

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

COURTESY OLDSMOBILE, INC.

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 of the :
Tax Law for the Year(s) or Period(s) :
3/1/73 - 9/12/75

State of New York
County of Albany

John Huhn

, 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 11th day of August, 1978, she served the within
Default Order by ~~(certified)~~ mail upon Courtesy Oldsmobile,

Inc. ~~(representative of)~~ the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Courtesy Oldsmobile, Inc.
4256 Bron Blvd.
Bronx, NY 10466

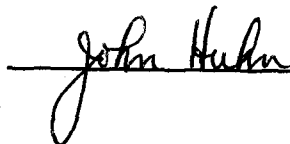
and by depositing same enclosed in a postpaid properly addressed wrapper in a
(post office or official depository) under the exclusive care and custody of
the United States Postal Service within the State of New York.

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

11th day of August, 1978.





STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of
COURTESY OLDSMOBILE, INC.

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :
a Revision of a Determination or a Refund :
of Sales & Use :
Taxes under Article (28) of the :
Tax Law for the ~~Year(s)~~ or Period(s) :
3/1/73 - 9/12/75

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 11th day of August, 1978, he served the within

Default Order by ~~(certified)~~ mail upon Michael Zuckerman, Esq.

(representative of) the petitioner in the within proceeding,

by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed

as follows: Michael Zuckerman, Esq.
Loecher, Solomon, Zuckerman
1350 Avenue of the America's
New York, NY 10019

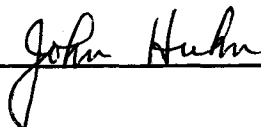
and by depositing same enclosed in a postpaid properly addressed wrapper in a
(post office or official depository) under the exclusive care and custody of
the United States Postal Service within the State of New York.

That deponent further says that the said addressee is the (representative
of the) 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

11th day of August, 1978.







STATE OF NEW YORK
DEPARTMENT OF
TAXATION AND FINANCE
ALBANY, NEW YORK 12227

BERTHLYNN J. DAVIS
SECRETARY TO THE
STATE TAX COMMISSION

August 11, 1978,

Courtesy Oldsmobile, Inc.
4256 Bron Blvd
Bronx, NY 10466

Gentlemen:

Please take notice of the Default Order of the State Tax Commission enclosed herewith.

Please take further notice that pursuant to Section(s) 690 of the Tax Law, any proceeding in court to review an adverse decision must be commenced within four 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,


BERTHLYNN J. DAVIS
SECRETARY TO THE STATE TAX COMMISSION

Enc.

cc: Petitioner's Representative:

Michael Zuckerman, Esq.
Loecher, Solomon, Zuckerman
1350 Avenue of the Americas, New York, NY 10019
Taxing Bureau's Representative.

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition
of
COURTESY OLDSMOBILE, INC.

for Revision or for Refund of Sales & Use Taxes : DEFAULT ORDER
under Article(s) 28 of the Tax Law for the
period 3/1/73 - 9/12/75.

Petitioner(s) Courtesy Oldsmobile, Inc., 4256 Bron Blvd., Bronx, NY 10466
filed a petition for revision or
for refund of Sales & Use taxes under Article(s) 28
of the Tax Law for the period 3/1/73 - 9/12/75 . File No. 16893 .

Under Section 601.5 of the State Tax Commission Rules of Practice and
Procedure, the ~~taxpayer~~ taxpayer's representative was served notice to
file a perfected petition. The ~~taxpayer~~ taxpayer's representative failed
to file a perfected petition. Notice to file a perfected petition was sent
to the ~~taxpayer~~ taxpayer's representative's last known address.

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

ORDERED that the petition of Courtesy Oldsmobile, Inc.
be and the same is hereby denied.

DATED: Albany, New York
August 11, 1978

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER

P H O N E M E M O	TO	Berthlynn	DATE	TIME	AM PM		
	FROM	Mr. Loecher	AREA CODE—TELEPHONE NO.—OR OPER.				
	M		212-765-3811				
	OF		EXTENSION #				
MESSAGE	Re: Courtney Oldsmobile Default order						
	212-695-3550						
	SIGNED <u>Mac</u>						
	Phoned <input type="checkbox"/>	Call Back <input type="checkbox"/>	Returned Call <input type="checkbox"/>	Wants To See You <input type="checkbox"/>	Will Call Again <input type="checkbox"/>	Was In <input type="checkbox"/>	See Operator <input type="checkbox"/>

