

BEFORE THE STATE BOARD OF EQUALIZATION
FOR THE STATE OF WYOMING

IN THE MATTER OF THE APPEAL OF)	
TEREX CORPORATION)	Docket No. 2018-18
FROM A DECISION BY THE)	
DEPARTMENT OF REVENUE)	
(Audit 1/1/13-12/31/15))	

ORDER OF DISMISSAL WITH PREJUDICE

THIS MATTER came before the State Board of Equalization (State Board) on its Notice of Intent to Dismiss, issued May 8, 2018. The State Board, having reviewed the file herein, noting that neither Terex Corporation (Petitioner) nor the Department of Revenue (Department) filed an objection, and being otherwise advised in the premises, finds as follows:

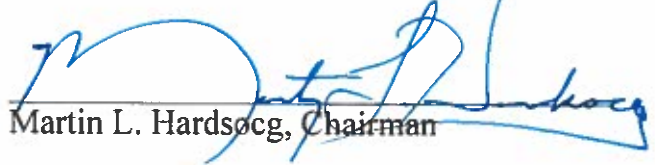
1. The State Board received an appeal from Terex (Petitioner) in this matter on February 27, 2018. The appeal was docketed effective February 27, 2018;
2. On March 14, 2018, the State Board issued a Scheduling Conference order requiring Terex Corporation to submit a Preliminary Statement on or before April 13, 2018, and to attend a Scheduling Conference on May 7, 2018;
3. Terex Corporation failed to submit a preliminary statement and failed to appear at the Scheduling Conference on May 7, 2018 at 10:00 am;
4. Pursuant to *Rules, State Board of Equalization, Chapter 2, § 10*, each party may be ordered to file with the Board and serve upon the other parties a preliminary statement or joint preliminary statement;
5. Petitioner failed to comply with a valid requirement of the State Board and is, therefore, subject to sanctions pursuant to *Rules, Wyoming State Board of Equalization, Chapter 1 § 10 and Chapter 2 § 21*;
6. The State Board issued a Notice of Intent to Dismiss on May 8, 2018, which stated that this matter would be dismissed with prejudice on or after May 29, 2018, unless Petitioner or the Department filed specific written objections to dismissal before said date;

7. Petitioner has filed no objection to dismissal; and
8. The Department did not file an objection.

IT IS THEREFORE ORDERED this matter is **dismissed with prejudice**.

Dated this 18th day of June, 2018.

STATE BOARD OF EQUALIZATION


Martin L. Hardsocg, Chairman

ATTEST:


Nadia Broome, Executive Assistant

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of June, 2018, I served the foregoing **ORDER OF DISMISSAL WITH PREJUDICE** by placing a true and correct copy thereof in the United States Mail, postage prepaid, and properly addressed to the following:

Karen Manweiler
Senior Tax Analyst
Terex Corporation
200 Nyala Farm Road
Westport, CT 06880

Karl D. Anderson
Senior Assistant Attorney General
Rebecca J. Zisch
Assistant Attorney General
Kendrick Building
2320 Capitol Ave.
Cheyenne, WY 82002



Nadia Broome
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State Board of Equalization
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cc: State Board of Equalization
Kim Lovett, Excise Tax Division, Department of Revenue
ABA State and Local Tax Reporter