

JAMES H. TULLY JR., PRESIDENT
MILTON KOERNER
THOMAS H. LYNCH

JOHN J. SOLLECITO
DIRECTOR

Telephone: (518) 457-1723

January 4, 1980

Milton Morgenbesser
15 Rita La.
Plainview, NY 11803

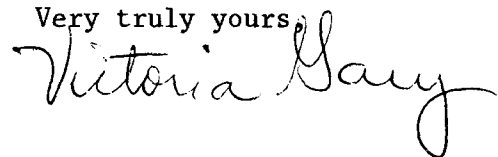
Dear Mr. Morgenbesser:

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

Please take further notice that pursuant to Section(s) 690 & 722 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 Deputy Commissioner and Counsel to the New York State Department of Taxation and Finance, Albany, New York 12227. Said inquiries will be referred to the proper authority for reply.

Very truly yours,

A handwritten signature in cursive script, reading "Victoria Gary". The signature is written in dark ink and is positioned below the typed name "Victoria Gary".

cc: Petitioner's Representative
Eric D. Martins
Baer, Marks & Upham
299 Park Ave.
New York, NY 10017
Taxing Bureau's Representative

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition :
of :
Milton Morgenbesser : DEFAULT ORDER
: 79-S-2
for Redetermination of Deficiency or for Refund of :
Personal Income Tax & UBT under Article 22 & 23 of :
the Tax Law for the Year 1973. :

Petitioner(s) Milton Morgenbesser filed a petition for redetermination of deficiency or for refund of Personal Income Tax & UBT under Article 22 & 23 of the Tax Law for the Year 1973. File No. 19151.

A Small claims hearing on the petition was scheduled before Allen Caplowaith, at the offices of the State Tax Commission, Two World Trade Center, Room 65-51, New York, New York 10047 on Thursday, November 8, 1979 at 2:45 p.m. Notice of said Small claims hearing was given to petitioner(s) and petitioner's representative. Petitioner(s) did not appear at the Small claims hearing. A default has been duly noted.

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

ORDERED that the petition of Milton Morgenbesser be and the same is hereby denied.

DEFAULT ORDER
ADOPTED BY THE STATE TAX COMMISSION
ALBANY, NEW YORK
JANUARY 4, 1980