

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE SUPREME COURT OF THE STATE OF NEVADA

FRANCHISE TAX BOARD OF THE
STATE OF CALIFORNIA,

Case No. 53264

District Court Case No. A382999

Appellant/Cross-Respondent,
vs.

FILED

AUG 10 2009

GILBERT P. HYATT,

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *R. Malone*
DEPUTY CLERK

Respondent/Cross-Appellant.

NOTICE OF NON-OPPOSITION

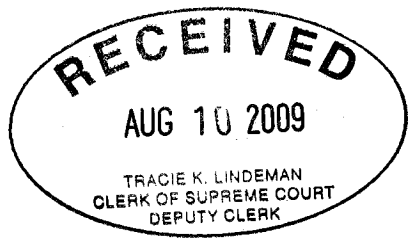
Appellant hereby notifies the court that appellant does not oppose respondent's
"Motion to extend time and permit expanded briefing for respondent's answering brief."

Dated this 6th day of August, 2009.

By: *Robert L. Eisenberg*
ROBERT L. EISENBERG (NSBN 0950)
LEMONS, GRUNDY, & EISENBERG
6005 Plumas Street, Suite 300
Reno, Nevada 89519
Telephone No.: (775) 786-6868

PAT LUNDVALL (NSBN 3761)
CARLA HIGGINBOTHAM (NSBN 8495)
McDONALD CARANO WILSON LLP
2300 West Sahara Avenue, Suite 1000
Las Vegas, NV 89102
Telephone No. (702) 873-4100

Attorneys for Defendant
Franchise Tax Board of the State of California



1 CERTIFICATE OF SERVICE

2 Pursuant to NRAP 25, I hereby certify that I am an employee of McDonald
3 Carano Wilson LLP, and that I served true and correct copies of the foregoing on this
4 6 day of Aug., 2009 by depositing said copies in the United States Mail,
5 postage prepaid thereon, upon the following:

6 Peter C. Bernhard
7 Kummer, Kaempher, Bonner, Renshaw & Ferrario
8 3800 Howard Hughes Parkway, 7th Floor
9 Las Vegas, NV 89169

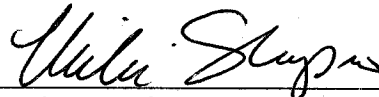
10 Mark A. Hutchison
11 Hutchison & Steffen
12 Peccole Professional Park
13 10080 West Alta Drive, Suite 200
14 Las Vegas, NV 89145

15 Pat Lundvall
16 Carla Higginbotham
17 McDonald Carano Wilson LLP
18 100 West Liberty Street, 10th Floor
19 Reno, Nevada 89505

20 Clark L. Snelson
21 Utah Assistant Attorney General
22 160 East 300 South, 5th Floor
23 Salt Lake City, Utah 84114-0874

24 Bruce J. Fort
25 Multistate Tax Commission
26 444 North Capitol Street, N.W.
27 Suite 425
28 Washington, D.C. 20001-1538

C. Wayne Howle
Solicitor General, State of Nevada
100 North Carson Street
Carson City, Nevada 89701



An Employee of Lemons, Grundy & Eisenberg