

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of
LOHMANN HARDWARE, CO. INC.

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :
a Revision of a Determination or a Refund :
of Sales and Use :
Taxes under Article(s) 28 and 29 of the :
Tax Law for the ~~Year(s)~~ or Period(s) :
9/1/75 - 10/31/75

State of New York
County of Albany

Bruce Batchelor , 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 20th day of May , 1977, ~~she~~ served the within
Notice of Default Order by ~~(certified)~~ mail upon Lohmann Hardware, Co. Inc.

(~~representative of~~) the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Lohmann Hardware, Co. Inc.
440 10th Avenue
New York, 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

20th day of May , 1977.

Bruce Batchelor

Paul Mack

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of
LOHMANN HARDWARE, CO. INC.

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :
a Revision of a Determination or a Refund :
of Sales and Use :
Taxes under Article(s) 28 and 29 of the :
Tax Law for the ~~Year(s)~~ or Period(s) :
9/1/75 - 10/31/75

State of New York
County of Albany

Bruce Batchelor , 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 20th day of May , 1977, ~~she~~ served the within
Notice of Default Order by ~~(certified)~~ mail upon Hyman E. Goldstein

(representative of) the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Hyman E. Goldstein
1529 East 13th Street
Brooklyn, NY 11230

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

20th day of May , 1977.

Bruce Batchelor

Janet Mack



STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE

STATE TAX COMMISSION

TAX APPEALS BUREAU
STATE CAMPUS
ALBANY, N.Y. 12227

ADDRESS YOUR REPLY TO

May 20, 1977

TELEPHONE: (518) **457-1723**

Lohmann Hardware, Co. Inc.
440 10th Avenue
New York, NY

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 and 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 J. Mendez
Aloysius J. Mendez
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

LOHMANN HARDWARE, CO. 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)~~ Period 9/1/75 - 10/31/75

Petitioner ~~(s)~~ Lohmann Hardware Co., Inc., 440 10th Avenue, New York,

NY
filed a petition for revision or for refund of
sales & use taxes under Article ~~(s)~~ 28 & 29 of the Tax Law for the
~~year(s)~~ period 9/1/75 - 10/31/75 . File No. ~~(s)~~ 15012

A pre-hearing conference on the petition was scheduled before
Morris Turetzky , at the offices of the State
Tax Commission, Two World Trade Center, New York, NY
on February 23, 1977 at 10:30 A.M. . Notice of said pre-hearing
conference was given to petitioner(s) and petitioner(s) representative,
Hyman E. Goldstein . Petitioner(s) or petitioner(s) representative did
not appear at the scheduled conference . A default has been duly noted.

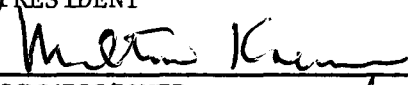
Now on motion of the attorney for the Department of Taxation and Finance,
it is


ORDERED that the petition of Lohmann Hardward Co. Inc.
be and the same is hereby denied.

DATED: Albany, New York
May 20, 1977

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER