

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

PAUL B. COBURN
SECRETARY
Telephone: (518) 457-6162

November 21, 1980

Nu Way Drug Center of Stony Brook, Inc.
c/o Erwin Popkin
1399 Franklin Ave.
Garden City, NY 11530

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.

Inquires concerning the computation of tax due or refund allowed in accordance with this decision may be addressed to the undersigned.

Very truly yours,

PAUL B. COBURN
SECRETARY TO THE
STATE TAX COMMISSION

cc: Petitioner's Representative
Marvin Goldberg
931 Eileen Terrace
Woodmere, NY 11598
Taxing Bureau's Representative

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :
of :
Nu Way Drug Center of Stony Brook, Inc. : DEFAULT ORDER
: 80-P-36
for Revision or for Refund of Sales & Use Tax :
under Article(s) 28 & 29 of the Tax Law :
for the Period 3/1/75 - 3/30/78. :

Petitioner(s) Nu Way Drug Center of Stony Brook, Inc. filed a petition for revision or for refund of Sales & Use Tax under Article(s) 28 & 29 of the Tax Law for the Period 3/1/75 - 3/30/78. File No. 24016.

Under Section 601.5 of the State Tax Commission Rules of Practice and Procedure, a notice was served on the petitioner(s) representative, to file a perfected petition. Notice to file the perfected petition was sent to the representative's last known address. Petitioner(s) failed to file a perfected petition. A default has been duly noted.

Now on motion of the Secretary to the State Tax Commission, it is

ORDERED that the petition of Nu Way Drug Center of Stony Brook, Inc. be and the same is hereby denied.

DEFAULT ORDER
ADOPTED BY THE STATE TAX COMMISSION
ALBANY, NEW YORK
NOVEMBER 21, 1980

April 21, 1981

Gerald V. Dandeneau, Esq.
55 Mineola Boulevard
Mineola, New York 11501

RE: NU-WAY DRUG CENTER OF STONY BROOK, INC.

Dear Mr. Dandeneau:

This is to acknowledge receipt of the power of attorney.

Your motion to vacate the default order issued November 21, 1980, for failure to file a perfected petition is granted upon condition that you file a perfected petition within 45 days from the date of this letter.

Perfected petition forms are enclosed for your convenience.

With reference to your requests contained in your March 12, 1981 and March 23, 1981 letters for an expedited hearing and copies of certain documents please contact:

Aloysius Nendza, Assistant Director
Tax Appeals Bureau
Room 107, Building #9
State Campus,
Albany, New York 12227
518-457-1723

Sincerely,

PAUL B. COBURN
Secretary to the State Tax Commission

PBC:mac
Enc.

cc: Aloysius Nendza, Assistant Director
Tax Appeals Bureau

March 19, 1981

Gerald V. Dandeneau, Esq.
55 Mineola Boulevard
Mineola, New York 11501

RE: NU-WAY DRUG CENTER OF STONY BROOK INC.

Dear Mr. Dandeneau:

This is to acknowledge receipt of your letter of March 12, 1981 requesting that the default order in the above entitled matter be vacated.

However, in reviewing the file, it appears that you have not filed a power of attorney for your client. Enclosed herein are power of attorney forms. Please have the power of attorney executed and return it to me. Upon receipt I will contact you in response to your letter.

Sincerely,

PAUL B. COBURN
Secretary to the State Tax Commission

PBC:mac
Enc.

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LAW OFFICE
OF

Erwin Popkin

ERWIN POPKIN
GERALD V. DANDENEAU

55 MINEOLA BOULEVARD
MINEOLA, NEW YORK 11501
AREA CODE 516 746-2424

March 23, 1981

Paul B. Coburn
New York State Department
of Taxation and Finance
Building 9, Room 200,
State Campus
Albany, New York 12227

RE: NU-WAY DRUG CENTER OF STONY BROOK INC.

Dear Mr. Coburn:

As a follow up to my letter of March 12th, we would appreciate it if you would make available to us all of the working papers compiled in those three matters which I referred to in my letter.

For your information there are, Nu-Way Drug Center, Inc. Nu-Way Drug Center of Stony Brook, Inc., Nu-Way Drug Center of Bohemia, Inc., and Nu-Way Drug Center of Rocky Point, Inc.

