

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of  
44094 48TH STREET RESTAURANT CORP. :  
d/b/a AIRLINE CLUB  
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 ~~Years(s)~~ Period(s) :  
12/1/71 - 2/28/74.

AFFIDAVIT OF MAILING

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 14th day of January, 1977, ~~she~~ served the within  
Notice of Default Order by ~~(certified)~~ mail upon 44094 48th Street  
Restaurant Corp. d/b/a  
Airline Club ~~(representative of)~~ the petitioner in the within proceeding,  
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed  
as follows:  
44094 48th Street Restaurant Corp.  
d/b/a Airline Club  
44-04 48th Street  
Woodside, New York 11377  
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)~~  
~~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

14th day of January, 1977.

Bruce Batchelor

Janet Back



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

January 14, 1977

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

44094 48th Street Restaurant Corp.  
d/b/a Airline Club  
44-04 48th Street  
Woodside, New York 11377

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,

*Frank J. Puccia*

**Frank J. Puccia**

**Supervisor of Small**

**Claims Hearings**

Enc.

cc: ~~Rebelleman's Representative~~

Taxing Bureau's Representative:

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition  
of  
44094 48th STREET RESTAURANT CORP.  
d/b/a AIRLINE CLUB  
for Revision or for Refund of Sales & Use Taxes  
under Article(s) 28 & 29 of the Tax Law for the  
~~years~~ Periods 12/1/71 - 2/28/74

DEFAULT ORDER

Petitioner(s) 44094 48th Street Restaurant Corp., d/b/a Airline Club,  
44-04 48th Street, Woodside,  
N.Y. 11377 filed a petition for revision or for refund of  
Sales & Use taxes under Article(s) 28 & 29 of the Tax Law for the  
~~years~~ Periods 12/1/71 - 2/28/74 . File No.(s) 00221

A small claims hearing on the petition was scheduled before  
Joseph A. Milack, Small Claims Hearing Officer at the offices of the State  
Tax Commission, Two World Trade Center, 65th Floor, Rm. 65-31, New York, N.Y.  
on Wednesday, Nov. 17, 1976 at 1:15 P.M. . Notice of said small claims  
hearing was given to petitioner(s) ~~and petitioner(s) representative~~  
. Petitioner(s) ~~and petitioner(s) representative~~ did  
not appear at the scheduled hearing . A default has been duly noted.

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

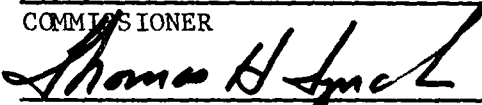
ORDERED that the petition of 44094 48th Street Restaurant Corp., d/b/a  
Airline Club  
be and the same is hereby denied.

DATED: Albany, New York  
January 14, 1977

STATE TAX COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER