

FILED

MAR 4 2 44 PM '02

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Supervising Deputy Attorney General
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GEORGE M. TAKENOCHI, Admitted per SCR 42
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CLERK

FILED

MAR 08 2002

JANETTE M. BLOOM
CLERK OF SUPREME COURT
DEPUTY CLERK

THOMAS R. C. WILSON, ESQ.
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JAMES C. GIUDICI, ESQ.
Nevada State Bar # 224
JEFFREY A. SILVESTRI, ESQ.
Nevada State Bar # 5779
BRYAN R. CLARK, ESQ.
Nevada State Bar #4442
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BERGIN FRANKOVICH & HICKS LLP
2300 West Sahara Avenue, Suite 1000
Las Vegas, Nevada 89102
(702) 873-4100

No. 39312

Attorneys for Defendant Franchise Tax Board

DISTRICT COURT

CLARK COUNTY, NEVADA

GILBERT P. HYATT,
Plaintiff,

Case No. : A382999
Dept. No. : XVIII
Docket No. : R

vs.

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

NOTICE OF APPEAL

Defendants.

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02-04296

1 Notice is hereby given that FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA,
2 defendant above named, hereby appeals to the Supreme Court of the State of Nevada from the district
3 court's Order Denying FTB's Motion to Vacate Protective Order entered in this action on the 31st day
4 of January, 2002, with notice of entry of such order given on the 19th day of February, 2002.

5 DATED this 4th day of March, 2002.

6 McDONALD CARANO WILSON McCUNE
7 BERGIN FRANKOVICH & HICKS

8
9
10 By 

11 THOMAS R.C. WILSON
12 JAMES C. GIUDICI
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15 Las Vegas, Nevada 89102
16 Telephone No. (702) 873-4100
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1 CERTIFICATE OF MAILING

2 I hereby certify that I am an employee of McDonald Carano Wilson McCune Bergin Frankovich
3 & Hicks LLP, and that I caused to be served a true and correct copy of the foregoing **NOTICE OF**
4 **APPEAL** on this 4th day of March, 2002, by depositing same in the United States Mail, postage
5 prepaid thereon to the addresses noted below, upon the following:

6 Thomas K. Bourke, Esq.
7 601 W. Fifth Street, 8th Floor
8 Los Angeles, CA 90071

9 Donald J. Kula, Esq.
10 Riordan & McKinzie
11 300 South Grand Ave., 29th Floor
12 Los Angeles, California 90071-3109

13 Thomas L. Steffen, Esq.
14 Mark A. Hutchison, Esq.
15 Hutchison & Steffen
16 8831 W. Sahara Ave.
17 Las Vegas, NV 89117

18 Peter C. Bernhard, Esq.
19 Bernhard & Bradley, Chtd.
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21 Suite 550
22 Las Vegas, NV 89109

23 Felix Leatherwood, Esq.
24 Deputy Attorney General
25 Attorney General's Office
26 300 South Spring Street
27 Los Angeles, CA 90013

28 *Karen A. Sussner*
An Employee of McDonald Carano Wilson
McCune Bergin Frankovich & Hicks LLP

#87598.1

1 NOT
BILL LOCKYER
2 Attorney General
RICHARD W. BAKKE
3 Supervising Deputy Attorney General
FELIX E. LEATHERWOOD, Admitted per SCR 42
4 GEORGE M. TAKENOUCHI, Admitted per SCR 42
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8 Nevada State Bar # 1568
JAMES C. GIUDICI, ESQ.
9 Nevada State Bar # 224
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10 Nevada State Bar # 5779
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2300 West Sahara Avenue, Suite 1000
13 Las Vegas, Nevada 89102
(702) 873-4100

14 Attorneys for Defendant Franchise Tax Board
15

16 DISTRICT COURT

17 CLARK COUNTY, NEVADA

18 * * * * *

19 GILBERT P. HYATT,
20 Plaintiff,

21 vs.

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

24 Defendants.
25
26

Case No. : A382999
Dept. No. : XVIII
Docket No. : R

CASE APPEAL STATEMENT

27 ///

28 ///

FILED

MAR 4 2 46 PM '02

Shirley B. Pangione
CLERK

1. Appellant is the FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA (FTB).
2. Judge issuing the order appealed from is the Honorable Nancy M. Saitta.
3. The plaintiff in the district court is Gilbert P. Hyatt ("Hyatt"). The defendant is FTB.
4. FTB is the appellant, and Hyatt is the appellee in this appeal.
5. FTB is represented by:

Thomas R.C. Wilson
James C. Giudici
Jeffery A. Silvestri
McDonald Carano Wilson McCune
Bergin Frankovich & Hicks
2300 West Sahara Avenue, Suite 1000
Las Vegas, Nevada 89102
Telephone No. (702) 873-4100
Reno Telephone No.: (775) 788-2000

and

Felix Leatherwood, Esq.
Deputy Attorney General
300 South Spring Street
Los Angeles, CA 90013
(213) 897-2478

Hyatt is represented in this appeal by:

Peter C. Bernhard, Esq.
Bernhard & Bradley, Chtd.
3980 Howard Hughes Parkway
Suite 550
Las Vegas, NV 89109
(702) 650-6565

Thomas L. Steffen, Esq.
Mark A. Hutchison, Esq.
Hutchison & Steffen
8831 W. Sahara Ave.
Las Vegas, NV 89117
(702) 385-2500

6. Both parties were represented by retained counsel in the district court.
7. Both parties are represented by retained counsel on appeal.
8. Appellant did not seek to proceed in forma pauperis.

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///

///

1 9. The date the original complaint was filed in the district court was January 6, 1998.