For your further information I am enclosing copies of three notices of termination and demand for sales tax on Nu-Way Drug Center of Bohemia, Nu-Way Drug Center of Stony Brook, Inc., and Nu-Way Drug Inc.

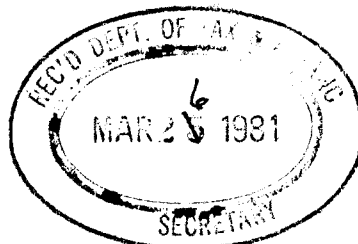
You will note that said notices contain the name of different entities from this one enumerated above. These entities indicated on the notice letter are the names of the purchasers of the individual Nu-Way Drug stores. Appropriate letters of appeal were filed on these three, and it is also understood that the assessment of which we do not have a copy of Rocky Point, Inc., was appealed.

We would appreciate your assistance in any manner and I remain

Very truly yours,

Gerald V. Dandeneau
GERALD V. DANDENEAU

GVD:mcg
Enc.



**STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE
SALES TAX**

**NOTICE AND DEMAND FOR PAYMENT
OF SALES AND USE TAXES DUE**

Safety Drugs of Stony Brook, Inc.
2194 D Nesconset Highway
Stony Brook, N.Y. 11790

IDENTIFICATION NO. NY 81E0835	
NOTICE NUMBER S7E0630003F	
DATE OF NOTICE 063078	
OFFICE Suffolk	BUREAU USE 98

11-2331901

- MAKE PAYMENT PROMPTLY AT THE OFFICE SHOWN ABOVE
- Make remittance payable to "State Tax Commission" and show the Notice Number on your remittance.
- Return one copy of this notice with your payment.

The tax shown below is for the period 478 030175 - 033078

SUMMARY OF TAX LIABILITY	TOTAL TAX DUE	TOTAL PENALTY DUE	TOTAL INTEREST DUE	TOTAL AMOUNT DUE
	\$98,732.84	\$ 17,680.76	\$ 15,992.08	\$ 132,405.68

▲ Pay This Amount ▲

Explanation: 21E

The following taxes are determined to be due from Nu-May Drug Center of Stony Brook, Inc. and represents your liability, as purchaser, in accordance with Section 1141 (c) of the sales tax law.

PERIOD	TAX DUE	PENALTY DUE	INTEREST DUE
053175 - 475	5,412.73	1,353.18	1,966.44
083175 - 176	5,304.85	1,326.21	1,768.11
113075 - 276	5,330.84	1,332.71	1,616.84
022976 - 376	7,234.23	1,808.56	1,977.12
053176 - 476	6,537.58	1,634.40	1,590.59
083176 - 177	6,547.81	1,636.95	1,396.65
113076 - 277	7,626.07	1,754.00	1,397.86
022877 - 377	7,136.27	1,427.25	1,093.99
053177 - 477	8,325.51	1,415.34	1,026.54
083177 - 178	8,258.52	1,156.19	770.52
113077 - 278	13,293.62	1,462.30	841.49
022878 - 378	13,293.62	1,063.49	442.68
053178 - 478	4,431.19	310.18	103.25

TAXING JURISDICTION	AMOUNT
4712	98,732.84

Payment within ten (10) days of the date of this notice will avoid additional interest.

**STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE
SALES TAX**

**NOTICE AND DEMAND FOR PAYMENT
OF SALES AND USE TAXES DUE**

**Arcade Drug Center Inc.
c/o Michael Goldman, Esq.
5 Pudding Lane
Dix Hills, New York 11746**

IDENTIFICATION NO. NY 8180393	
NOTICE NUMBER S78042005F	
DATE OF NOTICE 042078	
OFFICE Suffolk	BUREAU USE

- **MAKE PAYMENT PROMPTLY AT THE OFFICE SHOWN ABOVE**
- Make remittance payable to "State Tax Commission" and show the Notice Number on your remittance.
- Return one copy of this notice with your payment.

