

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition :

of

Alpine Pharmacy :

AFFIDAVIT OF MAILING

for Redetermination of a Deficiency or a Revision :

of a Determination or a Refund of

Sales & Use Tax :

under Article 28 of the Tax Law

for the period 9/1/73 - 2/28/77. :

State of New York

County of Albany

Jay Vredenburg, 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 22nd day of June, 1979, he served the within Notice of Default Order by mail upon Alpine Pharmacy, the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

Alpine Pharmacy  
68-17 Fourth Ave.  
Brooklyn, NY 11220

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 petitioner herein and that the address set forth on said wrapper is the last known address of the petitioner.

Sworn to before me this  
22nd day of June, 1979.

Marilyn J. Kapman

Jay Vredenburg

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition :

of

Alpine Pharmacy :

AFFIDAVIT OF MAILING

for Redetermination of a Deficiency or a Revision :

of a Determination or a Refund of

Sales & Use Tax :

under Article 28 of the Tax Law

for the period 9/1/73 - 2/28/77. :

State of New York

County of Albany

Jay Vredenburg, 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 22nd day of June, 1979, he served the within Notice of Default Order by mail upon Jermoe I. Silverman the representative of the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

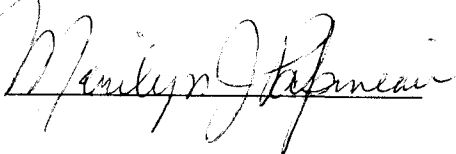
Mr. Jermoe I. Silverman  
20 Donald Dr.  
Syosset, NY 11791

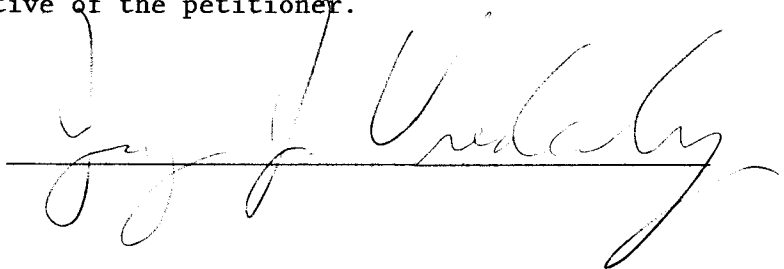
and by depositing same enclosed in a postpaid properly addressed wrapper in a (post office or official depository) under the exclusive care and custody of the United States Postal Service within the State of New York.

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

22nd day of June, 1979.







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

STATE TAX COMMISSION

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

JOHN J. SOLLECITO  
DIRECTOR

Telephone: (518) 457-1723

June 22, 1979

Alpine Pharmacy  
68-17 Fourth Ave.  
Brooklyn, NY 11220

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 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,

A handwritten signature in cursive script, appearing to read "John J. Sollecito".

cc: Petitioner's Representative  
Jermoe I. Silverman  
20 Donald Dr.  
Syosset, NY 11791  
Taxing Bureau's Representative

STATE OF NEW YORK  
STATE TAX COMMISSION

In the Matter of the Petition  
of  
ALPINE PHARMACY  
for Revision or for Refund of Sales Taxes  
under Article (x) 28 of the Tax Law for the  
~~Year(s)~~  
Periods September 1, 1973 through February 28, 1977

DEFAULT ORDER

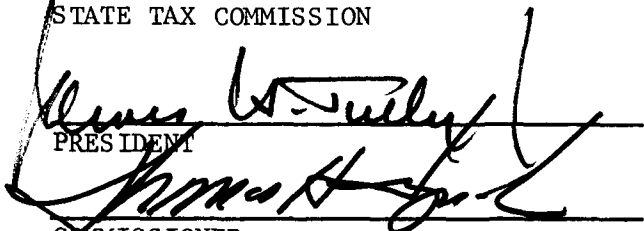
Petitioner(x) Alpine Pharmacy, 68-17 Fourth Avenue, Brooklyn, New York 11220  
filed a petition for revision or for refund of  
Sales taxes under Article(x) 28 of the Tax Law for the  
~~year(s)~~ Periods Sept. 1, 1973 through Feb. 28, 1977 File No.(s) 20974

A Pre-Hearing Conference on the petition was scheduled before  
Eugene C. Welch, at the offices of the State  
Tax Commission, New York State Department of Taxation & Finance, Brooklyn, D.O.  
141 Livingston St. Brooklyn, New York  
on October 13, 1978 at 9:00 A.M. . Notice of said Pre-Hearing  
Conference was given to petitioner(x) and petitioner(s) representative,  
Jerome I. Silverman . Petitioner(x) 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 ALPINE PHARMACY  
be and the same is hereby denied.

DATED: Albany, New York  
June 22, 1979

STATE TAX COMMISSION  
  
PRESIDENT  
COMMISSIONER

COMMISSIONER