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**IN THE SUPREME COURT OF THE STATE OF NEVADA**

FRANCHISE TAX BOARD )  
OF THE STATE OF CALIFORNIA, )  
Appellant/Cross-Respondent, )  
vs. )  
GILBERT P. HYATT, )  
Respondent/Cross-Appellant. )

No. 53264

Electronically Filed  
Aug 17 2009 02:04 p.m.  
Tracie K. Lindeman

**NOTICE OF NON-OPPOSITION**

Catherine Cortez Masto, Attorney General of the State of Nevada, and Solicitor General C. Wayne Howle, hereby notify this Court that the State of Nevada does not oppose Respondent/Cross-Appellant Gilbert Hyatt's Motion to Extend Time and Permit Expanded Briefing for Respondent's Answering Brief.

Respectfully submitted this 17th day of August 2009.

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**CERTIFICATE OF SERVICE**

I hereby certify that this Notice of Non-Opposition was filed electronically with the Nevada Supreme Court on the 17<sup>th</sup> day of August 2009. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Michael Wall  
Peter Bernhard  
Carla Higginbotham  
Mark Hutchison

I further certify that true and correct copies of this Notice of Non-Opposition were served on the following counsel of record this 17<sup>th</sup> day of August, 2009, by first class mail, postage pre-paid to the addresses show below:

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By:     /s/Vicki Beavers