

Generations Pizzeria, LLC

v.

Department of Revenue Administration

Docket No.: 24756-10MR

ORDER

On July 15, 2010, the board held a hearing in the above docket. In attendance were Joseph Costanzo, John F. Hayes, Esq., Revenue Counsel for the department of revenue administration (“DRA”), and Philip Lawrence, Director of the DRA Collections Division. (Mr. Costanzo is the father of Jaimie Kvetkovsky, a member of the LLC who signed the tax appeal, along with a tax representative for the LLC.) On July 14, 2010, the board’s deputy clerk orally advised the parties that their joint motion to continue the July 15, 2010 hearing had been denied.

At the hearing, the board explained the reasons for denial. The board then provided the parties an opportunity, during a recess, to discuss the terms of a possible settlement. The parties then informed the board they had reached a settlement and agreed to file a signed settlement document with the board within ten (10) days (July 26, 2010). Upon receipt of the settlement, the board will issue an order closing the docket in this appeal. Any action to enforce the settlement shall be in accordance with RSA 71-B:13.

SO ORDERED.

BOARD OF TAX AND LAND APPEALS

Paul B. Franklin, Chairman

Michele E. LeBrun, Member

Douglas S. Ricard, Member

Albert F. Shamash, Esq., Member

CERTIFICATION

I hereby certify a copy of the foregoing Order has this date been mailed, postage prepaid, to: Clear Creek, 285 Century Place, Suite 200, Louisville, CO 80027, Taxpayer Representative; Joseph Costanzo, 27 Fresh River Road, Epping, N.H. 03042, Representative for Generations Pizzeria, LLC; and John F. Hayes, Esq., State of New Hampshire, Department of Revenue Administration, 109 Pleasant Street, Concord, NH 03301, counsel for DRA.

Dated: July 16, 2010

Melanie J. Ekstrom, Deputy Clerk