

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

**FILED**

**OCT 06 2009**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

APPEAL FROM JUDGMENT – EIGHTH JUDICIAL DISTRICT COURT  
STATE OF NEVADA, CLARK COUNTY  
HONORABLE JESSIE WALSH, DISTRICT JUDGE

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SUPPLEMENTAL APPELLANT'S APPENDIX

VOLUME I

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ATTORNEYS FOR APPELLANT/  
CROSS-RESPONDENT

*Detached from motion  
filed 9-29-09 and filed  
per order 10-6-09. sy*

**SUPPLEMENTAL INDEX TO APPELLANT'S APPENDIX**

<b><u>Document</u></b>	<b><u>Date</u></b>	<b><u>Vol.</u></b>	<b><u>Page Nos.</u></b>
Trial Exhibit 112	08/06/08	1	SAA00001-5



STATE OF CALIFORNIA

FRANCHISE TAX BOARD  
6150 VAN NUYS BLVD., ROOM 100  
VAN NUYS, CA 91401-3381  
TELEPHONE: (818) 901-5225

For Privacy Act Notice, See Form FTB 1131

Date: June 17, 1993

Gilbert P. Hyatt  
P.O. Box 60028  
Las Vegas, NV 89160

Years: 1989 & 1990 & 1991

Your returns have been assigned to this office for examination. We hope to complete the examination as soon as possible, but our workload sometimes requires that our audits be delayed for some time. Answers to the questionnaire on the reverse side will assist us in scheduling an appointment on a mutually convenient date, and in expediting the examination of your returns.

Please complete the questionnaire and return it to our office within 10 days. If additional information is needed, you or your designated representative will be contacted.

Your cooperation is appreciated.

*Marc Shayer*  
Marc Shayer  
Tax Auditor

H 014905

0112-00001

SAA00001

**AUDIT SCHEDULING INFORMATION**

- Personal Income Tax  
 Franchise Tax

INCOME YEARS

TAXPAYER	
TAXPAYER ADDRESS	ADDRESS LOCATION WHERE RECORDS CAN BE EXAMINED
	<input type="checkbox"/> Same as Taxpayer address
	<input type="checkbox"/>

Individual to contact to conduct this audit

NAME	TITLE	TELEPHONE & EXTENSION
ADDRESS		

Have you signed a consent to extend the federal statute of limitations for any of the years involved or any prior year?  Yes  No If Yes, list each year and application expiration date:

Year							
Expiration Date							

Has the Federal Government examined any of the returns for the year(s) involved? .....  Yes  No  
 Is an examination in progress? .....  Yes  No

If Yes, years under examination: \_\_\_\_\_  
 To your knowledge, is an examination planned? .....  Yes  No

*If an examination has been completed, a copy of the report should be forwarded to this office in accordance with Section 25432 of the Bank and Corporation Law or Section 18451 of the Personal Income Tax Law. This may make our independent examination unnecessary.*

CORPORATE TAXPAYERS COMPLETE THE FOLLOWING				
Name of corporate affiliates (subsidiary or parent)	Percent of Ownership	Files California Returns		If Yes, California Identification No.
		Yes	No	

Please enclose reports to stockholders for each reference year (if available) in order that we may study them beforehand.

This questionnaire completed by:

SIGNATURE	TITLE	DATE
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STATE OF CALIFORNIA

**FRANCHISE TAX BOARD**

Your tax return has been selected for audit by the California Franchise Tax Board (FTB).

What should you expect from a Franchise Tax Board audit?

- Courteous treatment by FTB employees
- Clear and concise requests for information from the auditor assigned to your case
- Confidential treatment of any personal and financial information that you provide to us
- Completion of the audit within a reasonable amount of time

FTB 1015 (REV 3-89) PAGE 1

At the close of the audit, you will be told in writing that

- We are accepting the return as you filed it, or
- You have additional tax due, or
- You have overpaid your tax and are entitled to a refund, or -
- We have not changed your tax amount, but you may be entitled to a refund if you correctly recompute your tax and file a claim for a refund before the Statute of Limitation expires

Please see reverse side for additional information.

**PRIVACY NOTICE**

The Information Practices Act of 1977 and the federal Privacy Act require the Franchise Tax Board to tell you why we ask you for information. The Operations and Compliance Divisions ask for tax return information to carry out the Personal Income Tax Law of the State of California. We may request additional information if we audit your return or take collection action.

If you meet the income requirements, the Revenue and Taxation Code requires you to file a return or statement in the form we prescribe (Sections 18401 and 18431). When you file these or other documents, you must include your social security number for identification and return processing (Section 18934).

FTB 1015 (REV 5-89/10-91)

It is mandatory to furnish all information requested when you are required to file a return or statement. If you do not file a return, or do not provide the information we ask for, or provide fraudulent information, the law says you may be charged penalties and interest and, in certain cases, you may be subject to criminal prosecution. We also may disallow claimed exemptions, exclusions, credits, deductions or adjustments. This could make the tax higher or delay or reduce any refund.

We may give the information you furnish us to the United States Internal Revenue Service, the proper official of any state imposing an income tax or a tax measured by income, the Multistate Tax Commission and to California government

agencies and officials, as provided by law. If you owe any monies, we may disclose the amount due to employers, financial institutions, County Recorders, vacation trust funds, process agents and other payers.

You have a right to access records containing your personal information maintained by the Franchise Tax Board. The officials responsible for maintaining the information are: 1) Filing of returns - Director; Document Processing Bureau; 2) Auditing of returns - Director, Personal Income Tax Audit Bureau; and 3) Collection of monies - Director, Enforcement Bureau. The address is: Franchise Tax Board, P.O. Box 942840, Sacramento, CA 94240-1040; telephone: (800) 852-5711.

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Place stamp here.  
Post Office will  
not deliver mail  
without postage.

FRANCHISE TAX BOARD  
6150 VAN NUYS BLVD ROOM 100  
VAN NUYS CA 91401-3381  
ATTN: MARC SHAYER



H 014908

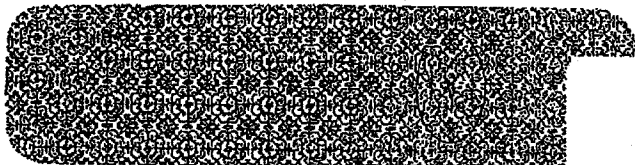
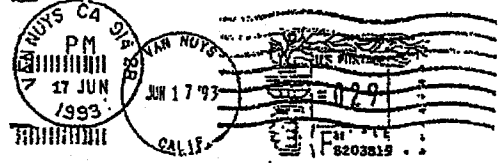
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1721

STATE OF CALIFORNIA  
FRANCHISE TAX BOARD  
6150 VAN NUYS BLVD., ROOM 100  
VAN NUYS, CA 91401-3381

FORWARDING AND  
ADDRESS CORRECTION REQUESTED



HYAT028 89102019 1A92 EP/12/90 8P41 P10201P8  
745E MDDA FDM 3547  
HYATT  
4012 S RAINBOW BLVD #449  
LAS VEGAS NV 89102-2010

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