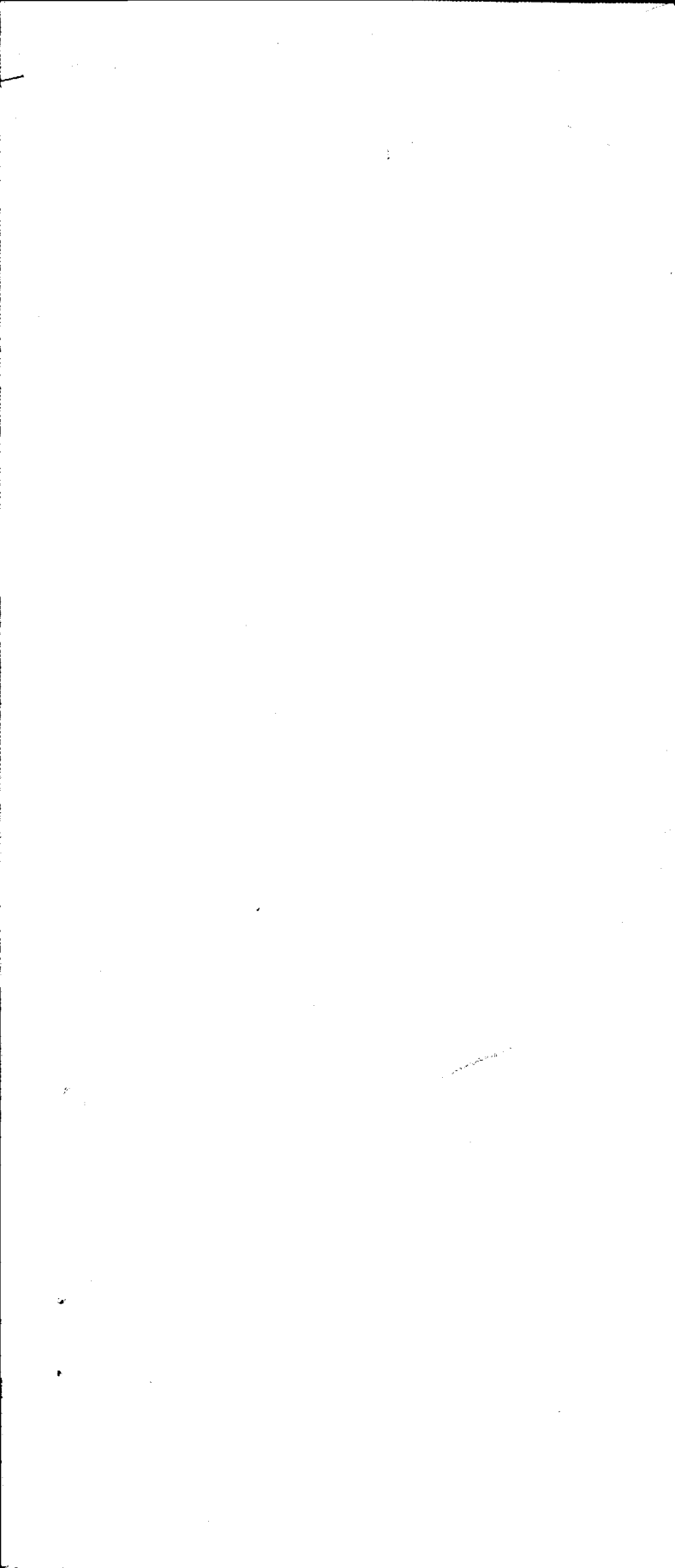
Att: Berthlyn Davis

State of New York
Department of Taxation & Finance
Sales Tax Bureau
State Campus
Albany, New York 12226

RUBEN SCHWARTZ, LASKER & SCHNALL

450 SEVENTH AVENUE

NEW YORK, N. Y. 10001



June 11, 1979

Murray M. Loecher, Esq.
Ruben, Schwartz, Lasker & Schnall, Esqs.
450 Seventh Avenue
New York, New York 10001

RE: COURTESY OLDSMOBILE

Dear Mr. Loecher:

Please accept my apology for the delay in responding to your April 19, 1979 letter, however, you did not indicate the name of the case involved.

The State Tax Commission has declined to reconsider opening the default order in this matter. Since the lapse of time between the date of the order was some eight months prior to correspondence from your office, this order will remain final.

Sincerely,

BERTILYNN J. DAVIS
Secretary to the State Tax Commission

BJD:mac

June 11, 1979

Murray M. Loecher, Esq.
Ruben, Schwartz, Lasker & Schnall, Esqs.
450 Seventh Avenue
New York, New York 10001

RE: COURTESY OLDSMOBILE

Dear Mr. Loecher:

Please accept my apology for the delay in responding to your April 19, 1979 letter, however, you did not indicate the name of the case involved.

The State Tax Commission has declined to reconsider opening the default order in this matter. Since the lapse of time between the date of the order was some eight months prior to correspondence from your office, this order will remain final.

Sincerely,

BERTHLYNN J. DAVIS
Secretary to the State Tax Commission

BJD:mac

June 11, 1979

Murray M. Loecher, Esq.
Rubin, Schwartz, Baker & Schnell, Esqs.
430 Seventh Avenue
New York, New York 10001

RE: COURTNEY BLOOMBERG

Dear Mr. Loecher:

Please accept my apology for the delay in responding to your April 19, 1979 letter, however, you did not indicate the basis of the case involved.

The State Tax Commission has declined to reconsider against the default order in this matter. Since the lapse of time between the date of the order was some eight months prior to correspondence from your office, this order will remain final.

Sincerely,

BERNARD J. DAVIS
Secretary to the State Tax Commission

RJD:mc

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RUBEN SCHWARTZ
ALFRED SCHNALL
ARTHUR E. LASKER
BRETT J. MEYER

SEYMOUR J. SILBERBERG
RICHARD D. LORGE
PERRY C. BURKETT
RICHARD S. BERGER

Ruben Schwartz, Lasker & Schnall
Attorneys at Law
450 Seventh Avenue
New York, N.Y. 10001

OXFORD 5-3550

ASSOCIATE COUNSEL
Murray M. Loecher

KUBERT LYONS
JACOB FREED ADELMAN
MORRIS M. MINTZ
SAMUEL F. GOLD
GODFREY SCHUTZER

S. E. C. COUNSEL
FREDRIC C. JACOBS
(ADMITTED IN PA)

April 19, 1979

State of New York
Department of Taxation and Finance
Sales Tax Bureau
State Campus
Albany, New York 12226

Att: Berthlyn Davis

Re: Notice Number 90,351,041 P
I.D. 13-2834699

Dear Ms. Davis:

On March 21, 1979 I spoke with you regarding the above matter at which point you advised that you would be checking this out further and getting back to me with a view towards resolution and disposition of this matter. I would appreciate if you could give me any advice concerning the above, inasmuch as we are most desirous of concluding this matter in a proper fashion.

Thank you for your courtesies and cooperation.

Very truly yours,

MML:rak

MURRAY M. LOECHER

cc: Jerry Bessen

