

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition

of

JOHNSTON PUMP CO.

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 Year ~~(XXXXXX)~~ :  
1976

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 27 day of July , 1978 , ~~she~~ served the within  
Notice of Default Order by ~~(certified)~~ mail upon Johnston Pump Co.

~~(XXXXXX)~~ the petitioner in the within proceeding,  
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed  
as follows: Johnston Pump Co.  
1775 East Allen Ave.  
Glendora, CA

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

27 day of July , 19 78

*[Signature]*

*John Huhn*



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

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

**Johnston Pump Co.  
1775 East Allen Ave.  
Glendora, CA**

**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,

*John F. Koegel*  
**John F. Koegel**

**Supervisor of Tax Conferences**

Enc.

cc: ~~Backlog/Office/Representation~~

Taxing Bureau's Representative:

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition  
of  
JOHNSTON PUMP CO.  
for Revision or for Refund of Sales & Use Taxes  
under Article(s) 28 & 29 of the Tax Law for the  
Year(s) 1976

DEFAULT ORDER

Petitioner(s) Johnston Pump Co., 1775 East Allen Avenue, Glendora, California 91740  
filed a petition for revision or for refund of  
Sales & Use taxes under Article(s) 28 & 29 of the Tax Law for the  
year(s) 1976 . File No.(s) 18605

A Pre-Hearing Conference on the petition was scheduled before  
Bruce M. Rauch, Conferee , at the offices of the State  
Tax Commission, Offices of New York State Tax Appeals Bureau, Building #9, Room 107,  
State Campus, Albany, NY 12227  
on Thursday, May 11, 1978 at 9:00 A.M. . Notice of said Pre-Hearing

Conference was given to petitioner(s) and petitioner(s) representative,

. Petitioner(s) or petitioner(s) 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 Johnston Pump Co.  
be and the same is hereby denied.

DATED: Albany, New York  
July 27, 1978

STATE TAX COMMISSION

  
PRESIDENT

  
COMMISSIONER

  
COMMISSIONER