

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

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

August 14, 1987

Timothy J. Gaglio  
President of East River Restaurant Associates, Inc.  
80 Bogart Avenue  
Port Washington, NY 110503320

Re: File No. 68309

Dear Mr. Gaglio:

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

Please take further notice that pursuant to Section(s) 1138/1139 of the Tax Law, any proceeding in court to review this decision must be commenced within 4 months from the date of this notice.

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: Taxing Bureau's Representative

Petitioner's Representative:  
Charles D. Mooney  
Cassin, Cassin & Joseph  
300 East 42nd St.  
New York, NY 10017

STATE OF NEW YORK  
STATE TAX COMMISSION

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In the Matter of the Petition :  
of :  
Timothy J. Gaglio : DEFAULT ORDER  
President of East River Restaurant Associates, Inc. : 87-P-27  
for Redetermination of a Deficiency or Revision of :  
a Determination or Refund of Sales & Use Tax :  
under Article(s) 28 & 29 of the Tax Law :  
for the Period 3/1/83 - 8/31/85. :

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Petitioner(s) Timothy J. Gaglio, President of East River Restaurant Associates, Inc. filed a petition for redetermination of a deficiency or revision of a determination or refund of Sales & Use Tax under Article(s) 28 & 29 of the Tax Law for the Period 3/1/83 - 8/31/85. File No. 68309

Under Section 601.5 of the State Tax Commission Rules of Practice and Procedure, a notice was served on the representative of the petitioner(s) 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 Timothy J. Gaglio, President of East River Restaurant Associates, Inc. be and the same is hereby denied.

DEFAULT ORDER  
ADOPTED BY THE STATE TAX COMMISSION  
ALBANY, NEW YORK  
AUGUST 14, 1987