



**STATE BOARD OF EQUALIZATION**

450 N STREET, SACRAMENTO, CALIFORNIA  
PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0080  
(916) 322-2270 • FAX (916) 324-3984  
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JUDY CHU, Ph.D.  
Fourth District, Los Angeles

JOHN CHIANG  
State Controller

RAMON J. HIRSIG  
Executive Director

**STATE BOARD OF EQUALIZATION MEETING**  
**5901 Green Valley Circle, Room 207, Culver City**  
**May 13-15, 2008**  
**NOTICE AND AGENDA**  
**Meeting Agenda (as of 05/13/08, 9:45 a.m.)**

**Agenda Changes**

**Tuesday, May 13, 2008**

**9:30 a.m. Board Meeting Convenes\***

Agenda items occur in the order in which they appear on the agenda. When circumstances warrant, the Board's Chair, Dr. Chu, may modify the order of the items on the agenda. Items may be postponed to a subsequent day; however, items will not be moved to an earlier day.

**Board Meeting\***

**Oral Hearings**

**A. Homeowner and Renter Property Tax Assistance Hearings**

These items are scheduled for Thursday, May 15, 2008.

**B. Corporate Franchise and Personal Income Tax Hearings**

These items are scheduled for Tuesday, May 13, 2008 afternoon and Thursday, May 15, 2008.

**C. Sales and Use Tax Appeals Hearings**

(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

C1.a Tullio Mamolo, 336687 (AC)

C1.b Viktor Benes Continental Pastries, Inc., 336688 (AC)

For Petitioner: Tullio Mamolo, Taxpayer

Ugo Mamolo, Taxpayer

For Department: Trecia Nienow, Tax Counsel

- C2. Jay F. Mannino, 249957 (UT)  
For Petitioner: Jay Mannino, Taxpayer  
John Galvin, Attorney  
For Department: Carla Caruso, Tax Counsel
- C3. Gen-Mar, Inc., 311275, 334987 (FH)  
For Petitioner: Gary Kevorkyan, Taxpayer  
For Department: Kevin Hanks, Hearing Representative
- C4. Karim Maredia, 283833 (ARH)  
For Petitioner: Karim Maredia, Taxpayer  
Michael P. Mears, Attorney  
Sal Maredia, Witness  
For Department: Christine Bisauta, Tax Counsel
- C5. Jill Pierce, 342657 (AP)  
For Petitioner: Jill Pierce, Taxpayer  
For Department: Christine Bisauta, Tax Counsel
- C6. Stuart Brian Collins, 334426 (AS)  
For Petitioner: Appearance Waived  
For Department: Kevin Hanks, Hearing Representative
- C7. Jamshid Malakouti, 308952 (EH)  
For Petitioner: Jamshid Malakouti, Taxpayer  
For Department: Kevin Hanks, Hearing Representative
- C8. Gabinda, Inc., 352181 (EA)  
For Petitioner: David Charest, Taxpayer  
For Department: Robert Tucker, Tax Counsel
- C9. Anna Berardini, 288368 (AA)  
For Petitioner: Apperance Waived  
For Department: Kevin Hanks, Hearing Representative

**D. Special Taxes Appeals Hearings**

These items are scheduled for Wednesday, May 14, 2008.

There are no items for the following Matters:

- E. Property Tax Appeals Hearings
- F. Public Hearings

**G. Tax Program Nonappearance Matters – Consent**  
(Contribution Disclosure forms not required pursuant to Gov. Code § 15626.)

**G1. Legal Appeals Matters .....Mr. Levine**

- Hearing Notices Sent – No Response
  1. ~~K.V.L., Inc., 263001 (AR)~~
  2. Goldilocks Food Products, Inc., 303517 (AS)
  3. A La Carte Gourmet, Inc., 379333 (EA)
  4. Armando Chavez, 304190 (EH)
  5. John J. Devito, Jr., 285931 (EAA)
  - 6a. Donald Goff, 345455 (EH)
  - 6b. Melanie Gamblin Goff, 345456 (EH)
  - 6c. Melanie Gamblin Goff, 345448 (EH)
  7. Winston John Sullivan, 358819 (GH)
  8. AZ3, Inc., 329902 (UT)
  9. The Bob Koll Sailing Foundation, 348264 (UT)
  10. Maria Cecilia Arango, 289813 (AC)
  11. Lawrence Edward Kast, 270395 (KHO)
  12. Lucas Alexander Paun, 354582 (AS)
  13. Cartridge World of North America, LLC, 332309 (CH)
  - 14a. Richard D. Hebb and Gregory L. Smith, 250398 (MT)
  - 14b. H & S Coatings, Inc., 261373 (MT)
- Petition for Release of Seized Property
  15. Guru Gas & Market, Inc., 431276 (ET)

