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STATE OF NEW YORK STATE TAX COMMISSION

In the Matter of the Petition

of

GUENTHER SCHWERIN

AFFIDAVIT OF MAILING OF NOTICE OF DECISION BY (CERTIFIED) MAIL

For a Redetermination of a Deficiency or a Refund of Personal Income
Taxes under Article(s) 16 of the
Tax Law for the (Year(s) 1951

State of New York County of Albany

Rae Zimmerman , being duly sworn, deposes and says that
she is an employee of the Department of Taxation and Finance, over 18 years of
age, and that on the 1st day of September , 1971, she served the within
Notice of Decision (or Determination) by (certified) mail upon Guenther
Schwerin (representative of) the petitioner in the within
proceeding, by enclosing a true copy thereof in a securely sealed postpaid
wrapper addressed as follows: Guenther Schwerin
c/o Lewis A. Helphand
342 Madison Avenue

and by depositing same enclosed in a postpaid properly addressed wrapper in a (post office or official depository) under the exclusive care and custody of the United States Post Office Department within the State of New York.

That deponent further says that the said addressee is the (representative of) petitioner herein and that the address set forth on said wrapper is the last known address of the (representative of the) petitioner.

Sworn to before me this

1st day of September , 1971

Las Jemmerman

In the Matter of the Petition

of GUENTHER SCHWERIN

AFFIDAVIT OF MAILING OF NOTICE OF DECISION BY (CERTIFIED) MAIL

For a Redetermination of a Deficiency or a Refund of Personal Income
Taxes under Article(s) 16 of the Tax Law for the (Year(s) 1951.

State of New York County of Albany

Rae Zimmerman , being duly sworn, deposes and says that she is an employee of the Department of Taxation and Finance, over 18 years of age, and that on the lst day of September , 1971, she served the within Notice of Decision (or Determination) by (certified) mail upon Lewis A.

Helphand

(representative of) the petitioner in the within

proceeding, by enclosing a true copy thereof in a securely sealed postpaid

wrapper addressed as follows:

Lewis A. Helphand 342 Madison Avenue New York, N.Y.

and by depositing same enclosed in a postpaid properly addressed wrapper in a (post office or official depository) under the exclusive care and custody of the United States Post Office Department within the State of New York.

That deponent further says that the said addressee is the (representative of) petitioner herein and that the address set forth on said wrapper is the last known address of the (representative of the) petitioner.

Sworn to before me this

1st day of September , 1971

Kae Jimmerman

STATE OF NEW YORK STATE TAX COMMISSION

In the Matter of the Application

of

GUENTHER SCHWERIN

DEFAULT ORDER

for Revision or for Refund of Personal

Income Taxes under Article(s) 16 of the Tax Law

for the Year(s) 1951

Applicant(s) Guenther Schwerin filed an application for revision or for refund of Personal taxes under Article(s) 16 of the Tax Law for the year(s) 1951

File No.(s) B-135269

A calendar call on the application was scheduled before Honorable Milton Koerner, State Tax Commission, at the offices of the State Tax Commission, 80 Centre Street, New York, New York, at 11:00 A.M. . Notice of said calendar call on July 1, 1971 was given to applicant(s) and applicant(s) representative Lewis A. Applicant(s) or applicant(s) representative Helphand did not appear at the calendar call. A default has been duly noted.

Now on motion of the attorney for the Department of Taxation and Finance, it is

ORDERED that the application of Guenther Schwerin be and the same is hereby denied.

DATED: Albany, New York

September 1, 1971

STATE TAX COMMISSION