

IN THE SUPREME COURT OF THE STATE OF NEVADA

FRANCHISE TAX BOARD OF THE) Supreme Court 53264
STATE OF CALIFORNIA,)
) Electronically Filed
Appellant/Cross-Respondent,,) Apr 07 2017 10:52 a.m.
) Elizabeth A. Brown
) Clerk of Supreme Court
v.)
)
GILBERT P. HYATT,)
)
Respondent/Cross-appellant.)
_____)

APPEAL

from the Eighth Judicial District Court, Clark, County
THE HONORABLE JESSIE WALSH, District Judge

**RESPONDENT'S MOTION FOR GUIDANCE REGARDING
SUBJECTS TO BE DISCUSSED AT ORAL ARGUMENT**

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Respondent Gilbert P. Hyatt respectfully moves this Court for guidance regarding the subjects to be discussed at the upcoming oral argument.

Respectfully, and not intending in any way to impose on the Court's time and limited resources, what Respondent seeks is to discover what issues this Court would like the parties to address at the oral argument, so that Respondent and Appellant may prepare in a manner that will allow for the oral argument to be of most assistance to the Court.

On March 23, 2017, this Court issued an order directing the Clerk of this Court to schedule this appeal for oral argument before the full Court on this Court's next available oral argument calendar. On March 28, 2017, pursuant to that order, the Clerk of this Court scheduled this matter for oral argument before the full court on May 2, 2017, at 10:30 a.m. The oral argument has been limited to

30 minutes. This Court's order did not suggest what subject matters the parties should prepare to address at the oral argument.

As this Court is aware, to say this is a large and complex case would be an understatement. This case has been before this Court in a prior appeal. In this appeal, this Court previously conducted oral argument twice, and issued a complex decision addressing all issues. Thereafter, Appellant successfully pursued a limited appeal (on certiorari) to the United States Supreme Court, and this matter is now before this Court on remand from the United States Supreme Court.

The parties disagree as to the scope of the remand from the United States Supreme Court, and on a great many other matters presently before this Court. The record is massive, and the potential issues are many. Thus, the parties must be prepared to address all of the issues raised in their briefs, including but not limited to the scope of this Court's review on remand.

Respondent is aware of this Court's busy schedule and of the logistics involved in responding to requests such as this. But under the circumstances, Respondent suggests that a statement from the Court regarding what issues should be addressed would serve the interests of the parties in preparing for the oral argument and the interests of the Court in having counsel as prepared as possible

on the issues of greatest concern to the Court.

We suggest, if the Court is willing, that a short statement from the Court directing the parties to the issues that it would like them to focus on at oral argument would be a great benefit. This request is presented in good faith, and not for purposes of delay or any other improper reason.

DATED: April 7, 2017.



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CERTIFICATE OF SERVICE

I certify that I am an employee of HUTCHISON & STEFFEN, LLC and that on this date **RESPONDENT'S MOTION FOR GUIDANCE REGARDING SUBJECTS TO BE DISCUSSED AT ORAL ARGUMENT** was filed electronically with the Clerk of the Nevada Supreme Court, and therefore electronic service was made in accordance with the master service list as follows:


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DATED this 7th day of April, 2017.


An employee of Hutchison & Steffen, LLC