

**ILLINOIS INDEPENDENT  
TAX TRIBUNAL**

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| <b>KOMATSU FORKLIFT USA, LLC</b> | ) |                          |
| <b>an Illinois Company</b>       | ) |                          |
|                                  | ) |                          |
| <b>Petitioner,</b>               | ) |                          |
| <b>v.</b>                        | ) | <b>No. 14 TT 142</b>     |
|                                  | ) | <b>Judge Brian Barov</b> |
| <b>ILLINOIS DEPARTMENT OF</b>    | ) |                          |
| <b>REVENUE,</b>                  | ) |                          |
|                                  | ) |                          |
| <b>Respondent.</b>               | ) |                          |

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**DEPARTMENT OF REVENUE’S UNOPPOSED MOTION  
TO STAY PROCEEDING PENDING REAUDIT**

The Illinois Department of Revenue, (the “Department”) by and through its attorney, Michael Coveny, Special Assistant Attorney General, respectfully requests that this Court enter an order staying this matter for 60 days pending a reaudit by the Department and in support states as follows:

- 1) Per order entered September, 2014, the Department’s Answer was due September 26, 2014.
- 2) Petitioner attached a number of documents to its Petition that were not reviewed or provided to the auditor in the original audit.
- 3) The Department completed its review of those documents and reduced the amount of its proposed assessment of tax in its Notice of Tax Liability by more than half. The Department’s review indicated that further reductions were possible if taxpayer could provide additional documentation.
- 4) The Taxpayer and the Department believe that it is in the best of both parties to allow the re-audit process to continue in order to reduce the amount in controversy as much as possible reducing the scope of, if not entirely eliminating, additional litigation.
- 5) Taxpayer’s attorney has represented that he is in agreement with this request.

For the foregoing reasons, the Department requests that this Tribunal enter an order staying this matter for 60 days.



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Michael Coveny

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