**G2. Franchise and Income Tax Matters .....Ms. Kelly**

- Hearing Notice Sent – No Response
  1. ~~Victor Roy, 395839~~
- Decisions
  2. Brown Shingle Mutual Housing Association, 382905
  3. Edward Buffalo, 355450
  4. Lillian Gilbert, 379621
  5. Yekta Gursel, 375150
  6. Hobbs Management Services, LLC, 356954
  7. Jammens, Inc., 362628
  8. Kenneth Klee and Robyn Klee, 356944
  9. Eugene W. Lee, 349301
  10. Marie Ragaban, 339675
  11. Gary B. Shelly, 313293
  12. Glenn Wennen and Sandra Wennen, 354572
  13. Juliet Zacks, 383547
- Decisions on Petitions for Rehearing
  14. Victor C. Bortka, 192236
  15. Jerry Chow, 349005
  16. Michael Edward Farrell and Christine Farrell, 268382
  17. Harold Leonard Kuder, Jr., 362625

- 18a. Victor Roy, 307162
- 18b. Victor Roy, 341901
- 19. Kenneth Schweit, 342024
- 20. Vidco Express, Inc., 378528
- 21. Donna Yarnovich, 345641

### **G3. Homeowner and Renter Property Tax**

#### **Assistance Matters.....Ms. Kelly**

- Decisions
  - 1. Cynthia A. Callegri, 383626
  - 2. Quitin Cheeseborough, 395753
  - 3. Roger Craven, 387203
  - 4. Jeffrey Frei, 387879
  - 5. Anthony Garrison, 345945
  - 6. Lorena Getz, 380751
  - 7. James Iddings, 378588
  - 8. David Lapides, 383529
  - 9. Leandro C. Maniquis, 372972
  - 10. Ethel E. Martin (Deceased), 391712
  - 11. Shiline Middleton, 378380
  - 12. Victoria Jo Schaller, 361586
  - 13. Puspa K. Widjaja (Deceased), 352261

### **G4. Sales and Use Taxes Matters ..... Ms. Henry**

- Redeterminations
  - 1. Palomar Transit Mix, Inc., 353087 (FHB)
  - 2. Michael Korman, 336167 (KH)
  - 3. Regina Lee Nizzoli, 346006 (KH)
  - 4. Entrust Technologies, Inc., 383206 (OHA)
  - 5. Calmat Co., 353088 (AA)
  - 6. Imperial Valley Cablevision, Inc., 399506 (OHB)
  - 7. Buenavision, 399505 (OHB)
  - 8. Adelpia CA Cablevision, LLC, 399503 (OHB)
  - 9. Adelpia Cablevision of Inland Empire, LLC, 399502 (OHB)
  - 10. Adelpia Communications of California III, LLC, 399504 (OHB)
  - 11. Adelpia Communications of California, LLC, 399500 (OHB)
  - 12. Adelpia Cablevision of Simi Valley, LLC, 399501 (OHB)
- Relief of Penalty/Interest
  - 13. Autozone West, Inc., 436605 (OHA)
  - 14. Rubio's Restaurants, Inc., 436924 (FHB)
  - 15. Symbol Technologies, Inc., 434450 (OHB)
  - 16. Arbonne International, Inc., 436820 (EAA)
  - 17. United Rentals Northwest, Inc., 436595 (OHB)
  - 18. Uline Incorporated, 436834 (OHA)
  - 19. Urban Outfitters West, LLC, 436819 (OHB)
- Denials of Claims for Refund
  - 20. Studio Photo Imaging Services, Inc., 283442 (AS)

21. Conocophillips Company, 437017 (OHA)
22. International Business Machines Corp., 436916 (OHB)
23. Orange County's Credit Union, 436913 (EA)
24. Airlines Reporting Corporation, 417441 (OHB)

