

IN THE SUPREME COURT OF THE STATE OF NEVADA

**FILED**

VILLAGE LEAGUE TO SAVE INCLINE )  
ASSETS, INC., a Nevada non-profit )  
corporation, on behalf of its members, )

No. 43441

JUN 24 2004

Appellant,

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY [Signature]  
DEPUTY CLERK

vs.

STATE OF NEVADA on relation of )  
its DEPARTMENT OF TAXATION, )  
the NEVADA STATE TAX )  
COMMISSION, and the STATE BOARD )  
OF EQUALIZATION; WASHOE )  
COUNTY; ROBERT MCGOWAN, )  
WASHOE COUNTY ASSESSOR; )  
BILL BERRUM, WASHOE COUNTY )  
TREASURER, )

Respondents.

**MOTION OF APPELLANT TO EXEMPT  
APPEAL FROM SETTLEMENT PROGRAM**

Pursuant to Rules 16 and 27 of the Nevada Rules of Appellate Procedure, appellant, Village League to Save Incline Assets, Inc. ("Village League"), moves for an order exempting and removing this appeal from the Court's settlement program. This motion is made under Rules 27(b) and 27(c).

Village League submits that this appeal should be exempted from the settlement program under Rule 16 because it involves a single legal issue as to which there is no possibility of settlement and participation in the settlement program would only further delay a timely decision in this matter.

**RECEIVED**

JUN 24 2004

JANETTE M. BLOOM  
CLERK OF SUPREME COURT

This motion is made and based on the declaration of Suellen Fulstone attached hereto.

DATED: June 24, 2004

Woodburn and Wedge  
6100 Neil Road, Suite 500  
Reno, Nevada 89511

By Suellen Fulstone

Suellen Fulstone  
Nevada Bar No. 1615  
Attorneys for Appellant  
Village League To Save Incline Assets, Inc.

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CERTIFICATE OF MAILING

Pursuant to N.R.A.P. 25(c), I certify that I am an employee of Woodburn and Wedge and  
that on this date I deposited in the U.S. Mail with postage paid a true copy of the attached Motion  
Of Appellant To Exempt Appeal From Settlement Program addressed to:

Gregory R. Shannon, Esq.  
Deputy District Attorney  
P. O. Box 30083  
Reno, NV 89520-3083

Joshua J. Hicks, Esq.  
Deputy Attorney General  
100 North Carson Street  
Carson City, NV 89701-4717

Gregory L. Zunino, Esq.  
Senior Deputy Attorney General  
100 North Carson Street  
Carson City, NV 89701-4717

Cathy Valenta Weise  
Supreme Court Settlement Judge  
P. O. Box 19640  
Reno, NV 89511

DATED this 24<sup>th</sup> day of June, 2004.

  
TOMMIE KAY ATKINSON