The tax shown below is for the period **February 6, 1978**

SUMMARY OF TAX LIABILITY	TOTAL TAX DUE	TOTAL PENALTY DUE	TOTAL INTEREST DUE	TOTAL AMOUNT DUE
	\$ 63,852.70	\$ 11,207.66	\$ 9,819.10	\$ 84,879.46

▲ Pay This Amount ▲

Explanation:

The following taxes are determined due from Nu-Way Drug Center Inc and represents your liability, as purchaser, in accordance with Section 1141 (c) of the Sales Tax Law.

<u>PERIOD ENDING</u>	<u>TAX DUE</u>	<u>PENALTY DUE</u>	<u>INTEREST DUE</u>
053175 - 475	\$3,249.88	\$812.47	\$1,104.96
083175 - 176	3,301.89	825.47	1,023.59
113076 - 276	3,101.38	775.34	868.39
022876 - 376	3,477.76	869.43	869.43
053176 - 476	5,665.89	1,416.47	1,246.50
083176 - 177	5,041.47	1,159.54	957.88
113076 - 277	7,981.86	1,596.37	1,277.09
022877 - 377	8,892.60	1,511.74	1,156.04
053177 - 477	6,397.87	895.70	639.79
083177 - 178	5,840.98	642.51	408.87
113077 - 278	5,251.84	420.15	210.07
022878 - 378	5,649.34	282.47	56.49

TAXING JURISDICTION
4712

AMOUNT
\$84,879.46

774 Williams
This determination shall be
not unless an application for hearing
filed with the State Tax Commission
within 90 days from the date of this
notice or unless the Tax Commission shall
determine the Tax.

STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE
SALES TAX
Washington State Office
979 5283
NOTICE OF DETERMINATION AND DEMAND
FOR PAYMENT OF SALES AND USE TAXES DUE

IDENTIFICATION NO. MU3000689	
NOTICE NUMBER S780410731C	
DATE OF NOTICE 04/25/78	
OFFICE Suffolk	BUREAU USE 00

Quinn
David Flanser
c/o Harvey Shapiro, Esq.
8 Creighton Ave.
Lake Ronkonkoma, NY 11779

112405074

- MAKE PAYMENT PROMPTLY AT THE OFFICE SHOWN ABOVE.
- Make remittance payable to 'State Tax Commission' and show the Notice Number on your remittance.
- Return one copy of this notice with your remittance

The tax shown below is for the period (378) For Period 03/01/75 - 02/28/78 BSQ 104757

SUMMARY OF TAX LIABILITY	TOTAL TAX DUE	TOTAL PENALTY DUE	TOTAL INTEREST DUE	TOTAL AMOUNT DUE
	\$ 12,049.00	\$ 2,244.01	\$ 2,120.25	\$ 16,413.26

Location: (21S)

The following taxes are determined to be due from Nu-Way Drug Center of Bohemia, Inc., and represents your liability, as purchaser, in accordance with Section 141(c) of the Sales Tax Law.

Period	Tax Due	Penalty Due	Interest Due
5/31/75 - 475	\$1,000.00	\$250.00	\$341.64
8/31/75 - 176	1,000.00	250.00	311.64
1/30/76 - 276	1,000.00	250.00	281.64
2/29/76 - 376	1,000.00	250.00	251.64
5/31/76 - 476	1,000.00	250.00	221.64
8/31/76 - 177	1,000.00	231.64	191.64
1/30/77 - 277	1,000.00	201.64	161.64
2/28/77 - 377	1,000.00	171.64	131.64
5/31/77 - 477	1,000.00	141.64	101.64
8/31/77 - 178	1,000.00	111.64	71.64
1/30/78 - 278	1,000.00	81.64	41.64
2/28/78 - 378	1,049.00	54.17	12.21

taxing Jurisdiction
4712

Amount
\$12,049.00

Bulk Sales Tax Included

B:bs

Amount shown above is a balance due on your account. Prompt payment will avoid additional interest.

John Harry Herzog
Bohemia (Thurs)

Erwin Popkin

ATTORNEY AT LAW

55 MINEOLA BOULEVARD

MINEOLA, NEW YORK 11501



Paul B. Coburn
N.Y.S. Dept of Taxation & Finance
Building 9, Room 200
State Campus
Albany, New York 12227