

JAMES H. TULLY JR., PRESIDENT  
THOMAS H. LYNCH  
FRANCIS R. KOENIG

JOHN J. SOLLECITO  
DIRECTOR

Telephone: (518) 457-1723

March 28, 1980

N. E. D. Contracting Co., Inc.  
3711 Laconia Ave.  
Bronx, NY 10409

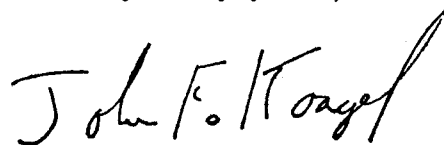
Gentlemen:

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 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,

A handwritten signature in dark ink, appearing to read "John F. Koenig". The signature is fluid and cursive, with the first name "John" and last name "Koenig" clearly distinguishable.

cc: Petitioner's Representative

Taxing Bureau's Representative

STATE OF NEW YORK  
STATE TAX COMMISSION

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In the Matter of the Petition :  
of :  
N. E. D. Contracting Co., Inc. : DEFAULT ORDER  
: 80-C-9  
for Revision or for Refund of Sales & Use Tax :  
under Article 28 & 29 of the :  
Tax Law for the Period 3/1/75-8/31/78. :

Petitioner(s) N. E. D. Contracting Co., Inc. filed a petition for revision or for refund of Sales & Use Tax under Article 28 & 29 of the Tax Law for the Period 3/1/75-8/31/78. File No. 26208.

A Pre-hearing conference on the petition was scheduled before Bruce M. Rauch, at the offices of the State Tax Commission, Two World Trade Center, Rm. 65-51, New York, New York 10047 on Tuesday, February 5, 1980 at 3:00 p.m. Notice of said Pre-hearing conference was given to petitioner(s). Petitioner(s) 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 N. E. D. Contracting Co., Inc. be and the same is hereby denied.

DEFAULT ORDER  
ADOPTED BY THE STATE TAX COMMISSION  
ALBANY, NEW YORK  
MARCH 28, 1980