

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of
RUDLEY'S STORES, INC. (Seller) and
SERVUS RESTAURANT, INC. (Purchaser)

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 & 29 of the
Tax Law for the ~~Year(s) or~~ Period(s)
8/1/65-7/31/69.

State of New York
County of Albany

Jean Wager, 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 6th day of October, 1976, she served the within
Notice of Default by ~~(certified)~~ mail upon Rudley's Stores, Inc.

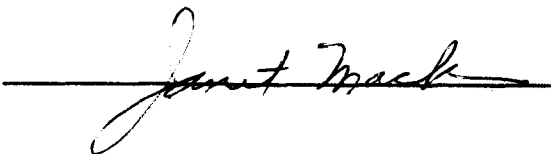
~~(representative of the)~~ the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Rudley's Stores, Inc.
1697 Broadway
New York, N.Y. 10019

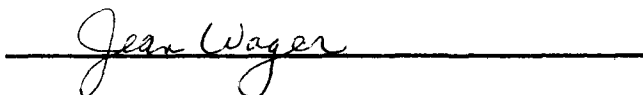
and by depositing same enclosed in a postpaid properly addressed wrapper in a
(post office or official depository) under the exclusive care and custody of
the United States Postal Service within the State of New York.

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

6th day of October, 1976.





STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of
RUDLEY'S STORES, INC. (Seller) and :
SERVUS RESTAURANT, INC. (Purchaser) :

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 & 29 of the :
Tax Law for the ~~Years(s)~~ or Period(s) :
8/1/65-7/31/69.

State of New York
County of Albany

Jean Wager , 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 6th day of October , 1976 , she served the within
Notice of Default by ~~(certified)~~ mail upon Servus Restaurant,
Inc. ~~(representative of)~~ the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Servus Restaurant, Inc.
884 Third Ave.
New York, N.Y. 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 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

6th day of October , 1976.

Janet Mark

Jean Wager



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

October 6, 1976

TELEPHONE: (518) **457-3850**

Rudley's Stores, Inc.
1697 Broadway
New York, N.Y. 10019

Gentlemen:

Please take notice of the **Default**
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,

Paul B. Coburn
Paul B. Coburn
Supervising Tax
Hearing Officer

Enc.

cc: ~~Taxing Bureau's Representative~~

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

RUDLEY'S STORES, INC. (Seller)

and

SERVUS RESTAURANT, INC. (Purchaser)

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 8/1/65 - 7/31/69.DEFAULT ORDER

Petitioner(s), Rudley's Stores, Inc. (Seller) 1697 Broadway, NY, NY 10019 and
Servus Restaurant, Inc. (Purchaser),
884 Third Ave., NY, NY 10022, filed a petition 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 8/1/65 - 7/31/69 . File No.(s) 13-1247920.

A Formal Hearing

on the petition was scheduled before

Edward L. Johnson, Hearing Officer

, at the offices of the State

Tax Commission, Two World Trade Center, 65th Floor, Room 65-31, New York, NY

on Wednesday, August 11, 1976, at 1:15 P.M. . Notice of said Formal

Hearing was given to petitioner(s) ~~and petitioner(s) representative,~~. Petitioner(s) ~~or petitioner(s) representative~~ did

not appear at the Formal Hearing

. A default has been duly noted.

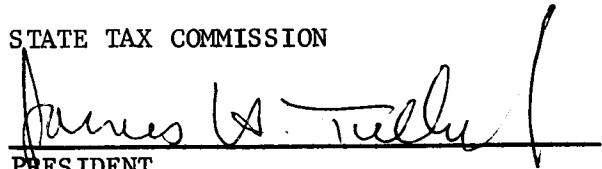
Now on motion of the attorney for the Department of Taxation and Finance,

it is

ORDERED that the petition of Rudley's Stores, Inc. (Seller) and Servus Restaurant,
Inc. (Purchaser)
be and the same is hereby denied.

DATED: Albany, New York
October 6, 1976

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER



STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE

TAX APPEALS BUREAU

STATE CAMPUS
ALBANY, N.Y. 12227

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Gentlemen:

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Supervising Tax
Hearing Officer

Enc.

cc: ~~Petitioner's Representative~~

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

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of

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andSERVUS RESTAURANT, INC. (Purchaser)
for Revision or for Refund of Sales and Use TaxesDEFAULT ORDERunder Article(s) 28 and 29 of the Tax Law for the
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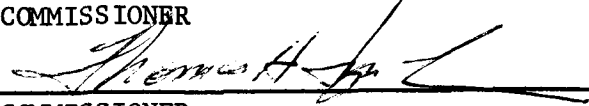
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DATED: Albany, New York
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STATE TAX COMMISSION


 PRESIDENT


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TA-26 (4-76) 25M

STATE OF NEW YORK

Department of Taxation and Finance

TAX APPEALS BUREAU

STATE CAMPUS

ALBANY, N. Y. 12227

Rudley's Stores, Inc.
1697 Broadway
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STATE OF NEW YORK

Department of Taxation and Finance

TAX APPEALS BUREAU

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DEPARTMENT OF TAXATION AND FINANCE

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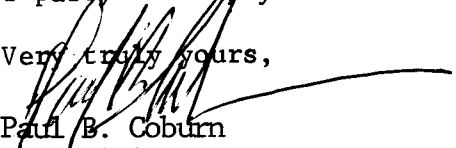
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Supervising Tax
Hearing Officer

Enc.

cc: ~~Taxpayer's Representative:~~

Taxing Bureau's Representative:

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