**G5. Sales and Use Taxes Matters – Credits, Cancellations, and Refunds..... Ms. Henry**

- Credits and Cancellations
  1. Muzak, LLC, 435612 (OHB)
  2. CRS Retail Systems, Inc., 394394 (OHB)
  3. Moheb Magdy Lotfy, 435470 (BH)
- Refunds
  4. Trackstar Printing, Inc., 341260 (AS)
  5. Chevron U.S.A., Inc., 414206 (BH)
  6. Finisar Corp., 406171 (GH)
  7. Alta Bates Summit Medical Center, 434556 (CH)
  8. Sunston Equipment, Inc., 420846 (AA)
  9. Space Systems/Loral, Inc., 434751 (GH)
  10. Professional Hospital Supply, Inc., 426433 (EH)
  11. Fujitsu Network Communications, Inc., 391662 (CH)
  12. Corporate Express Promotional Marketing, 401688 (OHA)
  13. Conocophillips Company, 340383 (OHA)
  14. Gen-Probe Sales & Service, Inc., 415647 (FH)
  15. West Coast Surfaces, Inc., 418390 (EA)
  16. Sprint Telephony PCS, L.P., 250020 (OHA)
  17. Warrior Custom Golf, Inc., 433118 (EAA)
  18. Wachovia Dealer Services, Inc., 426879 (EAA)
  19. Jet Turbine Service, Inc., 421981 (OHA)
  20. International Business Machines Corp., 350108 (OHB)
  21. Cedars-Sinai Medical Center, 361404 (AS)
  22. Wescom Credit Union, 424990 (AP)
  23. Irvine Photo Graphics, Inc., 203750 (EAA)
  24. All Good Pallets, Inc., 420056 (CH)
  25. Integrated Impressions, Inc., 399887 (EAA)
  26. Balboa Thrift & Loan Association, 403729 (FH)
  27. Orange County's Credit Union, 405612 (EA)
  28. Transouth Financial Corporation, 382928 (OHB)
  29. CIG Financial, 424045 (EAA)
  30. DST Output West, LLC, 433982 (OHA)
  31. Automotive Funding Group, Inc., 424504 (EA)
  32. BRE/ESA Properties, LLC, 357532 (OHB)
  33. Kaiperm Federal Credit Union, 356120 (CH)
  34. Open Biosystems, Inc., 421983 (OHA)
  35. CIT Healthcare, LLC, 406168 (OHB)
  36. Rogers Acceptance Corporation, 425090 (AP)

**G6. Special Taxes Matters ..... Mr. Gau**

- Redeterminations
  1. Conco Paint Company, 346956 (MT)
  2. Hotel Airport Shuttle.Com, LLC, 358672 (MT)
- Relief of Penalty
  3. National General Insurance Company, 436156 (ET) – “CF”

**G7. Special Taxes Matters – Credits, Cancellations, and Refunds ..... Mr. Gau**

- Credits and Cancellations
  1. Conco Paint Company, 435335 (MT)

There are no items for the following matters:

- G8. Property Tax Matters
- G9. Cigarette License Fee Matters
- G10. Legal Appeals Property Tax Matters

There are no items for the following Matters:

- H. Tax Program Nonappearance Matters – Adjudicatory
- I. Tax Program Nonappearance Matters

**Chief Counsel Matters**

There are no items for the following Matters:

- J. Rulemaking
- K. Business Taxes
- L. Property Taxes
- M. Other Chief Counsel Matters

**Administrative Session**

There are no items for the following Matters:

- N. Consent Agenda
- O. Adoption of Board Committee Reports and Approval of Committee Actions
- P. Other Administrative Matters

**1:30 p.m. Board Meeting Reconvenes\*****C. Sales and Use Tax Appeals Hearings**

(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

- C10. Chawki A. Rafeh, 241564, 241569, 241573 (ARH)
  - For Petitioner: Jeff Lentz, Accountant
  - For Department: Kevin Hanks, Hearing Representative

C11. Spa De Soleil, Inc., 349460 (AC)  
 For Petitioner: Joseph Yafeh, CPA  
 For Department: Trecia Nienow, Tax Counsel

