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3 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

4 **FRANCHISE TAX BOARD OF THE STATE**
5 **OF CALIFORNIA,**

6 Appellant,

7 v.

8 **GILBERT P. HYATT,**

9 Respondent.

Supreme Court Case No. 53264 Electronically Filed
District Court Case No. A382999 Jan 21 2011 03:48 p.m.
Tracie K. Lindeman

10 **HYATT'S NOTICE OF INTENT TO SUBMIT EMBEDDED (i) RESPONDENT'S**
11 **ANSWERING AND OPENING CROSS APPEAL BRIEF; (ii) RESPONDENT'S REPLY**
12 **CROSS-APPEAL BRIEF; AND (iii) RESPONDENT'S SUPPLEMENTAL ANSWERING**
13 **BRIEF REGARDING COSTS**

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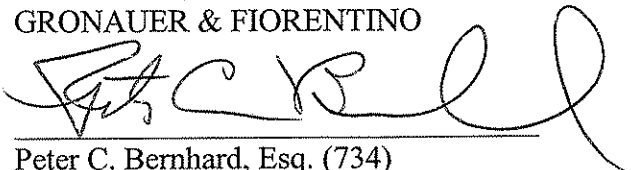
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1 Please take notice that pursuant to NRCPC 28(e) and 30(f)(2), and for the convenience of
2 the Court in reviewing the large record in the case, Respondent/Cross-Appellant Gilbert P. Hyatt
3 ("Hyatt") is preparing and will submit forthwith his embedded Answering Brief and Opening
4 Cross Appeal Brief, his embedded Reply Cross-Appeal Brief, and his embedded Supplemental
5 Answering Brief Regarding Costs in electronic form. Appellant Franchise Tax Board of
6 California (the "FTB") submitted three separate embedded disks with their briefs, including one
7 on January 20, 2011, without giving Hyatt any advanced notice or offering to include embedded
8 Hyatt briefs as well. Therefore, Hyatt is in the process of embedding citations, exhibits and
9 references in the Hyatt-filed briefs, so that the Court will have the briefing of both parties in an
10 electronic format, and Hyatt's embedded disk will contain all of his briefs on a single disk.

11 Dated this 21 day of January, 2011.

12
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1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRAP 25, I certify that I am an employee of **KAEMPFER CROWELL**
3 **RENSHAW GRONAUER & FIORENTINO** and that on this 21st day of January, 2011, I
4 caused the above and foregoing document entitled **NOTICE OF INTENT TO SUBMIT**
5 **EMBEDDED (i) RESPONDENT'S ANSWERING AND OPENING CROSS APPEAL**
6 **BRIEF; (ii) RESPONDENT'S REPLY CROSS-APPEAL BRIEF; AND (iii)**
7 **RESPONDENT'S SUPPLEMENTAL ANSWERING BRIEF REGARDING COSTS** to be
8 served as follows:
9

- 10 by placing same to be deposited for federal express mailing in the United States,
11 in a sealed package upon which postage was prepaid in Las Vegas Nevada;
12 and/or
13 Pursuant to EDCR 7.26, to be sent via facsimile; and/or
14 to be hand-delivered;

15 to the attorney(s) listed below at the address and/or facsimile number indicated below:

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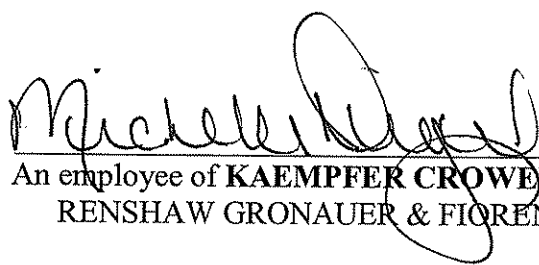
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