2 DATED this 4^E day of March, 2002.

3 McDONALD CARANO WILSON McCUNE
4 BERGIN FRANKOVICH & HICKS

5
6
7 By 

8 JEFFREY A. SILVESTRI

9 Nevada State Bar # 5779

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1 CERTIFICATE OF MAILING

2 I hereby certify that I am an employee of McDonald Carano Wilson McCune Bergin Frankovich
3 & Hicks LLP, and that I caused to be served a true and correct copy of the foregoing **CASE APPEAL**
4 **STATEMENT** on this 4th day of March, 2002, by depositing same in the United States Mail, postage
5 prepaid thereon to the addresses noted below, upon the following:

6 Thomas K. Bourke, Esq.
7 601 W. Fifth Street, 8th Floor
8 Los Angeles, CA 90071

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22 Las Vegas, NV 89109

23 Felix Leatherwood, Esq.
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27 Los Angeles, CA 90013
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Karen A. Smarini
An Employee of McDonald Carano Wilson
McCune Bergin Frankovich & Hicks LLP

24 #87601.1

DATE: 03/04/02
CASE NO. 98-A-382999-C

I N D E X

TIME 6:48 PM
JUDGE:Saitta, Nancy M

Hyatt, Gilbert P

[] vs California State Franchise Tax

[]

001 P1 Gilbert P Hyatt

001300 Steffen, Thomas L.
NO. 2 198 South Fourth Street
Carson City, NV 89710

004639 Hutchison, Mark A.
Hutchinson and Steffen
8831 W Sahara Ave
Las Vegas, NV 89117

002 D1 California State Franchise Tax
Board

001568 Wilson, II, Thomas R.
NO. 1 P.O. Box 2670
Reno, NV 89505

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0001	01/06/98	COMP/COMPLAINT FILED Fee \$128.00	001			
0002	01/06/98	DEMD/DEMAND FOR JURY TRIAL	001			
0003	01/28/98	SUMM/SUMMONS	002	SV	01/16/98	
0004	02/05/98	MOT /DEFTS' MOTION TO QUASH SERVICE OF PROCESS AND FOR NO OTHER RELIEF	AL	OC	07/27/98	
0005	02/17/98	NOTC/SPECIALLY-APPEARING DEFENDANT FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S	001			Y
		NOTICE OF FILING OF PETITION FOR REMOVAL				
0006	02/23/98	CSCL/CASE CLOSED ON 02-23-98			02/23/98	
0007	05/14/98	NCA /MINUTES OF THE COURT	AL			
0008	05/18/98	CHLG/PEREMPTORY CHALLENGE Leavitt				
0009	05/18/98	ASSG/REASSIGN CASE FROM JUDGE Leavitt TO JUDGE Loehrer				
0010	05/18/98	NODR/NOTICE OF DEPARTMENT REASSIGNMENT ??????001300FC			05/18/98	Y
		001300??????				
0011	05/20/98	CHLG/PEREMPTORY CHALLENGE Loehrer				
0012	05/20/98	CASO/CASE (RE)ACTIVATED ON				
0013	05/20/98	ASSG/REASSIGN CASE FROM JUDGE Loehrer TO JUDGE Lehman				
0014	05/20/98	NRPC/NOTICE OF DEPARTMENT REASSIGNMENT FROM A ??????001300FC			05/20/98	Y
		001300??????				
0015	06/02/98	APPL/VERIFIED APPLICATION FOR ASSOCIATION OF COUNSEL UNDER NEVADA SUPREME CRT RULE 42	AL			
0016	06/10/98	SUPM/SUPREME COURT RULE 42 STATEMENT	AL			
0017	06/12/98	COMP/FIRST AMENDED COMPLAINT	001			
0018	06/15/98	ROC /RECEIPT OF COPY	002		06/15/98	
0019	06/26/98	ORDR/ORDER	AL		06/17/98	
0020	06/26/98	NOTC/RENOTICE OF MOTION FOR SPECIALLY-APPEARING DEFENDANT FRANCISE	002			Y
		TAX BOARD OF THE STATE OF CALIFORNIA'S MOTION TO QUASH SERVICE OF PROCESS AND FOR NO OTHER RELIEF				
0021	06/29/98	CERT/CERTIFICATE OF MAILING	001		06/26/00	
0022	07/01/98	NOTC/NOTICE OF ENTRY OF ORDER	001		07/01/98	
0023	07/16/98	NOTC/NOTICE OF FILING PLEADINGS DIRECTLY RELATED TO HEARING ON MOTION TO QUASH	AL			Y

(Continued to page 2)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
SERVICE OF PROCESS						
0024	07/17/98	ROC /RECEIPT OF COPY	002		07/16/98	
0025	07/27/98	NOTC/NOTICE OF WITHDRAWAL OF MOTION FOR SPECIALLY APPEARING DEFENDANT	AL AL			Y
FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S MOTION TO QUASH SERVICE OF PROCESS AND FOR NO OTHER RELIEF						
0026	08/13/98	ANS /ANSWER TO FIRST AMENDED COMPLAINT	002		08/13/98	
0027	08/31/98	NECC/NOTICE OF EARLY CASE CONFERENCE	001		09/12/98	
0028	09/02/98	NOTC/AMENDED NOTICE OF EARLY CASE CONFERENCE	001		09/10/98	
0029	09/17/98	NOTC/AMENDED NOTICE OF EARLY CASE CONFERENCE	001		09/24/98	
0030	09/22/98	NOTC/AMENDED NOTICE OF EARLY CASE CONFERENCE	001		09/29/98	
0031	11/13/98	NOTC/NOTICE OF CHANGE OF ADDRESS AND FACSIMILE NUMBER	001 001			
0032	11/20/98	RPT /JOINT CASE CONFERENCE REPORT	AL			
0033	12/04/98	SCHO/DISCOVERY SCHEDULING ORDER	AL			
0034	12/07/98	NOTC/NOTICE OF DEPOSITION OF PERSONS MOST KNOWLEDGEABLE AT THE FRANCHISE	002 002	SC	12/28/98	Y
TAX BOARD OF THE STATE OF CALIFORNIA						
0035	12/07/98	NOTC/NOTICE OF DEPOSITION OF PERSONS MOST KNOWLEDGEABLE AT THE FRANCHISE TAX	002 002	SC	12/22/98	Y
BOARD OF THE STATE OF CALIFORNIA						
0036	12/07/98	NOTC/NOTICE OF DEPOSITION OF PERSONS MOST KNOWLEDGEABLE AT THE FRANCHISE TAX	002 002	SC	12/21/98	Y
BOARD OF THE STATE OF CALIFORNIA						
0037	12/07/98	NOTC/NOTICE OF DEPOSITION OF PERSON MOST KNOWLEDGEABLE AT THE FRANCHISE TAX	002 002	SC	12/23/98	Y
BOARD OF THE STATE OF CALIFORNIA						
0038	12/07/98	APPL/VERIFIED APPLICATION FOR ASSOCIATION OF COUNSEL UNDER NEVADA SUPREME CRT RULE 42	AL AL			
0039	12/10/98	MOT /PLTF'S MOTION TO ASSOCIATE COUNSEL	AL	GR	01/25/99	
0040	12/03/98	SCHM/SCHEDULING MEMO	AL		10/04/99	
0041	12/11/98	CRTF/CERTIFICATE OF SERVICE - MAIL	AL		12/11/98	
0042	12/14/98	NOTC/NOTICE OF DEPOSITION OF PERSON (S) MOST KNOWLEDGEABLE AT THE	002 002	SC	12/28/98	Y
FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA						
0043	12/17/98	MOT /PLTF'S MOTION FOR PROTECTIVE ORDER; MOTION TO COMPEL PRODUCTION OF DOCUMENTS	AL AL	GR	12/21/98	
0044	12/18/98	CALC/CALENDAR CALL VO 3-15-99	AL	VC	09/13/99	
0045	12/18/98	CALC/CALENDAR CALL VO 3-15-99	AL	VC	09/27/99	
0046	12/18/98	JURY/TRIAL BY JURY VO 3-15-99	AL	VC	10/04/99	
0047	12/19/98	ASSG/Reassign Case From Judge Lehman TO Judge Saitta				
0048	12/18/98	ORDR/ORDER SETTING CIVIL JURY TRIAL AND CALENDAR CALL	AL AL			
0049	12/21/98	OPPS/QUALIFIED NON-OPPOSITION TO PLAINTIFFS MOTION TO ASSOCIATE COUNSEL	002 002			
0050	12/21/98	CRTF/CERTIFICATE OF SERVICE OF MOTION FOR PROTECTIVE ORDER AND FOR AN ORDER	002 002		12/16/98	Y
SHORTENING TIME - FAX AND MAIL						
0051	12/28/98	SUBP/SUBPOENA DUCES TECUM	001 001	SC	01/11/99	
				SV	12/17/98	
0052	01/06/99	ASSC/ORDER	001			

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0053	01/08/99	NOTC/NOTICE OF ENTRY OF ORDER	AL		01/08/99	
0054	01/15/99	SUPM/SUPREME COURT RULE 42 STATEMENT	AL			
0055	01/20/99	APPL/VERIFIED APPLICATION FOR ASSOCIATION OF COUNSEL UNDER NEVADA SUPREME CRT RULE 42	001			
0056	01/25/99	MOT /PLTF'S MOTION TO ASSOCIATE COUNSEL	NP		02/08/99	
0057	01/26/99	MOT /PLTF'S MOTION FOR AN ORDER COMPELLING ANSWERS TO DEPOSITION QUESTIONS RE RELAT	AL	GP	02/22/99	
0058	01/25/99	ORDR/STIPULATION AND ORDER TO SEAL PLAINTIFFS MOTION FOR AN ORDER COMPELLING ANSWERS	001		01/25/99	Y
		TO DEPOSITION QUESTIONS RE RELATED TAXPAYERS				
0059	01/26/99	CRTF/CERTIFICATE OF SERVICE	001		01/26/99	
0060	01/26/99	CRTF/CERTIFICATE OF SERVICE	001		01/25/99	
0061	01/26/99	REQT/MOTION FOR AN ORDER COMPELLING ANSWERS TO DEPOSITION QUESTIONS RE	001			Y
		RELATED TAXPAYERS AND FOR AN ORDER SHORTENING TIME FILED UNDER SEAL BY				
		STIPULATION AND ORDER DATED JANUARY 25 1999				
0062	01/27/99	NOTC/NOTICE OF ENTRY OF ORDER	AL		01/27/99	
0063	01/28/99	DCRR/DISCOVERY COMMISSIONERS REPORT AND RECOMMENDATIONS	AL			
0064	01/29/99	SUPM/SUPREME COURT RULE 42 STATEMENT	AL			
0065	02/02/99	MOT /DEFT'S MOTION FOR ORDER COMPELLING FURTHER DEPOSITION TESTIMONY	AL	GR	02/22/99	
0066	02/03/99	ORDR/STIPULATION AND ORDER TO SEAL PLAINTIFFS MOTION FOR AN ORDER COMPELLING FURTHER	001		02/03/99	Y
		TESTIMONY FROM DEFENDANTS RULE 30B 6 WITNESS SHEILA COX				
0067	02/03/99	CRTF/CERTIFICATE OF SERVICE - MAIL	002		02/02/99	
0068	02/09/99	MOT /DEFT FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S MTN FOR JUDG ON THE PLEADIN	AL	DN	04/07/99	
0069	02/10/99	SUPM/SUPREME COURT RULE 42 STATEMENT	AL			
0070	02/10/99	REQT/DEFENDANTS MOTION FOR JUDGMENT ON THE PLEADINGS	002			
0071	02/10/99	NOTC/NOTICE OF ERRATA	002			
0072	02/11/99	ROC /RECEIPT OF COPY	001		02/11/99	
0073	02/12/99	ORDR/ORDER	001			
0074	02/12/99	STAT/PRELIMINARY STATEMENT OF FACTS	002			
0075	02/12/99	STAT/PRELIMINARY STATEMENT OF FACTS	002			
0076	02/16/99	ROC /RECEIPT OF COPY	002		02/16/99	
0077	02/16/99	ROC /RECEIPT OF COPY	002		02/16/99	
0078	02/17/99	MOT /PLTF'S MOTION TO EXTEND TIME TO FILE OPPOSITION TO FTB'S MTN FOR JUDG ON PLEA	NP	GR	02/22/99	
0079	02/18/99	MOT /ALL PENDING MOTIONS FOR 2/18/99	AL		02/18/99	
0080	02/17/99	OPPS/FRANCHISE TAX BOARDS OPPOSITION TO MOTION TO COMPEL FURTHER TESTIMONY	002			Y
		FROM SHEILA COX APPENDIX ONE				
0081	02/17/99	OPPS/FRANCHISE TAX BOARDS OPPOSITION TO MOTION TO COMPEL FURTHER TESTIMONY	002			Y
		FROM SHEILA COX APPENDIX TWO				
0082	02/17/99	OPPS/FRANCHISE TAX BOARDS OPPOSITION TO MOTION TO COMPEL FURTHER TESTIMONY	002			Y
		FROM SHEILA COX APPENDIX THREE				
0083	02/17/99	OPPS/FRANCHISE TAX BOARDS OPPOSITION TO MOTION TO COMPEL FURTHER TESTIMONY	002			Y

(Continued to page 4)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
FROM SHEILA COX APPENDIX FOUR						
0084	02/17/99	OPPS/FRANCHISE TAX BOARDS OPPOSITION TO	002			Y
		MOTION TO COMPEL FURTHER TESTIMONY	002			
FROM SHEILA COX APPENDIX FIVE						
0085	02/17/99	OPPS/FRANCHISE TAX BOARDS COMPENDIUM OF OUT	002			Y
		OF STATE AUTHORITIES IN SUPPORT OF ITS	002			
OPPOSITION TO MOTION TO COMPEL FURTHER TESTIMONY FOR SHEILA COX						
0086	02/18/99	NOTC/NOTICE OF ENTRY OF ORDER	AL		02/12/99	
0087	02/18/99	CRTF/CERTIFICATE OF SERVICE	002		02/17/99	
0088	02/18/99	ROC /RECEIPT OF COPY	002			
0089	02/18/99	ORDR/STIPULATION AND ORDER TO SEAL HEARING ON	AL		02/18/99	Y
		PLAINTIFFS MOTION TO COMPEL ANSWERS	AL			
TO DEPOSITION QUESTIONS RE RELATED TAXPAYERS AND MOTION FOR AN ORDER						
COMPELLING FURTHER TESTIMONY FROM DEFENDANTS RULE 30(b)(6) WITNESS SHEILA COX						
0090	02/22/99	NOTC/NOTICE EXHIBITS TO OPPOSITION TO			02/17/99	
		MOTION IN THE VAULT				
0091	02/22/99	MOT /ALL PENDING MOTIONS	AL		02/22/99	
0092	02/19/99	ORDR/ORDER	002			
0093	02/19/99	ORDR/ORDER	002			
0094	02/19/99	OPPS/OPPOSITION TO PLAINTIFFS MOTION TO	002			Y
		EXTEND TIME TO FILE OPPOSITION TO FTBS	002			
MOTION FOR JUDGMENT ON THE PLEADINGS						
0095	02/17/99	OPPS/FRANCHISE TAX BOARDS COMPENDIUM OF OUT	002			Y
		OF STATE AUTHORITIES IN SUPPORT OF ITS	002			
OPPOSITION TO MOTION TO COMPEL FURTHER ANSWERS AT DEPOSITION						
0096	02/22/99	NOTC/NOTICE OF ENTRY OF ORDER	AL		02/22/99	
0097	02/23/99	ORDR/STIPULATION AND ORDER TO EXTEND TIME FOR	AL		02/23/99	Y
		PLAINTIFFS OPPOSITION TO MOTION FOR	AL			
JUDGMENT ON THE PLEADINGS						
0098	02/25/99	MOT /PLTF'S MOTION TO RECONSIDER STAY OF	AL	GP	03/03/99	
		DISCOVERY	AL			
0099	02/25/99	CRTF/CERTIFICATE OF SERVICE	002	SV	02/25/99	
0100	02/25/99	ROC /RECEIPT OF COPY	*D		02/25/99	
0101	02/25/99	SUPM/SUPREME COURT RULE 42 STATEMENT	001			
0102	02/16/99	RPLY/REPLY MEMORANDUM IN SUPPORT OF MOTION	001			Y
		TO COMPEL ANSWERS TO DEPOSITION	001			
QUESTIONS RE RELATED TAXPAYERS						
0103	02/16/99	RPLY/REPLY MEMORANDUM IN SUPPORT OF MOTION	001			Y
		TO COMPEL FURTHER TESTIMONY FROM	001			
DEFENDANTS RULE 30B6 WITNESS SHEILA COX						
0104	03/02/99	OPPS/OPPOSITION TO PLAINTIFFS MOTION TO	002			Y
		RECONSIDER STAY OF DISCOVERY AND	002			
FOR AN ORDER SHORTENING TIME						
0105	03/02/99	RPLY/REPLY TO OPPOSITION TO PLAINTIFFS	001			Y
		MOTION TO RECONSIDER STAY OF DISCOVERY	001			
AND FOR AN ORDER SHORTENING TIME						
0106	03/04/99	ROC /RECEIPT OF COPY	002		03/02/99	
0107	03/15/99	HEAR/PRETRIAL CONFERENCE VJ 7/26/99	AL	VC	09/13/99	
0108	03/15/99	CALC/CALENDAR CALL VJ 7/26/99	AL	VC	09/27/99	
0109	03/15/99	JURY/TRIAL BY JURY VJ 7/26/99	AL	VC	10/05/99	
0110	03/15/99	ROC /RECEIPT OF COPY	002		03/15/99	
0111	03/15/99	REQT/HYATTS REQUEST FOR JUDICIAL NOTICE IN	001			Y
		OPPOSITION TO THE FTB'S MOTION FOR	001			

(Continued to page 5)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
JUDGMENT ON THE PLEADINGS FILED UNDER SEAL						
0112	03/15/99	OPPS/PLAINTIFF GIL HYATT'S OPPOSITION TO	001			Y
		MOTION FOR JUDGMENT ON THE PLEADINGS	001			
FILED UNDER SEAL						
0113	03/17/99	CRTF/CERTIFICATE OF SERVICE - MAIL	002		03/15/99	
0114	03/18/99	DCRR/DISCOVERY COMMISSIONERS REPORT AND	001			
		RECOMMENDATIONS	001			
0115	03/19/99	ORDR/ORDER	AL			
0116	03/29/99	MOT /PLTF'S MOTION FOR AN ORDER COMPELLING	AL	GP	05/05/99	
		PRODUCTION OF WITNESS ANNA JOVANOVIH	AL			
0117	03/29/99	MOT /PLTF'S MOTION TO COMPEL RE MISSING,	AL	GP	05/05/99	
		REDACTED/SANITIZED DOCUMENTS FROM FTB'S	AL			
0118	03/29/99	RPLY/DEFENDANTS REPLY TO PLAINTIFFS	002			Y
		OPPOSITION TO MOTION FOR JUDGMENT ON THE	002			
PLEADINGS						
0119	03/29/99	ROC /RECEIPT OF COPY	002		03/29/99	
0120	03/29/99	ROC /RECEIPT OF COPY	002		03/29/99	
0121	03/29/99	CRTF/CERTIFICATE OF SERVICE - MAIL	002		03/26/99	
0122	03/29/99	CRTF/CERTIFICATE OF SERVICE - MAIL	002		03/26/99	
0123	04/02/99	MOT /PLTF'S MOTION FOR LEAVE TO FILE SURREPLY	NP	OC	05/10/99	
0124	04/01/99	ORDR/STIPULATION AND ORDER TO SEAL HEARING ON	001		04/01/99	Y
		DEFENDANTS MOTION FOR JUDGMENT ON THE	001			
PLEADINGS						
0125	04/02/99	CRTF/CERTIFICATE OF SERVICE	002		04/02/99	
0126	04/02/99	REQT/PLAINTIFFS MOTION FOR LEAVE TO FILE	001			Y
		SURREPLY FILED UNDER SEAL BY STIPULATION	001			
AND ORDER DATED FEBRUARY 1 1999						
0127	04/05/99	ROC /RECEIPT OF COPY	002		04/02/99	
0128	04/06/99	RSPN/DEFENDANTS RESPONSE TO PLAINTIFFS	002			
		SURREPLY FILED UNDER SEAL	002			
0129	04/13/99	OPPS/FRANCHISE TAX BOARDS OPPOSITION TO	002			Y
		MOTION TO COMPEL MISSING REDACTED AND	002			
SANITIZED DOCUMENTS FROM FTB'S RESIDENCY AUDIT FILES						
0130	04/13/99	OPPS/FRANCHISE TAX BOARDS OPPOSITION TO	002			Y
		MOTION FOR AN ORDER COMPELLING	002			
PRODUCTION OF WITNESS ANNA JOVANOVIH FOR DEPOSITION TESTIMONY OR HER CURRENT						
0131	04/21/99	MOT /ALL PENDING MOTIONS FOR 4/20/99	AL		04/20/99	
0132	04/16/99	RPLY/PLAINTIFFS REPLY TO FTS'S OPPOSITION TO	001		04/16/99	Y
		PLAINTIFFS MOTION TO COMPEL RE	001			
MISSING REDACTED AND SANITIZED DOCUMENTS FROM FTB'S RESIDENCY FILE AUDIT OF						
PLAINTIFF GIL HYATT FILED UNDER SEAL						
0133	04/16/99	RPLY/HYATTS REPLY TO FTB'S OPPOSITION TO	001		04/16/99	Y
		MOTION FOR AN ORDER COMPELLING	001			
PRODUCTION OF WITNESS ANNA JOVANOVIH FOR DEPOSITION TESTIMONY OR HER CURRENT						
ADDRESS FILED UNDER SEAL						
0134	04/16/99	ROC /RECEIPT OF COPY			04/16/99	
0135	04/16/99	ROC /RECEIPT OF COPY			04/16/99	
0136	04/16/99	CRTF/CERTIFICATE OF SERVICE			04/16/99	
0137	04/19/99	JUDG/PARTIAL JUDGMENT ON THE PLEADINGS	002		04/19/99	
0138	04/20/99	NOTC/NOTICE OF ENTRY OF ORDER	001		04/20/99	
0139	04/30/99	NOTC/NOTICE OF SUBMISSION OF PROPOSED	002			
		REPORT AND RECOMMENDATION	002			

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0140	04/30/99	DOCU/DEFENDANTS AUDIT FILE DOCUMENTS	002			
		SUBMITTED FOR IN-CAMERA INSPECTION	002			
0141	05/05/99	MOT /ALL PENDING MOTIONS FOR 5/5/99	AL		05/05/99	
0142	05/04/99	RPLY/REPLY OF PLAINTIFF TO DEFENDANTS	002		05/04/99	Y
		INDEX TO IN CAMERA INSPECTION AND	002			
		ARGUMENTS THEREIN; PLAINTIFFS STATEMENT RE INSPECTION OF ORIGINAL AUDIT FILES				
		AND STATEMENT RE DEPOSITION OF ANNA JOVANOVIH				
0143	05/11/99	NOTC/NOTICE OF SUBMISSION OF ORIGINAL	002			
		AFFIDAVIT	002			
0144	05/11/99	AFFD/AFFIDAVIT	002			
0145	05/21/99	DCRR/DISCOVERY COMMISSIONERS REPORT AND	002			
		RECOMMENDATIONS	002			
0146	05/27/99	MOT /PLTF'S MOTION TO ASSOCIATE COUNSEL	NP	GR	06/14/99	
0147	05/28/99	CRTF/CERTIFICATE OF SERVICE - MAIL	002		05/28/99	
0148	06/01/99	CRTF/CERTIFICATE OF SERVICE - MAIL	002		06/01/99	
0149	06/01/99	MEMO/APPENDIX TO PLAINTIFF GIL HYATT'S	001			Y
		POST-HEARING MEMORANDUM CONTAINING	001			
		PRIMA FACIE SHOWING OF FTB CONSULTATION WITH ATTORNEYS TO FURTHER FUTURE AND				
		ONGOING EXTORTION BREACH OF CONFIDENTIALITY STATUTES AND FRAUD FILED UNDER				
		SEAL PURSUANT TO DISCOVERY COMMISSIONER RULING OF FEBRUARY 22 1999				
0150	06/01/99	MEMO/PLAINTIFF GIL HYATT'S POST-HEARING	001			Y
		MEMORANDUM OF POINTS AND AUTHORITIES	001			
		RE MAY 5 1999 HEARING ON MOTIONS TO COMPEL FILED UNDER SEAL PURSUANT TO				
		DISCOVERY COMMISSIONER RULING OF FEBRUARY 22 1999				
0151	06/04/99	NOTC/NOTICE APPENDIX OF EXHIBITS IN SUPPORT			06/01/99	Y
		OF HYATT'S POST HEARING				
		MEMORANDUM OF POINTS AND AUTHORITIES IN THE VAULT				
0152	06/04/99	NOTC/NOTICE EXHIBITS TO APPENDIX IN THE			06/02/99	
		VAULT				
0153	06/02/99	EXH /SUPPLEMENTAL APPENDIX OF EXHIBITS	001			
0154	06/03/99	CRTF/CERTIFICATE OF SERVICE	001		06/03/99	
0155	06/03/99	ROC /RECEIPT OF COPY	002		06/02/99	
0156	06/03/99	ROC /RECEIPT OF COPY	002		06/01/99	
0157	06/10/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION	001			
		TO TAKE DEPOSITION OUT OF STATE	001			
0158	06/10/99	NOTC/NOTICE OF TAKING DEPOSITION OF CUSTODIAN	AL		06/30/99	Y
		OF RECORDS DELOITTE AND TOUCHE HUMAN	AL			
		RESOURCES OUTSIDE THE STATE OF NEVADA				
0159	06/10/99	AFFD/AFFIDAVIT OF MARK A HUTCHISON	001			
0160	06/10/99	NOTC/NOTICE OF TAKING DEPOSITION OF CUSTODIAN	AL		06/30/99	Y
		OF RECORDS FOREST LAWN HUMAN RESOURCES	AL			
		OUTSIDE THE STATE OF NEVADA				
0161	06/10/99	AFFD/AFFIDAVIT OF MARK A HUTCHISON	001			
0162	06/10/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION	001			
		TO TAKE DEPOSITION OUT OF STATE	001			
0163	06/10/99	DEPO/COMMISSION TO TAKE DEPOSITION OUTSIDE OF	001		06/30/99	
		THE STATE OF NEVADA	001			
0164	06/10/99	NOTC/NOTICE OF TAKING DEPOSITION OF CUSTODIAN	AL		06/30/99	Y
		OF RECORDS PACIFIC BELL LEGAL PROCESS	AL			
		OUTSIDE THE STATE OF NEVADA				
0165	06/10/99	AFFD/AFFIDAVIT OF JOHN T STEFFEN	001			
0166	06/10/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION	001			
		TO TAKE DEPOSITION OUT OF STATE	001			

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0167	06/10/99	DEPO/COMMISSION TO TAKE DEPOSITION OUTSIDE OF THE STATE OF NEVADA	001		06/30/99	
0168	06/10/99	DEPO/COMMISSION TO TAKE DEPOSITION OUTSIDE OF THE STATE OF NEVADA	001		06/30/99	
0169	06/15/99	OPPS/OPPOSITION TO FTB'S MOTION TO EXTEND TIME FOR FILING ITS OPPOSITION TO	001			Y
HYATT'S POST-HEARING MEMORANDUM OF POINTS AND AUTHORITIES RE MAY 5 1999 HEARING ON MOTION TO COMPEL REQUEST FOR TELEPHONIC HEARING						
0170	06/21/99	ORDR/DISCOVERY COMMISSIONER'S ORDER RE MOTION TO EXTEND TIME	001			
0171	06/22/99	AFFD/AFFIDAVIT OF JOHN T STEFFEN	001			
0172	06/22/99	DEPO/COMMISSION TO TAKE DEPOSITION OUTSIDE THE STATE OF NEVADA	001		06/29/99	
0173	06/22/99	NOTC/NOTICE OF TAKING DEPOSITION OF JEFF MCKENNEY OUTSIDE THE STATE OF NEVADA	AL		06/29/99	
0174	06/22/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE	001			
0175	06/28/99	MOT /PLTF'S MOTION TO CONTINUE TRIAL	AL	GR	07/26/99	
0176	06/28/99	OCAL/STATUS CHECK	AL		07/26/99	
0177	06/23/99	CRTF/CERTIFICATE OF SERVICE	001		06/22/99	
0178	06/23/99	ERR /ERRATA	001			
0179	06/24/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE	001			Y
0180	06/24/99	DEPO/COMMISSION TO TAKE DEPOSITION OUTSIDE THE STATE OF NEVADA	001	SC	07/08/99	
0181	06/24/99	AFFD/AFFIDAVIT OF JOHN T STEFFEN	001			
0182	06/24/99	NOTC/NOTICE OF TAKING DEPOSITION OF DOUG DICK OUTSIDE THE STATE OF NEVADA	AL	SC	07/08/99	
0183	06/25/99	AFFD/AFFIDAVIT OF JOHN T STEFFEN	001			
0184	06/25/99	NOTC/AMENDED NOTICE OF TAKING DEPOSITION OF DOUG DICK OUTSIDE THE STATE OF NEVADA	AL		07/09/99	
0185	06/25/99	APPL/AMENDED APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE	001			Y
0186	06/25/99	DEPO/AMENDED COMMISSION TO TAKE DEPOSITION OUTSIDE OF THE STATE OF NEVADA	001		07/09/99	
0187	06/25/99	ORDR/ORDER	001			
0188	06/25/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE	001			
0189	06/25/99	AFFD/AMENDED AFFIDAVIT OF JOHN T STEFFEN	001			
0190	06/25/99	DEPO/COMMISSION TO TAKE DEPOSITION OUTSIDE OF THE STATE OF NEVADA	001		07/28/99	
0191	06/25/99	NOTC/NOTICE OF TAKING DEPOSITION DUCES TECUM OF GERALD GOLDBERG	AL		07/28/99	
0192	06/28/99	ORDR/STIPULATION AND ORDER TO CONTINUE TRIAL	001	HG	04/05/00	
0193	06/29/99	OBJ /OBJECTIONS OF SHEILA GRADY COX TO PLAINTIFFS SUBPOENA TO CUSTODIAN OF	001			Y
RECORDS FOREST LAWN HUMAN RESOURCES AFFIDAVIT OF GEORGE M TAKENOUCHI						
0194	06/29/99	OBJ /OBJECTIONS OF SHEILA GRADY COX TO PLAINTIFFS SUBPOENA TO CUSTODIAN OF	001			Y
RECORDS DELOITTE AND TOUCHE HUMAN RESOURCES AFFIDAVIT OF GEORGE M TAKENOUCHI						

