John J. Sollecito, Director (518) 457-1723

January 11, 1984

Foxgrove Ltd. c/o Mr. James J. Mokhiber 1800 Northwest 23rd St. Miami, FL 33142

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 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 undersigned at the above address.

truly yours

Joseph Chyry

Supervisor of Tax Conferences

cc: Taxing Bureau's Representative

In the Matter of the Petition

of

Foxgrove Ltd. : DEFAULT ORDER

83-C-36

for Redetermination of a Deficiency or Revision of :

a Determination or Refund of :

Sales & Use Tax under Article 28 & 29 :

of the Tax Law for the Period 8/31/78-9/30/80.

Petitioner(s) Foxgrove Ltd. filed a petition for redetermination of a deficiency or revision of a determination or refund of Sales & Use Tax under Article 28 & 29 of the Tax Law for the Period 8/31/78-9/30/80. File No. 39427.

A pre-hearing conference on the petition was scheduled before David Baker, at the offices of the State Tax Commission, Bldg. #9, State Office Campus, Rm. 107, Albany, New York 12227 on Tuesday, September 6, 1983 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 State Tax Commission, it is ORDERED that the petition of Foxgrove Ltd. be and the same is hereby denied.

DEFAULT ORDER
ADOPTED BY THE STATE TAX COMMISSION
ALBANY, NEW YORK
JANUARY 11, 1984

State Tax Commission TA 28 (9-79) STATE OF NEW YORK

ALBANY, N. Y. 12227 STATE CAMPUS TAX APPEALS BUREAU

440 976 53

Miami, FL

CONTRACTOR CONTRACTOR

c/o Mr.

1800 Northwe/s James t 23rd St. Mokhiber

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State Tax Commission STATE OF NEW YORK

TAX APPEALS BUREAU STATE CAMPUS

ALBANY, N. Y. 12227

c/o Mr. James J. Mokhiber 1800 Northwest 23rd St. Foxgrove Ltd. Miami, FL 440 976 537

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