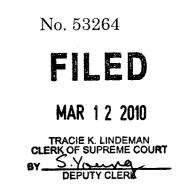
## IN THE SUPREME COURT OF THE STATE OF NEVADA

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



## ORDER REGARDING SECOND SUPPLEMENT TO NOTICE OF APPEAL

Appellant/cross-respondent Franchise Tax Board has filed a second supplement to its notice of appeal to include, within its appeal, a challenge to a recent district court order awarding respondent/crossappellant Gilbert Hyatt costs. This order is independently appealable as a special order after final judgment, NRAP 3A(b)(2), and Franchise Tax Board timely filed its second supplemental notice of appeal; thus, the issue is properly before this court. As briefing has already commenced in this appeal, we conclude that the parties shall file separate supplemental briefs addressing solely the award of costs issues. Franchise Tax Board shall have 75 days from the date of this order to file and serve its supplemental opening brief. Hyatt shall have 30 days from the date the supplemental opening brief is served to file and serve his supplemental answering brief. Franchise Tax Board shall have 30 days from the date the supplemental answering brief is served to file and serve a supplemental answering brief. The supplemental briefs shall be limited to the

SUPREME COURT OF NEVADA issues involving the award of costs; any briefing outside the award of costs issues will be disregarded.

It is so ORDERED.

Nag \_, C.J.

 cc: Lemons, Grundy & Eisenberg McDonald Carano Wilson LLP/Las Vegas McDonald Carano Wilson LLP/Reno Hutchison & Steffen, LLC Kaempfer Crowell Renshaw Gronauer & Fiorentino Perkins Coie Attorney General/Carson City Multistate Tax Commission Utah Attorney General's Office

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