29 of the :
Tax Law for the ~~Year(s) of~~ Period(s) :
8/31/71 - 5/31/73

State of New York
County of

Carmen M. Mottolese, 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 29th day of June, 1976, she served the within
DEFAULT ORDER by ~~XXXXXX~~ mail upon EMKAY CATERERS,
INC. ~~XXXXXX~~ the petitioner in the within proceeding,

by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Emkay Caterers, Inc.
54 Avenue O
Brooklyn, New York 11204

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

29th day of June, 1976

Carmen M. Mottolese

Janet Mack

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of
EMKAY CATERERS, INC.

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :
a Revision of a Determination or a Refund :
of Sales & Use :
Taxes under Article(s) 28 & 29 of the :
Tax Law for the ~~XXXXXX~~ Period(s) :
8/31/71 - 5/31/73

State of New York
County of

Carmen M. Mottolese, 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 29th day of June, 1976, she served the within
DEFAULT ORDER by ~~XXXXXX~~ mail upon Mr. A. Feinberg

(representative of) the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Mr. A. Feinberg
78-14 Austin Street
Forest Hills, NY

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

29th day of June, 1976

Carmen M. Mottolese

Janet Mack



STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE

TAX APPEALS BUREAU

STATE CAMPUS
ALBANY, N.Y. 12227

STATE TAX COMMISSION

ADDRESS YOUR REPLY TO

June 29, 1976

TELEPHONE: (518) 457-3850

Emkay Caterers, Inc.
54 Avenue O
Brooklyn, New York 11204

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.

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. They
will be referred to the proper party for reply.

Very truly yours,

Aloysius Nendza
Aloysius Nendza
Acting Supervisor
of Tax Conferences

Enc.

cc: Petitioner's Representative:

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition
of
EMKAY CATERERS, INC.

DEFAULT ORDER

for Revision or for Refund of Sales & Use Taxes
under Article~~(s)~~ 28 & 29 of the Tax Law for the
~~year(s)~~ Periods 8/31/71 - 5/31/73

Petitioner~~(s)~~ Emkay Caterers, Inc., 54 Avenue O, Brooklyn,
New York 11204, filed a petition for revision or for refund of
Sales and Use taxes under Article~~(s)~~ 28 of the Tax Law for the
~~year(s)~~ periods 8/31/71 - 5/31/73 . ~~File No. (s)~~ I.D. #11-2010793.

A conference on the petition was scheduled before
Joseph A. Milack, Conferee , at the offices of the State
Tax Commission, Two World Trade Center, Room 6531, New York, New York
on April 29, 1976 at 9:00 a.m. . Notice of said Conference
was given to petitioner~~(s)~~ and petitioner(s) representative,
Mr. A. Feinberg . Petitioner(s) or petitioner(s) representative did
not appear at the conference . A default has been duly noted.

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

ORDERED that the petition of Emkay Caterers, Inc.
be and the same is hereby denied.

DATED: Albany, New York
June 29, 1976

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER