

IN THE SUPREME COURT OF THE STATE OF NEVADA

FRANCHISE TAX BOARD OF THE STATE OF
CALIFORNIA,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA, IN AND FOR THE
COUNTY OF CLARK, AND THE HONORABLE
NANCY M. SAITTA, DISTRICT JUDGE,

Respondents,

and

GILBERT P. HYATT,
Real Party in Interest.

No. 36390

FILED

JUL 03 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT
DEPUTY CLERK

WRIT OF MANDAMUS

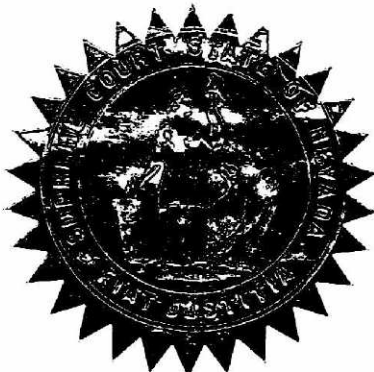
TO: The Honorable Nancy M. Saitta, Judge of the Eighth Judicial District
Court:

WHEREAS, this Court having made and filed its written decision that a
writ of mandamus issue,

NOW, THEREFORE, you are instructed to grant Franchise Tax Board's
motion for summary judgment in light of the lack of evidence presented, in the case
entitled Hyatt vs. Franchise Tax Board, No. A382999.

WITNESS The Honorables A. William Maupin, Chief Justice, Cliff
Young, Miriam Shearing, Deborah A. Agosti, Robert E. Rose and Myron E. Leavitt,
Associate Justices of the Supreme Court of the State of Nevada, and attested by my
hand and seal this 13th day of June, 2001.

Janette M. Bloom
Supreme Court Clerk



BILL LOCKYER

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RICHARD W. BAKKE

Supervising Deputy Attorney General

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Attorneys for Defendant Franchise Tax Board

DISTRICT COURT

CLARK COUNTY, NEVADA

* * * * *

GILBERT P. HYATT,

Plaintiff,

vs.

FRANCHISE TAX BOARD OF THE
STATE OF CALIFORNIA, and DOES 1-100,
inclusive

Defendants.

Case No. : A382999

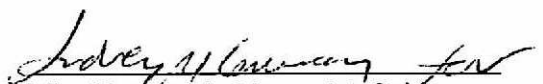
Dept. No. : XVIII

Receipt of Copy



RECEIPT OF COPY

This will acknowledge that on June 29, 2001, I was presented with the Original Writ of Mandamus signed by the Nevada Supreme Court in Case No. A382999 entitled Hyatt v. Franchise Tax Board of the State of Nevada and was given a copy of the same Writ of Mandamus. I was also provided with a copy of the Nevada Supreme Court's Order filed June 13, 2001 granting the Franchise Tax Board of the State of California's Writ of Mandamus.


The Honorable Nancy M. Saitta
Eighth Judicial District Court, Dept. 19

43249.1

MCDONALD CARANO WILSON McCUNE
BERGIN FRANKOVICH & HICKS LLP
ATTORNEYS AT LAW

Jeffrey A. Silvestri

Reply to Las Vegas

July 2, 2001

Via Federal Express

Janette M. Bloom
Clerk of the Court
Supreme Court of Nevada
201 South Carson Street, Suite 201
Carson City, Nevada 89701-4702



**Re: Franchise Tax Board vs. District Court, No. 36390
District Court Case No. A 382999**

Dear Ms. Bloom:

Pursuant to your letter dated June 13, 2001, I am enclosing with this letter a copy of the original Writ of Mandamus along with proof of service of the writ on District Court Judge Saitta.

Please call me if you have any questions regarding this letter.

Sincerely,

McDonald Carano Wilson McCune
Bergin Frankovich & Hicks LLP


Jeffrey A. Silvestri, Esq.

JAS/kas

Enclosures

cc: Hutchinson & Steffen (w/encl.)
Bernhard & Leslie (w/encl.)
Riordian & McKenzie (w/encl.)
Marquis & Aurbach (w/encl.)

ODMA\PCDOCS\J\DOCS\43353\1

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