

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

CARVEL ICE CREAM STORE
(BON CON CORP.)

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)
10/72 - 2/75

State of New York
County of Albany

John Huhn

, being duly sworn, deposes and says that

he is an employee of the Department of Taxation and Finance, over 18 years of
age, and that on the 3rd day of October, 19 77, he served the within

Notice of Default Order by ~~(certified)~~ mail upon Carvel Ice Cream Store

(Bon Con Corp.) ~~XXXXXXXXXXXXXX~~ the petitioner in the within proceeding,

by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
Carvel Ice Cream Store
as follows: (Bon Con Corp.)

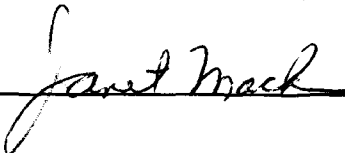
c/o Lyons Ice Cream & Restaurant, Inc.
3240 Chili Avenue
Rochester, New York 14624

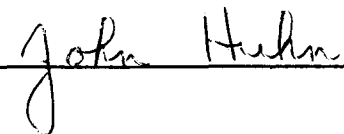
and by depositing same enclosed in a postpaid properly addressed wrapper in a
(post office or official depository) under the exclusive care and custody of
the United States Postal Service within the State of New York.

That deponent further says that the said addressee is the ~~(representative~~
~~XXXXXX~~ 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

3rd day of October, 19 77





STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

CARVEL ICE CREAM STORE

(Bon Gon Corp.)

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~~ Period(s)

10/72 - 2/75

AFFIDAVIT OF MAILING

State of New York
County of Albany

John Huhn, being duly sworn, deposes and says that

he is an employee of the Department of Taxation and Finance, over 18 years of
age, and that on the 3rd day of October, 1977, he served the within

Notice of Default Order by (~~certified~~) mail upon Alan J. Zipperstein

(representative of) the petitioner in the within proceeding,

by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Mr. Alan J. Zipperstein

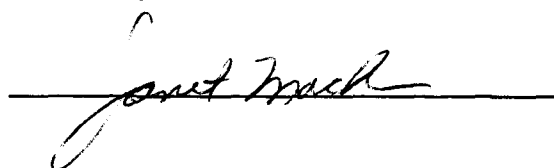
Standard Rate Review
2 Pennsylvania Plaza, Suite 1500
New York, New York 10001

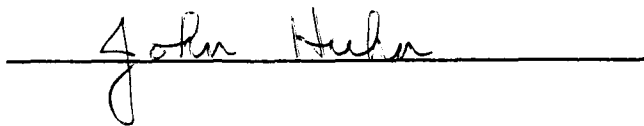
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the United States Postal Service within the State of New York.

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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

3rd day of October, 1977.







STATE OF NEW YORK
STATE TAX COMMISSION
TAX APPEALS BUREAU
ALBANY, NEW YORK 12227

October 3, 1977

ADDRESS YOUR REPLY TO

JAMES H. TULLY JR., PRESIDENT

MILTON KOERNER

THOMAS H. LYNCH

TELEPHONE: (518) 457-1723

**Carvel Ice Cream Store
(Bon Con Corp.)
c/o Lyons Ice Cream & Restaurant, Inc.
3240 Chili Avenue
Rochester, New York 14624**

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 & 1250** 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,

**JOSEPH CHYRYWATY
HEARING EXAMINER**

Enc.

cc: Petitioner's Representative:

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition
of
CARVEL ICE CREAM STORE
(BON CON CORP.)
for Revision or for Refund of Sales and Use Taxes
under Article(s) 28 and 29 of the Tax Law for the
~~year(s)~~ Periods 10/72 - 2/75.

DEFAULT ORDER

Petitioner(x), Carvel Ice Cream Store (Bon Con Corp.), c/o Lyons Ice Cream & Restaurant, Inc., 3240 Chili Avenue, Rochester, New York 14624 filed a petition for revision or for refund of sales and use taxes under Article(s) 28 & 29 of the Tax Law for the ~~year(s)~~ periods 10/72 - 2/75 . File No.(x) 16209

A small claims hearing on the petition was scheduled before Harry Huebsch, Hearing Officer, at the offices of the State Tax Commission, One Marine Midland Plaza, Room 1300, Rochester, New York on August 8, 1977 at 1:15 P.M. . Notice of said small claims hearing was given to petitioner(s) and petitioner(s) representative, Alan J. Zipperstein . Petitioner(s) or petitioner(s) representative did not appear at the small claims 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 CARVEL ICE CREAM STORE (BON CON CORP.) be and the same is hereby denied.

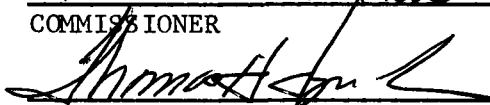
DATED: Albany, New York

October 3, 1977

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER

STATE OF NEW YORK
Department of Taxation and Finance
TAX APPEALS BUREAU

STATE CAMPUS

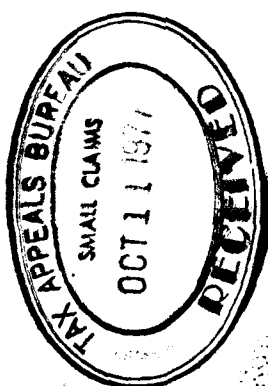
ALBANY, N. Y. 12227



MOVED—LEFT NO ADDRESS

Mr. Alan J. Zipperstein
Standard Rate Review
2 Pennsylvania Plaza, Suite 1500
New York, New York 10001

*with the info
see the info
NYC directory
of Law Bureau*





STATE OF NEW YORK
STATE TAX COMMISSION
TAX APPEALS BUREAU
ALBANY, NEW YORK 12227

October 3, 1977

ADDRESS YOUR REPLY TO

JAMES H. TULLY JR., PRESIDENT
MILTON KOERNER
THOMAS H. LYNCH

TELEPHONE: (518) 457-1723

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(Bon Con Corp.)
c/o Lyons Ice Cream & Restaurant, Inc.
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from the date of this notice.

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due or refund allowed in accordance with this
decision or concerning any other matter relative
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will be referred to the proper party for reply.

Very truly yours,

Joseph Chyrywaty
JOSEPH CHYRYWATY
HEARING EXAMINER

Enc.

cc: Petitioner's Representative:

Taxing Bureau's Representative:

TA-19 (7/77)

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition
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(BON CON CORP.)
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under Article(s) 28 and 29 of the Tax Law for the
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Now on motion of the attorney for the Department of Taxation and Finance, it is

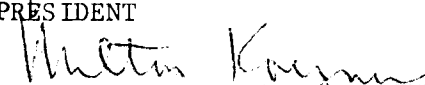
ORDERED that the petition of CARVEL ICE CREAM STORE (BON CON CORP.) be and the same is hereby denied.

DATED: Albany, New York

October 3, 1977

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER