



New York State Tax Commission

**TAX APPEALS BUREAU**

W.A. Harriman Campus  
Albany, New York 12227

February 6, 1987

First Earth Restaurant Corp.  
70-28 Austin Street  
Forest Hills, NY 11375

Re: File No. 64391

Gentlemen:

Please take notice of the Default Order of the State Tax Commission enclosed herewith.

Please take further notice that pursuant to Section(s) 1139 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.

Very truly yours,

Joseph Chyrywaty  
Supervisor of Tax Conferences

cc: Taxing Bureau's Representative

Petitioner's Representative:  
Alan Feinsilber  
98 Cuttermill Rd.  
Great Neck, NY 11021

STATE OF NEW YORK

STATE TAX COMMISSION

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In the Matter of the Petition	:	
of	:	
First Earth Restaurant Corp.	:	<u>DEFAULT ORDER</u>
	:	87-C-4
for Redetermination of a Deficiency or Revision	:	
of a Determination or Refund of	:	
Sales & Use Tax under Article 28 & 29	:	
of the Tax Law.	:	

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Petitioner(s) First Earth Restaurant Corp. 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. File No. 64391.

A pre-hearing conference on the petition was scheduled before Dennis A. Adelman, at the offices of the State Tax Commission, 97-77 Queens Blvd., 3rd Floor Rego Park, New York 11374 on Thursday, December 18, 1986 at 1:00 p.m. Notice of said pre-hearing conference was given to petitioner(s) and the representative of 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 First Earth Restaurant Corp. be and the same is hereby denied.

DEFAULT ORDER  
ADOPTED BY THE STATE TAX COMMISSION  
ALBANY, NEW YORK  
FEBRUARY 6, 1987