

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :
of :
Marc Kirchbaum :
c/o Shirt Story of Atlanta, GA : 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 9/1/72-11/30/75. :

State of New York
County of Albany

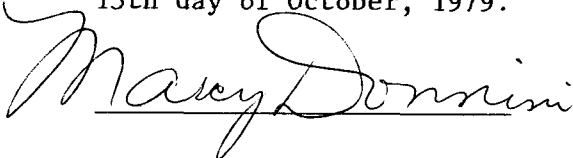
Jay Vredenburg, being duly sworn, deposes and says that he is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 15th day of October, 1979, he served the within notice of Default by mail upon Norman Russakoff the representative of the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

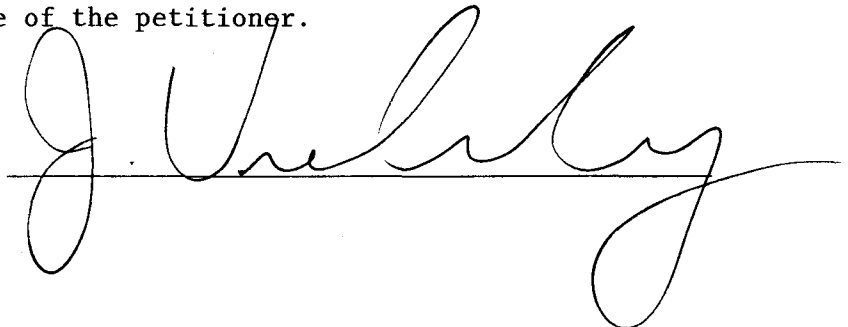
Mr. Norman Russakoff
Russakoff & Weiss
186 Joralemon St.
Brooklyn, NY 11201

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
15th day of October, 1979.


Nancy Donrini



STATE OF NEW YORK
STATE TAX COMMISSION

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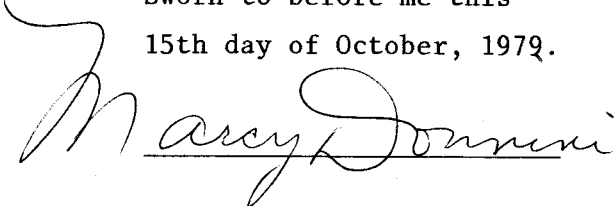
Jay Vredenburg, being duly sworn, deposes and says that he is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the 15th day of October, 1979, he served the within notice of Default by mail upon Marc Kirchbaum, c/o Shirt Story of Atlanta, GA, the petitioner in the within proceeding, by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed as follows:

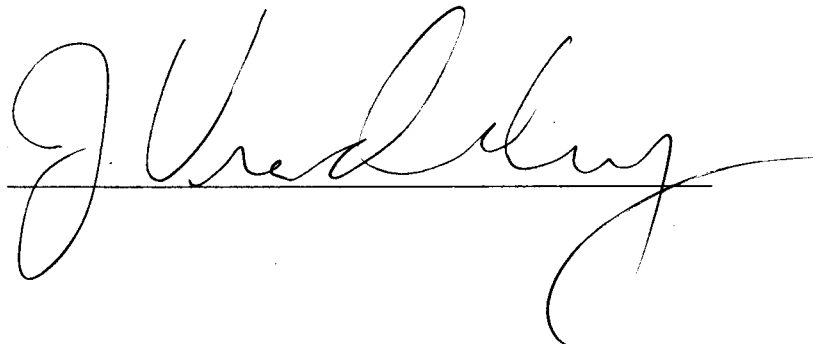
Marc Kirchbaum
c/o Shirt Story of Atlanta, GA
1374 Cumberland Mall
Atlanta, GA 33039

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Sworn to before me this
15th day of October, 1979.


Marcy Donnini


Jay Vredenburg



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

October 15, 1979

Marc Kirchbaum
c/o Shirt Story of Atlanta, GA
1374 Cumberland Mall
Atlanta, GA 33039

Dear Mr. Kirchbaum:

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 this 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 may be addressed to the Deputy Commissioner and Counsel to the New York State Department of Taxation and Finance, Albany, New York 12227. Said inquiries will be referred to the proper authority for reply.

Very truly yours,

cc: Petitioner's Representative
Norman Russakoff
Russakoff & Weiss
186 Joralemon St.
Brooklyn, NY 11201
Taxing Bureau's Representative

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :
of :
Marc Kirchbaum : DEFAULT ORDER
c/o Shirt Story of Atlanta, GA :
for Revision or for Refund of Sales & Use Tax :
under Article 28 of the :
Tax Law for the Period 9/1/72-11/30/75. :

Petitioner Marc Kirchbaum, c/o Shirt Story of Atlanta, GA, 1374 Cumberland Mall, Atlanta, GA 33039 filed a petition for revision or for refund of Sales & Use Tax under Article 28 of the Tax Law for the Period 9/1/72-11/30/75. File No. 18499.

A small claims hearing on the petition was scheduled before Judith Clark, at the offices of the State Tax Commission, Two World Trade Center, Rm. 65-51, New York, New York 10047 on Friday, August 17, 1979 at 9:15 a.m.. Notice of said small claims hearing was given to petitioner and petitioner's representative, Norman Russakoff. Petitioner or petitioner's representative did not appear at the small claims hearing. 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 Marc Kirchbaum, c/o Shirt Story of Atlanta, GA be and the same is hereby denied.

DATED: Albany, New York
OCT 15 1979

STATE TAX COMMISSION

James W. Tuohy
PRESIDENT

William K. Green
COMMISSIONER

Thomas H. G. [Signature]
COMMISSIONER



New York State Department of
TAXATION and FINANCE
TAX APPEALS BUREAU

TO.....Mr...Coburn.....

No better address. Please file.

10/26/79

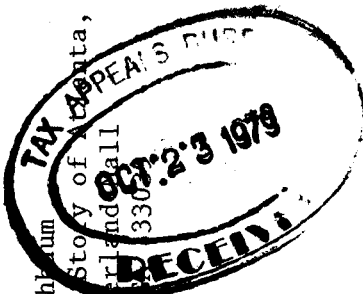
Joseph Chyrywaty

TA-26 (4-76) 25M

STATE OF NEW YORK
Department of Taxation and Finance
TAX APPEALS BUREAU
STATE CAMPUS
ALBANY, N. Y. 12227

77/01/14

Moved, left no address
ATLANTA, GEORGIA 30339



Marc Kirchbaum
c/o Shirt Story of Atlanta, GA
1374 Cumberland Hall
Atlanta, GA 30307

SC

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

JOHN J. SOLLECITO
DIRECTOR

Telephone: (518) 457-1723

October 15, 1979

Marc Kirchbaum
c/o Shirt Story of Atlanta, GA
1374 Cumberland Mall
Atlanta, GA 33039

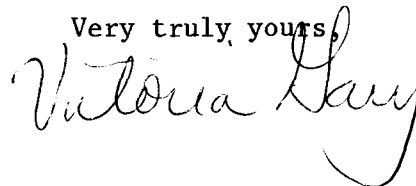
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Very truly yours,



cc: Petitioner's Representative
Norman Russakoff
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Taxing Bureau's Representative

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DATED: Albany, New York

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PRESIDENT

Walter Krumm
COMMISSIONER

Thomas H. Hefner
COMMISSIONER