~~C12. Bobby Eugene Cook, 333472 (FH)  
 For Petitioner: Bobby E. Cook, Taxpayer  
 For Department: Kevin Hanks, Hearing Representative~~

**B. Corporate Franchise and Personal Income Tax Hearings**  
 (Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

B1. Paulette D. Thompson, 383553  
 For Appellant: Eldon H. Thompson, Representative  
 Victor Roy, Witness  
 For Franchise Tax Board: Suzanne Small, Tax Counsel

B2. Jerome Thomas Heckenkamp, 381120  
 For Appellant: Appearance Waived  
 For Franchise Tax Board: Suzanne Small, Tax Counsel

B3. Deborah Sharpe, 382011  
 For Appellant: Deborah Sharpe, Taxpayer  
 For Franchise Tax Board: Suzanne Small, Tax Counsel

B4. Duane Dworshak, 384281  
 For Appellant: Duane Dworshak, Taxpayer  
 For Franchise Tax Board: Suzanne Small, Tax Counsel

B5. Marc Pretscher, 393425  
 For Appellant: Apperance Waived  
 For Franchise Tax Board: Suzanne Small, Tax Counsel

B6. Rick Burningham, 395921  
 For Appellant: Apperance Waived  
 For Franchise Tax Board: Suzanne Small, Tax Counsel

**Announcement of Closed Session ..... Ms. Olson**

**Q. Closed Session**

Q1. Discussion and action on personnel matters (Gov. Code § 11126(a))

**Announcement of Open Session ..... Ms. Olson**

**Adjourn** - The meeting will reconvene on Wednesday, May 14, 2008, at 9:30 a.m.

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The hearing location is accessible to people with disabilities. Please contact Claudia Madrigal at (916) 324-8261, or e-mail [Claudia.Madrigal@boe.ca.gov](mailto:Claudia.Madrigal@boe.ca.gov) if you require special assistance.

Diane G. Olson, Chief  
Board Proceedings Division

- \* Public comment on any agenda item, other than a Closed Session item or an item which has already been considered by a Board Committee, will be accepted at that meeting.
- "CF" Constitutional Function – The Deputy State Controller may not participate in this matter under Government Code section 7.9.



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**STATE BOARD OF EQUALIZATION MEETING**  
**5901 Green Valley Circle, Room 207, Culver City**  
**May 13-15, 2008**  
**NOTICE AND AGENDA**  
**Meeting Agenda (as of 05/13/08, 9:45 a.m.)**

**Agenda Changes**

**Wednesday, May 14, 2008**

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**Board Meeting\***

**Special Presentation ..... Dr. Chu**

- ~~Presentation of Retirement Resolution~~
  - ~~Joseph D. Young~~

**C. Sales and Use Tax Appeals Hearings**

(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

- C13. Amer Ibrahim Masri, 289102, 336003 (EA)
  - For Claimant: Amer Masri, Taxpayer
  - For Department: Christine Bisauta, Tax Counsel
- C14. Bruce Allen Scott and Hal D. Lawrence, 330669, 351500 (FH)
  - For Petitioner: Hal Lawrence, Taxpayer
  - For Department: Carla Caruso, Tax Counsel
- C15. McMullen Oil Recycling Co., Inc., 347374 (AA)
  - For Claimant: Andrew Hopwood, Representative
  - For Department: Trecia Nienow, Tax Counsel

- C16. Vista Café, Inc., 332208 and 328978 (AS)  
For Petitioner/Claimant: Varduhi Rose Torosian, Taxpayer  
For Department: Kevin Hanks, Hearing Representative

