Stipulation for Discontinuance of Proceeding
Upon Rescission of a Conciliation Order
Dismissing a Request

Purpose: Completion of this form allows a petitioner to end the current Tax Appeals matter and return to the Bureau of Conciliation and Mediation Services (BCMS) because a prior BCMS dismissal in the same case has been rescinded. Note: A petitioner may return to the Division of Tax Appeals on the same case by timely filing a new petition after completion of the conciliation process.

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<th>In the Matter of the Petition of</th>
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<td>for Redetermination of a Deficiency/Revision of a Determination or</td>
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<td>for Refund under Article(s)</td>
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<td>of the Tax Law for the Year(s)/Period(s)</td>
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It is hereby stipulated and agreed by and between the parties that:

Pursuant to the attached letter, the Bureau of Conciliation and Mediation Services has rescinded the Conciliation Order Dismissing Request issued to the above-named petitioner on ____________________;

The above-named petitioner hereby withdraws the petition(s) for redetermination of a deficiency/revision of a determination or for refund, and discontinues the above-captioned proceeding, with prejudice, as of this date; and

In the event that this matter is not finally resolved in the conciliation process, petitioner shall be entitled to petition for a hearing before the Division of Tax Appeals, but only if a timely petition for a hearing is filed after the conciliation order is issued.

__________________________________________________________  _____________________________
Signature of Petitioner or Petitioner’s Representative*                      Date

__________________________________________________________  _____________________________
Signature of Representative of Division of Taxation                      Date

* If this document is signed by any person other than the taxpayer, it must be accompanied by a duly executed Power of Attorney unless: (1) a Power of Attorney has already been filed with the Division of Tax Appeals, or (2) this document is signed by an individual otherwise authorized to do so under the regulations of the Tax Appeals Tribunal (20 NYCRR 3000.2).