

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

NOV 06 2009

TRACEE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER GRANTING MOTION FOR EXTENSION OF TIME

On October 14, 2009, respondent/cross-appellant filed a motion requesting a second extension of time to file his combined answering brief and opening brief on cross-appeal, which we grant.¹ Respondent/cross-appellant's brief shall be filed and served on or before December 21, 2009. No further extensions of time shall be permitted absent demonstration of extreme and unforeseeable circumstances. Counsel's caseload will not be deemed such a circumstance. Varnum v. Grady, 90 Nev. 374, 528 P.2d 1027 (1974).

It is so ORDERED.

[Signature], C.J.

¹We grant respondent/cross-appellant's motion to file a reply to the opposition to this motion. We direct the clerk of this court to detach and file the reply attached to the motion.

cc: Lemons Grundy & Eisenberg
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