

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of
MOOG, INC.

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) or~~ Period(s) :
2/1/75 - 12/31/76 & 6/1/73 - 5/31/76.

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 4th day of October, 1978, ~~he~~ served the within
Notice of Short Form Order by ~~(certified)~~ mail upon Moog, Inc.

~~(representative of)~~ the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows:
Moog, Inc.
Seneca Street and Jamison Road
East Aurora, New York 14052

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)~~
~~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

4th day of October, 1978

[Signature]

John Huhn

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

MOOG, INC.

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 and 29 of the :
Tax Law for the ~~XXXXXX~~ Period(s) :
2/1/75 - 12/31/76 & 6/1/73 - 5/31/76.

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 4th day of October, 1978, she served the within
Notice of Short Form Order by ~~(certified)~~ mail upon Moot, Sprague, Marcy,
Landy, Fernbach & Smythe
(representative of) the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
Moot, Sprague, Marcy, Landy, Fernbach & Smythe
as follows: 2300 Two Main Place
Buffalo, New York 14202

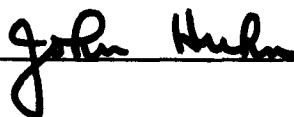
and by depositing same enclosed in a postpaid properly addressed wrapper in a
(post office or official depository) under the exclusive care and custody of
the United States Postal Service within the State of New York.

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

4th day of October, 1978.







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

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

October 4, 1978

TELEPHONE: (518) 457-1723

**Moog, Inc.
Seneca Street and Jamison Road
East Aurora, New York 14052**

Gentlemen:

**Please take notice of the SHORT FORM ORDER of the
State Tax Commission enclosed herewith.**

Very truly yours,

**Aloysius J. Hendza
Assistant Director**

Enclosure

cc: Petitioner's Representative

Taxing Bureau's Representative

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :

of :

MOOG, INC. :

SHORT FORM ORDER

For Refund of Sales and Use Taxes for the period:
2/1/75 - 12/31/76; and for redetermination of
deficiency for period 6/1/73-5/31/76. :

Petitioner's motion for a default decision upon the grounds that the Law Bureau failed to file an answer within 60 days pursuant to Section 601.6(a) of the Rules of Practice is denied in view of the fact that petitioner's position in this matter has not been adversely affected by the short delay in the service of an answer by the Law Bureau.

The Law Bureau's affidavit in answer to petitioner's motion is granted to the extent that service be made on petitioner only until such time as a duly executed power of attorney is filed pursuant to 20NYCRR 600.5(c).


PRESIDENT


COMMISSIONER


COMMISSIONER

Dated: Albany, New York
October 4, 1978