

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

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

May 21, 1980

Philip Schnitzer
41 Voorhis Ave.
Rockville Center, NY 11570

Dear Mr. Schnitzer:

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

Please take further notice that pursuant to Section(s) 722 & 690 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
Bernard Lovett
Lovett, Koss & Baron
225 W. 57th St.
New York, NY 10019
Taxing Bureau's Representative

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :
of :
Philip Schnitzer : DEFAULT ORDER
: 80-P-14
for Redetermination of Deficiency or for Refund of :
Unincorporated Business Tax under Article(s) 23 :
of the Tax Law for the Year 1974. :

Petitioner(s) Philip Schnitzer filed a petition for redetermination of deficiency or for refund of Unincorporated Business Tax under Article(s) 23 of the Tax Law for the Year 1974. File No. 23793.

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 Philip Schnitzer be and the same is hereby denied.

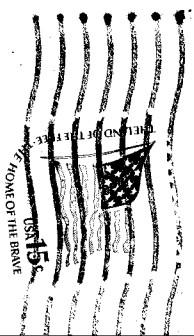
DEFAULT ORDER
ADOPTED BY THE STATE TAX COMMISSION
ALBANY, NEW YORK
MAY 21, 1980

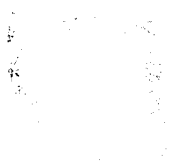
LOVETT BARON & BEITLER

225 WEST 57TH STREET

NEW YORK, N. Y. 10019

Mr. Paul B. Coburn
Secretary to the State Tax Commission
Room 200
Building #9
State Campus
Albany, N.Y., 12227





May 30, 1980

Bernard Lovett, C.P.A.
Lovett, Baron & Beitler
225 West 57th Street
New York, NY 10019

RE: PHILIP & DOROTHY SCHNITZER

Dear Mr. Lovett:

This is to acknowledge receipt of your letter of
May 27, 1980.

Your motion to vacate the default order issued
May 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.

Sincerely,

PAUL B. COBURN
Secretary to the State Tax Commission

cc: John Sollecito, Director
Tax Appeals Bureau

Enc.

LOVETT BARON & BEITLER

CERTIFIED PUBLIC ACCOUNTANTS

225 WEST 57TH STREET

NEW YORK, N. Y. 10019

586-8070

BERNARD LOVETT
STANLEY BARON
ALBERT M. BEITLER

May 27, 1980

Mr. Paul B. Coburn
Secretary to the State Tax Commission
Room 200, Building #9
State Campus
Albany, N.Y., 12227

Re: Philip & Dorothy Schnitzer

Dear Sir:

As per our telephone conversation of today, regarding the Default Order of the above petitioner, we respectfully request that this order be vacated. The Order was entered, because a Perfected Petition had not been filed.

We had forwarded the original file to an attorney who was to handle to matter. We have now discovered that he did nothing.

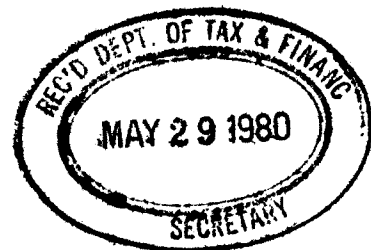
Will you, therefore, please send us another set of Perfected Petition forms, so that we may file them? Our Power of Attorney should be on file with you. Should this not be in the proper form, please also send Power of Attorney forms.

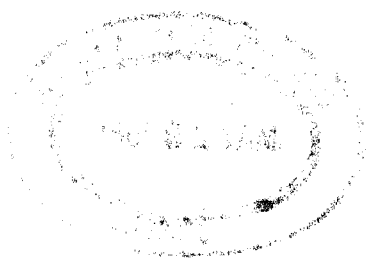
Yours truly,

LOVETT, BARON & BEITLER

Bernard Lovett
Bernard Lovett, C.P.A.,
Petitioners' Representative

BL:me
Encl.





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STATE TAX COMMISSION

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