

1 IN THE SUPREME COURT OF THE STATE OF NEVADA

2
3 FRANCHISE TAX BOARD)
4 OF THE STATE OF CALIFORNIA,)
5 Appellant/Cross-Respondent,)
6 vs.)
7 GILBERT P. HYATT,)
8 Respondent/Cross-Appellant.)
9

No. 53264

FILED

JUL 22 2009

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

10 **MOTION TO STRIKE MOTION FOR LEAVE TO FILE BRIEF AS**
11 **AMICUS CURIAE IN SUPPORT OF APPELLANT/CROSS-RESPONDENT**
12 **FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA**

13 The State Solicitor General does hereby move that his "Motion for Permission to
14 File Amicus Brief for Multistate Tax Commission" be stricken as duplicative and
15 unnecessary, since the Multistate Tax Commission has filed the same motion on its
16 own behalf.

17 Respectfully submitted this 22nd day of July 2009.

18 CATHERINE CORTZ MASTO
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19 By:

[Signature]
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26 [continued on next page]

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1 CERTIFICATE OF SERVICE

2 I hereby certify that true and correct copies of this Motion to Strike Motion for
3 Leave to File Brief as *Amicus Curiae* in Support of Appellant/Cross-Respondent
4 Franchise Tax Board of the State of California was served on the following counsel of
5 record this 22nd day of July, 2009, by first class mail, postage pre-paid to the
6 addresses show below:
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