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0195	06/29/99	NOTC/NOTICE OF ENTRY OF ORDER	AL		06/29/99	
0196	07/06/99	MOT /PLTF'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS	AL AL	GP	08/11/99	
0197	07/07/99	NOTC/NOTICE OF APPENDIX OF EXHIBITS IN SUPPORT OF MOTION TO COMPEL IN THE VAULT			07/06/99	
0198	07/02/99	NOTC/NOTICE OF ENTRY OF ORDER GRANTING MOTION TO ASSOCIATE COUNSEL	AL AL		07/02/99	
0199	07/02/99	NOTC/NOTICE OF ENTRY OF ORDER GRANTING CONTINUANCE OF TRIAL	AL AL		07/02/99	
0200	07/06/99	EXH /APPENDIX OF EXHIBITS IN SUPPORT OF PLAINTIFF GIL HYATT'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS (FILED UNDER SEAL)	001 001			Y
0201	07/09/99	ROC /RECEIPT OF COPY	002		07/06/99	
0202	07/09/99	CRTF/CERTIFICATE OF SERVICE	002		07/06/99	
0203	07/14/99	AFFD/AFFIDAVIT OF JOHN T STEFFEN	001			
0204	07/14/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE	001 001			
0205	07/14/99	NOTC/NOTICE OF TAKING DEPOSITION OF PRISCILLA LOUISE MAYSTEAD OUTSIDE THE STATE OF NEVADA	AL AL		08/02/99	Y
0206	07/14/99	DEPO/COMMISSION TO TAKE DEPOSITION OUTSIDE THE STATE OF NEVADA	001 001		07/14/99	
0207	07/14/99	AFFD/AFFIDAVIT OF JOHN T STEFFEN	001			
0208	07/14/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE	001 001			
0209	07/14/99	NOTC/NOTICE OF TAKING DEPOSITION OF ELIZABETH BETH SUZANNE HYATT OUTSIDE THE STATE OF NEVADA	AL AL		07/29/99	Y
0210	07/14/99	DEPO/COMMISSION TO TAKE DEPOSITION OUTSIDE THE STATE OF NEVADA	001 001		07/14/99	
0211	07/22/99	NOTC/NOTICE EXHIBITS TO DOCUMENTS FILED UNDER SEAL IN THE VAULT			07/21/99	
0212	07/19/99	ORDR/STIPULATION AND ORDER	AL		07/19/99	
0213	07/20/99	NOTC/NOTICE OF ENTRY OF ORDER	AL		07/20/99	
0214	07/21/99	RPLY/HYATT'S POST-HEARING REPLY BRIEF FOR MAY 5 1999 HEARING ON MOTION TO COMPEL	001 001			
0215	07/26/99	HEAR/PRETRIAL CONFERENCE VR 10/11	AL	VC	10/16/00	
0216	07/26/99	JURY/TRIAL BY JURY VR 10/11	AL	VC	11/07/00	
0217	07/26/99	MOT /ALL PENDING MOTIONS 7-26-99	AL		07/26/99	
0218	07/22/99	ROC /RECEIPT OF COPY	002		07/21/99	
0219	07/27/99	NOTC/NOTICE EXHIBITS TO DEFT'S OPPOSITION TO PLTF'S MOTION IN VAULT (SEALED)			07/26/99	
0220	07/26/99	NCA /APPENDIX ON TORT CAUSES OF ACTION TO DEFENDANTS MOTION FOR PROTECTIVE ORDER	002 002			
0221	07/27/99	ROC /RECEIPT OF COPY OF APPENDIX ON TORT CAUSES OF ACTION TO DEFENDANTS MOTION FOR PROTECTIVE ORDER	001 001		07/26/99	Y
0222	07/27/99	ROC /RECEIPT OF COPY OF DEFENDANT FRANCHISE TAX BOARDS OPPOSITION TO BRIEF TO PLAINTIFFS MOTION TO COMPEL PRODUCTION OF DOCUMENTS.	001 001		07/26/99	Y
0223	07/29/99	MOT /PLTF'S MOTION TO STRIKE FTB APPENDIX TO DEFT'S MTN	AL AL	OC	08/11/99	

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0224	07/30/99	CRTF/CERTIFICATE OF SERVICE - MAIL	002		07/30/99	
0225	08/02/99	ROC /RECEIPT OF COPY	002		07/30/99	
0226	08/02/99	ERR /ERRATA TO DEFENDANTS APPENDIX ON TORT	002			Y
		CAUSES OF ACTION TO DEFENDANTS	002			
		OPPOSITION TO PLAINTIFFS MOTION TO COMPEL FILED UNDER SEAL PURSUANT TO				
		DISCOVERY COMMISSIONER RULING OF FEBRUARY 22 1999				
0227	08/06/99	RSPN/GIL HYATT'S RESPONSE TO THE FTB'S	001			Y
		APPENDIX SUBMITTED WITH THE FTB'S	001			
		OPPOSITION TO MOTION TO COMPEL PRODUCTION OF DOCUMENTS				
0228	08/06/99	RPLY/REPLY OF GIL HYATT IN SUPPORT OF	001			
		MOTION TO COMPEL PRODUCTION OF DOCUMENTS	001			
0229	08/11/99	MOT /DEFT'S MOTION FOR PROTECTIVE ORDER	AL	GR	09/08/99	
		BARRING PLTF FROM DEPOSING GERALD GOLDBE	AL			
0230	08/09/99	OPPS/OPPOSITION TO PLAINTIFFS MOTION TO	002			Y
		STRIKE DEFENDANTS APPENDIX ON TORT	002			
		CAUSES OF ACTION TO DEFENDANTS OPPOSITION TO PLAINTIFFS MOTION TO COMPEL				
0231	08/10/99	NCA /FRANCHISE TAX BOARD'S COMPENDIUM OF OUT	002			Y
		OF STATE AUTHORITIES IN SUPPORT OF	002			
		APPENDIX ON TORT CAUSES OF ACTION TO DEFENDANTS OPPOSITION TO MOTION TO COMPEL				
0232	08/11/99	ROC /RECEIPT OF COPY	001		08/06/99	
0233	08/11/99	ROC /RECEIPT OF COPY	001		08/10/99	
0234	08/20/99	MOT /ALL PENDING MOTIONS FOR 8/11/99	AL		08/11/99	
0235	08/20/99	NOTC/NOTICE OF FILING ORIGINAL DECLARATION	002			
0236	08/20/99	AFFD/AFFIDAVIT OF JOHN T STEFFEN	001			
0237	08/20/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION	001			
		TO TAKE DEPOSITION OUT OF STATE	001			
0238	08/20/99	AFFD/AFFIDAVIT OF JOHN T STEFFEN	001			
0239	08/20/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION	001			
		TO TAKE DEPOSITION OUT OF STATE	001			
0240	08/26/99	NOTC/NOTICE EXHIBITS TO OPOSITION FILED			08/24/99	
		UNDER SEAL IN THE VAULT				
0241	08/26/99	NOTC/NOTICE EXHIBITS TO REPLY IN SUPPORT OF			08/24/99	
		MOTION IN THE VAULT				
0242	08/24/99	OPPS/OPPOSITION OF GIL HYATT TO THE	001			Y
		FRANCHISE TAX BOARD OF THE STATE OF	001			
		CALIFORNIA'S MOTION FOR PROTECTIVE ORDER BARRING PLAINTIFF FROM DEPOSING				
		GERALD H GOLDBERG FILED UNDER SEAL				
0243	08/25/99	ROC /RECEIPT OF COPY	002		08/24/99	
0244	08/31/99	NCA /FRANCHISE TAX BOARDS COMPENDIUM OF OUT	002			Y
		OF STATE AUTHORITIES IN SUPPORT OF ITS	002			
		REPLY TO MOTION FOR A PROTECTIVE ORDER BARRING PLAINTIFF FROM DEPOSING GERALD				
		H GOLDBERG				
0245	08/31/99	RPLY/REPLY IN SUPPORT OF FRANCHISE TAX	002			Y
		BOARDS MOTION FOR A PROTECTIVE ORDER	002			
		BARRING PLAINTIFF FROM DEPOSING GERALD H GOLDBERG				
0246	08/31/99	NCA /FRANCHISE TAX BOARDS COMPENDIUM OF OUT	002			Y
		OF STATE AUTHORITIES IN SUPPORT OF ITS	002			
		MOTION FOR A PROTECTIVE ORDER BARRING PLAINTIFF FROM DEPOSING GERALD H				
		GOLDBERG				
0247	09/24/99	EXPT/EX PARTE APPLICATION FOR ORDER ALLOWING	002			Y
		ISSUANCE OF SUBPOENAS AND ISSUANCE OF	002			
		LETTERS ROGATORY				