**1:30 p.m. Board Meeting Reconvenes\***

**C. Sales and Use Tax Appeals Hearings**

(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

- C17. Lucky Mozel, Inc., 286785 (AP)  
For Petitioner: Robert Marc Hindin, Attorney  
For Department: Kevin Hanks, Hearing Representative
- C18. Vector Design, Inc., 255265 (AC)  
For Petitioner: Vincent Latona, Taxpayer  
Steve Mather, Attorney  
For Department: Robert Tucker, Tax Counsel
- C19a. Ameritrans, Inc., 315414, 315417 (KHO)  
C19b. Ameriwest, Inc., 281204, 315418 (KHO)  
For Petitioner: Donald A. Driftmier, CPA  
For Department: Trecia Nienow, Tax Counsel
- C20. Contractors Wardrobe, Inc., 311396 (AR)  
For Petitioner: Steve Teeman, Taxpayer  
For Department: Robert Tucker, Tax Counsel
- C21. Justin F. McJones and Madeleine A. McJones, 311626 (UT)  
For Petitioner: Justin McJones, Taxpayer  
John O'Connor, Representative  
For Department: Carla Caruso, Tax Counsel
- C22. American Textile Systems, 359067 (AA)  
For Petitioner: Alan Nathan, Taxpayer  
For Department: Carla Caruso, Tax Counsel
- C23. Paula J. Hunter, 379962 (EH)  
For Petitioner: Paula Hunter, Taxpayer  
For Department: Christine Bisauta, Tax Counsel

**D. Special Taxes Appeals Hearing**

(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

D1. Mike Issa Grair, 310010 (ET)

For Petitioner:	Mike Grair, Taxpayer John A. Caven, Accountant
For Department:	Monica Brisbane, Tax Counsel

**Adjourn** - The meeting will reconvene on Thursday, May 15, 2008, at 9:30 a.m.

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**Board Meeting\***

**Oral Hearings**

**A. Homeowner and Renter Property Tax Assistance Hearings  
(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)**

- A1. Asuncion P. Hamoy, 406636  
For Claimant: Asuncion P. Hamoy, Taxpayer  
For Franchise Tax Board: Suzanne Small, Tax Counsel
- A2. Larry R. Stieber, 397117  
For Claimant: Larry R. Stieber, Taxpayer  
For Franchise Tax Board: Suzanne Small, Tax Counsel

**B. Corporate Franchise and Personal Income Tax Hearings**  
(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

- B7a. Billy W. Blanks and Gayle H. Blanks, 268581  
B7b. BG Star Productions, Inc., 268579  
For Appellant: Thomas W. Henning, Attorney  
Glenn Bystrom, CPA  
For Franchise Tax Board: Renel Sapiandante, Tax Counsel
- B8a. Charlotte Chao Carr, 359071  
B8b. George Carr, 380591  
For Appellant: Charlotte Chao, Taxpayer  
George Carr, Taxpayer  
Andrea Suarez, Attorney  
For Franchise Tax Board: Mark McEvilly, Tax Counsel
- B9. Steven L. Lane, 390952  
For Appellant: Steven L. Lane, Taxpayer  
David Kabachnick, Enrolled Agent  
For Franchise Tax Board: Suzanne Small, Tax Counsel
- B10. Dean Scheu, 377476  
For Appellant: Dean Scheu, Taxpayer  
Judith Routledge, Attorney  
For Franchise Tax Board: Mark McEvilly, Tax Counsel
- B11. ~~David H. Ward, 400893~~  
~~For Appellant: Keith A. Shibou, CPA~~  
~~For Franchise Tax Board: Natasha Page, Tax Counsel~~
- B12. ~~Jennifer Hernandez Mike and Thomas Estama, 378220~~  
~~For Appellant: Keith A. Shibou, CPA~~  
~~For Franchise Tax Board: Natasha Page, Tax Counsel~~

**1:30 p.m. Board Meeting Reconvenes\***

**B. Corporate Franchise and Personal Income Tax Hearings**  
(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

- B13. Byron Reynolds, 382836  
For Appellant: Byron Reynolds, Taxpayer  
For Franchise Tax Board: Suzanne Small, Tax Counsel
- B14. ~~Elizabeth A. Welmas, 400894~~  
~~For Appellant: Keith A. Shibou, CPA~~  
~~For Franchise Tax Board: Natasha Page, Tax Counsel~~

- B15. Daniel V, Inc., 342609  
For Appellant: Marty Dakessian, Attorney  
David Keligian, Attorney  
Ron Lane, Witness  
David Hehn, Witness  
For Franchise Tax Board: William Gardner, Tax Counsel
- B16. Thomas Y. Chung and Chan N. Chung, 395925  
For Appellant: Thomas R. Lamons, Attorney  
For Franchise Tax Board: William Gardner, Tax Counsel
- B17. Robert Fouts and Maureen Fouts, 383284  
For Appellant: John F. Nolan, Attorney, CPA  
For Franchise Tax Board: Ronald Hofsdal, Tax Counsel

## Adjourn

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