

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

223 EAST 86 STREET RESTAURANT CORP.

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 ~~Period(s)~~ Period(s) :
9/1/69 - 5/31/74.

State of New York
County of Albany

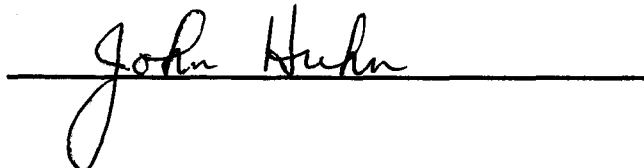
John Huhn, being duly sworn, deposes and says that
he is an employee of the Department of Taxation and Finance, over 18 years of
age, and that on the 5th day of April, 1978, he served the within
Notice of Default Order by ~~(certified)~~ mail upon 223 East 86 Street
Restaurant Corp. ~~(representative of)~~ the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: 223 East 86 Street Restaurant Corp.
223 East 86th Street
New York, New York
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

5th day of April, 1978.





STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

223 EAST 86 STREET RESTAURANT CORP.:

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 ~~XXXX(s)XX~~ Period(s) :
9/1/69 - 5/31/74.

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 5th day of April , 1978, ~~he~~ served the within
Notice of Default Order by ~~(certified)~~ mail upon William P. Maloney

(representative of) the petitioner in the within proceeding,

by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
William P. Maloney, Esq.
as follows: Verini & Maloney
225 Broadway
New York, New York 10007

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

5th day of April , 1978

[Signature]

John Huhn



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

ADDRESS YOUR REPLY TO

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

April 5, 1978

TELEPHONE: (518) 457-1723

**223 East 86 Street Restaurant Corp.
223 East 86th Street
New York, New York**

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,

Enc.

John F. Koagel

Supervisor of Tax Conferences

cc: Petitioner's Representative:

Taxing Bureau's Representative:

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :
of :
223 EAST 86 STREET RESTAURANT CORP. : DEFAULT ORDER
for Revision or for Refund of Sales and :
Use Taxes under Articles 28 & 29 of the :
Tax Law for the Periods 9/1/69 - 5/31/74. :

Petitioner 223 East 86 Street Restaurant Corp., 223 East 86th Street, New York, New York, filed a petition for revision or for refund of Sales and Use taxes under Articles 28 & 29 of the Tax Law for the Periods 9/1/69 - 5/31/74. File No. 13851.

On October 25, 1977 the petitioner, through his representative, was requested to file a perfected petition under Section 601.5(a) of the Rules of Practice. The Petitioner failed to file the required perfected petition. On the basis of Section 601.5(d) (2) of the Rules of Practice, 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 223 East 86 Street Restaurant Corp. be and the same is hereby denied.

DATED: Albany, New York
April 5, 1978

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER

CONFERENCE

TA-26 (4-76) 25M

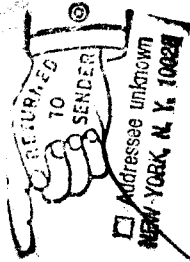
STATE OF NEW YORK

Department of Taxation and Finance

TAX APPEALS BUREAU

STATE CAMPUS

ALBANY, N. Y. 12227



223 East 86 Street Restaurant Corp.
223 East 86th Street
New York, New York



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

ADDRESS YOUR REPLY TO

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

April 5, 1978

TELEPHONE: (518) 457-1723

223 East 86 Street Restaurant Corp.
223 East 86th Street
New York, New York

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,

Enc.

John F. Koagel

Supervisor of Tax Conferences

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 :
of :
223 EAST 86 STREET RESTAURANT CORP. : DEFAULT ORDER
for Revision or for Refund of Sales and :
Use Taxes under Articles 28 & 29 of the :
Tax Law for the Periods 9/1/69 - 5/31/74. :

Petitioner 223 East 86 Street Restaurant Corp., 223 East 86th Street, New York, New York, filed a petition for revision or for refund of Sales and Use taxes under Articles 28 & 29 of the Tax Law for the Periods 9/1/69 - 5/31/74. File No. 12821.

On October 25, 1977 the petitioner, through his representative, was requested to file a perfected petition under Section 601.5(a) of the Rules of Practice. The Petitioner failed to file the required perfected petition. On the basis of Section 601.5(d) (2) of the Rules of Practice, 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 223 East 86 Street Restaurant Corp. be and the same is hereby denied.

DATED: Albany, New York
April 5, 1978

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER

