In the Matter of the Petition

of

AFFIDAVIT OF MAILING

FRIEDMAN & HAAS, INC.

For a Redetermination of a Deficiency or a Revision of a Determination or a Refund of Sales and Use

Taxes under Article(s)28and29 of the Tax Law for the **XSXX(SS)XOT** Period(X)

3/1/73 - 11/30/76.

State of New York County of Albany

John Huhn , being duly sworn, deposes and says that

whe is an employee of the Department of Taxation and Finance, over 18 years of

age, and that on the 27th day of July , 1978, whe served the within

Notice of Default Order by (xextofied) mail upon Friedman & Haas, Inc.

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.

John Hukn

Sworn to before me this

27th day of July

, 1978.

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In the Matter of the Petition

of

AFFIDAVIT OF MAILING

FREIDMAN & HAAS, INC.

For a Redetermination of a Deficiency or a Revision of a Determination or a Refund of Sales and Use
Taxes under Article(s)28 and 29 of the
Tax Law for the XXXXXXXXX Period(X)
3/1/73 - 11/30/76.

State of New York County of Albany

John Huhn

, being duly sworn, deposes and says that

whe is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 27th day of July , 1978, whe served the within

Notice of Default Order

by (creatified) mail upon Louis Kanter and Irving

Levenberg

(representative of) the petitioner in the within proceeding,

John Hukn

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

Louis Kanter and Irving Levenberg

as follows:

Certified Public Accountants

148 East Main Street

Huntington, New York 11743

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

27th day of July

, 1978.

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

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

ADDRESS YOUR REPLY TO

July 27, 1978

TELEPHONE: (518) 457-1723

Friedman & Haas, Inc. 2008 New York Avenue Huntington Station, New York 11746

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 and 1243 of the Tax Law, any proceeding in court to review an adverse decision 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

cc: Petitioner's Representative:

Taxing Bureau's Representative:

STATE OF NEW YORK STATE TAX COMMISSION

In the Matter of the Petition

of

FRIEDMAN & HAAS. INC.

DEFAULT ORDER

for Revision or for Refund of Sales and Use Taxes under Article(s)28 and 29 of the Tax Law for the XXXXX(X) Period 3/1/73 - 11/30/76.

Petitioner(x), Friedman & Haas, Inc. 2008 New York Avenue, Huntington Station, New York 11746, 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 xxxx(x)period 3/1/73 - 11/30/76 . File No.(x) 18995

A pre-hearing conference on the petition was scheduled before

Eugene C. Welch, Conferee , at the offices of the State

Tax Commission, Department of Taxation and Finance, Suffolk Branch Office,

Veterans Memorial Highway, Hauppauge, New York

on February 21, 1978 at 1:15 P.M. Notice of said pre-hearing

conference was given to petitioner(x) and petitioner(x) representative, Louis Kanter &

Irving Levenberg, CPA's . Petitioner(x) or petitioner(x) representative did

not appear at the pre-hearing conference . 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 FRIEDMAN & HAAS, INC. be and the same is hereby denied.

DATED: Albany, New York
July 27, 1978

STATE TAX COMMISSION

PRES IDENT

COMMISSIONER

COMMISSIONER