

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAN 06 2010

FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA,

Supreme Court Case No. 53264

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

Appellant,

District Court Case No.: A382999

v.

GILBERT P. HYATT,

**SUBMISSION OF RESPONDENT'S
APPENDIX IN ELECTRONIC FORMAT**

Respondent

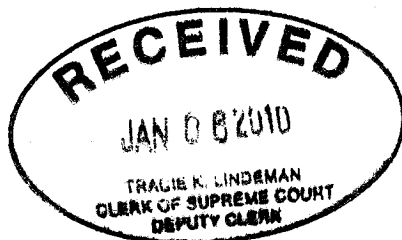
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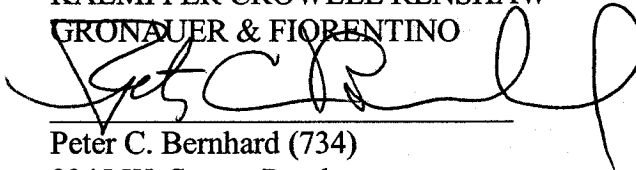


1 Respondent-cross-appellant Gilbert P. Hyatt ("Hyatt"), by and through his attorneys of
2 record, respectfully serves and submits his Respondent's Appendix in electronic format (via a
3 disk submitted with this pleading).¹

4 DATED: January 5, 2010.

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¹ Pursuant to ADKT No. 441, this Court amended NRAP 30 to require every appendix to be submitted on a CD-ROM, effective January 1, 2010. Although Respondent filed his Appendix on December 21, 2009, in paper form in compliance with then-effective NRAP 30, he is providing counsel and the Court with the same Appendix electronically, along with his Answering Brief, which is due on January 5, 2010.

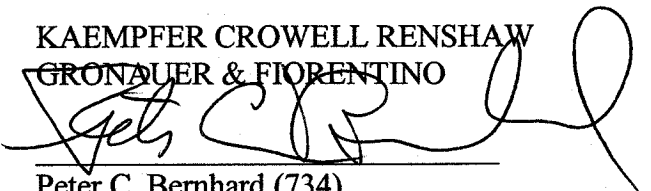
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3 **CERTIFICATE OF COMPLIANCE**

4 I hereby certify that I have read this **SUBMISSION OF RESPONDENT'S**
5 **APPENDIX IN ELECTRONIC FORMAT**, and to the best of my knowledge, information,
6 and belief, it is not frivolous or interposed for any improper purpose. I further certify that this
7 brief complies with all applicable Nevada Rules of Appellate Procedure, and in particular
8 NRAP 28(e), which requires every assertion in the brief regarding matters in the record to be
9 supported by a reference to the page of the transcript or appendix where the matter relied on is
10 to be found. I understand that I may be subject to sanctions in the event that the accompanying
11 brief is not in conformity with the requirements of the Nevada Rules of Appellate Procedure.

12 DATED: January 5, 2010.

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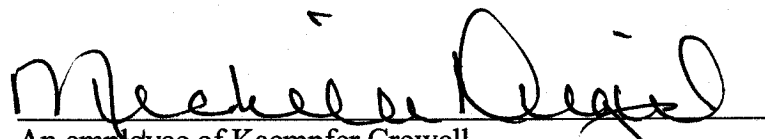
CERTIFICATE OF SERVICE

Pursuant to NRAP 25, I certify that I am an employee of **KAEMPFER CROWELL**
RENSHAW GRONAUER & FIORENTINO and that on this 5th day of January, 2010, I
caused the above and foregoing document entitled **SUBMISSION OF RESPONDENT'S**
APPENDIX IN ELECTRONIC FORMAT to be served by the method(s) indicated below:

- _____ via U.S. mail, postage prepaid;
- X via Federal Express;
- _____ via hand-delivery;
- _____ via Facsimile;

to the attorney(s) listed below at the address indicated:

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