

1 IN THE SUPREME COURT OF THE STATE OF NEVADA

2
3 FRANCHISE TAX BOARD OF THE
4 STATE OF CALIFORNIA,

Case No. 53264

5 Appellant/Cross-Respondent

FILED

6 v.

DEC 09 2010

7 GILBERT P. HAYTT,

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

8 Respondent/Cross-Appellant.

9 **NOTICE OF SUBMISSION OF FTB'S EMBEDDED SUPPLEMENTAL BRIEFS**
10 **REGARDING COSTS**

11 Please take notice that pursuant to NRAP 28(e) and 30(f)(2), and for the
12 convenience of the Court in reviewing the large and unwieldy record in this case,
13 Appellant/Cross-Respondent Franchise Tax Board of the State of California ("FTB")
14 hereby submits its embedded Supplemental Opening and Reply Briefs Regarding Costs
15 in electronic form. As noted in FTB's Reply Brief in the main appeal, FTB has provided
16 these embedded briefs in order to assist the Court in verifying every factual and legal
17 citation in its briefs. See Appellants' Reply Brief at 3 n.12. We also believe these
18 embedded briefs will save an enormous amount of time for the Court and its staff in
19 reviewing legal authorities and appendix pages cited in the briefs. The appendices filed
20 by the parties on the cost issue consist of 28 volumes (approximately 7,000 pages), and
21 there are hundreds of legal authorities cited in the briefs. By using the embedded briefs,
22 these cited materials can be obtained and viewed directly from the briefs, without the
23 necessity of going to other sources outside the briefs (such as Westlaw or the separate
24 appendix discs that the parties submitted with their briefs).

25 In order to assist the Court in using these embedded briefs, FTB provides the
26 following explanation and instructions:

27 An electronic brief (or "e-brief") is a PDF file that contains a legal brief as well as
28 all of the referenced material in the brief, such as case law, appendix pages, prior briefs,

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1 statutes, etc. Each citation has been hyperlinked, and clicking on a link will bring you to
2 a different page in the document that contains the referenced material.¹

3 The e-briefs have been loaded onto the DVD-ROM disc submitted herewith.
4 Place the disc into your computer, go to “My Computer,” double-click on your DVD
5 drive (usually drive D), and drag and drop the PDF files to your Desktop. (You can also
6 move them to “My Documents” or any other location that you prefer.)

7 Once the e-briefs have been transferred to your computer, simply double-click on
8 one of the files to open it. If you receive a message that “this file appears to use a new
9 format that this version of Acrobat does not support,” just click OK to disregard the
10 message.

11 To use the e-brief, scroll through the pages to read the brief as you would any
12 other document. When you get to a citation to the appendix or to a legal authority, it will
13 be underlined in blue as an embedded hyperlink. If you want to review the document
14 cited in the brief, simply click on the blue citation and it will jump you forward in the
15 document to the referenced legal authority or appendix page. To return back to the page
16 in the brief that you were viewing prior to clicking on the hyperlink, click the back arrow
17 button on the toolbar (which will be either green or blue, depending on the version of
18 Acrobat that you have.)²

19 Sometimes, if you have scrolled a few pages into the legal authority or the
20 document you are reviewing at the appendix location, you will need to click on the back
21 arrow button a few extra times to return to the actual brief page from which you started.

22
23 ¹ In order to open the e-briefs, you must have Adobe Acrobat. If you do not
24 already have a copy of Acrobat, go to www.adobe.com and find the “Get Adobe Reader”
button. Follow the instructions to download and install the program.

25 ² If you do not have the back arrow button at all on your toolbar, you may need to
26 add the “Page Navigation” toolbar. To do this, right-click anywhere on an empty part of
27 Acrobat’s toolbar and make sure “Page Navigation” is checked. If at this point you still
28 do not have the back arrow button, right-click again on your toolbar, choose “More
Tools,” scroll down until you find the “Previous View” and “Next View” options, and
checkmark both of them. Click **OK**, and you should now see the back arrow button.

1 FTB respectfully submits these embedded briefs and instructions for the
2 convenience of the Court and in the interest of providing an efficient and accurate
3 method for the Court to review the extensive record in this case.

4 DATED: December 9, 2010.

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CERTIFICATE OF SERVICE

Pursuant to NRAP 25, I hereby certify, under penalty of perjury, that I am an employee of McDonald Carano Wilson LLP and that on this date I caused to be delivered in the United States mail, enclosed in a sealed envelope, upon which first class postage was fully prepaid and affixed thereto, a true copy of the **Notice of Submission of FTB's Embedded Supplemental Briefs Regarding Costs**, addressed to the individual listed below at his last known business address as follows:

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