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0248	09/27/99	AFFD/AFFIDAVIT OF GEORGE M TAKENOUCI	002			
0249	09/27/99	AFFD/AFFIDAVIT OF GEORGE M TAKENOUCI	002			
0250	09/27/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE	002			
0251	09/27/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE	002			
0252	09/30/99	AFFD/AFFIDAVIT OF BRYAN R CLARK	002			
0253	09/30/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE THE DEPOSITION OUT OF STATE	002	SC	11/02/99	Y
0254	09/30/99	AFFD/AFFIDAVIT OF BRYAN R CLARK	002			
0255	09/30/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE THE DEPOSITION OUT OF STATE	002	SC	10/20/99	Y
0256	10/01/99	SUBP/SUBPOENA DUCES TECUM	002	SV	09/29/99	
0257	10/01/99	SUBP/SUBPOENA	002	SV	09/28/99	
0258	10/01/99	SUBP/SUBPOENA DUCES TECUM	002	SV	09/28/99	
0259	10/01/99	SUBP/SUBPOENA DUCES TECUM	002	SV	09/28/99	
0260	10/01/99	SUBP/SUBPOENA DUCES TECUM	002	SV	09/28/99	
0261	10/01/99	SUBP/SUBPOENA	002	SV	10/28/99	
0262	10/01/99	SUBP/SUBPOENA DUCES TECUM	002	SV	09/23/99	
0263	10/01/99	SUBP/SUBPOENA DUCES TECUM	002	SV	09/23/99	
0264	10/01/99	SUBP/SUBPOENA DUCES TECUM	002	SV	09/28/99	
0265	10/01/99	APPL/AMENDED APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE THE DEPOSITION OUT OF STATE	002			Y
0266	10/01/99	APPL/AMENDED APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE THE DEPOSITION OUT OF STATE	002			Y
0267	10/04/99	SUBP/SUBPOENA DUCES TECUM	001	SC	10/13/99	
			001	SV	09/28/99	
0268	10/04/99	SUBP/SUBPOENA	001	SC	10/13/99	
			001	SV	09/28/99	
0269	10/07/99	AFFD/AFFIDAVIT OF BRYAN R CLARK	002			
0270	10/07/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE THE DEPOSITION OUT OF STATE	002	SC	10/28/99	Y
0271	10/08/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE	002	SC	10/29/99	Y
0272	10/08/99	AFFD/AFFIDAVIT OF BRYAN R CLARK	002			
0273	10/12/99	OBJ /OBJECTION TO SUBPOENA DUCES TECUM	002			
0274	10/14/99	SUBP/SUBPOENA DUCES TECUM	002	SC	11/16/99	
			002	SV	10/14/99	
0275	10/15/99	MOT /DEFT'S MOTION TO COMPEL DISCOVERY RESPONSES	AL	GP	11/09/99	
			AL			
0276	10/15/99	NOTC/NOTICE OF MOTION	002		11/09/99	
0277	10/15/99	APPL/AMENDED APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE THE DEPOSITION OUT OF THE STATE	002			Y
0278	10/15/99	AFFD/AFFIDAVIT OF BRYAN R CLARK	002			
0279	10/18/99	ROC /RECEIPT OF COPY	001		10/15/99	

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0280	10/18/99	CERT/CERTIFICATE OF MAILING	002		10/15/99	
0281	10/20/99	NOTC/NOTICE OF APPEARANCE OF CO COUNSEL	002			
0282	10/22/99	DCRR/DISCOVERY COMMISSIONERS REPORT AND RECOMMENDATIONS	AL			
0283	10/22/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE	002			Y
0284	10/22/99	AFFD/AFFIDAVIT OF BRYAN R CLARK	002			
0285	10/25/99	DCRR/DISCOVERY COMMISSIONERS REPORT AND RECOMMENDATION	002			
0286	10/26/99	DCRR/DISCOVERY COMMISSIONERS REPORT AND RECOMMENDATIONS	AL			
0287	10/29/99	NOTC/NOTICE OF EXHIBITS FILED UNDER SEAL IN THE VAULT			10/28/99	
0288	10/27/99	CRTF/CERTIFICATE OF SERVICE OF SUBPOENA DUCES TECUM BY MAIL	002		09/23/99	
0289	10/27/99	CRTF/CERTIFICATE OF SERVICE OF SUBPOENA DUCES TECUM BY MAIL	002		09/27/99	
0290	10/27/99	CRTF/CERTIFICATE OF SERVICE OF SUBPOENA DUCES TECUM BY MAIL	002		09/23/99	
0291	10/29/99	CRTF/CERTIFICATE OF SERVICE	001		10/28/99	
0292	10/29/99	ROC /RECEIPT OF COPY	002		10/28/99	
0293	10/29/99	ERR /ERRATA TO PLAINTIFF GIL HYATTS OPPOSITION TO THE FTBS MOTION TO COMPEL DISCOVERY RESPONSES	001			Y
0295	11/04/99	NCA /FRANCHISE TAX BOARD'S COMPENDIUM OF OUT OF STATE AUTHORITIES IN SUPPORT OF ITS REPLY TO PLAINTIFFS OPPOSITION TO MOTION TO COMPEL DISCOVERY RESPONSES	002			Y
0296	11/04/99	RPLY/DEFENDANTS REPLY TO PLAINTIFFS OPPOSITION TO THE FTB'S MOTION TO COMPEL DISCOVERY RESPONSES	002			Y
0297	11/05/99	CRTF/CERTIFICATE OF SERVICE - MAIL	001		11/05/99	
0298	11/05/99	ERR /SECOND ERRATA TO PLAINTIFF GIL HYATT'S OPPOSITION TO THE FTB'S MOTION TO COMPEL DISCOVERY RESPONSES	001			Y
0299	11/08/99	ROC /RECEIPT OF COPY	001		11/04/99	
0300	11/09/99	ORDR/ORDER ALLOWING ISSUANCE OF SUBPOENAS AND LETTERS ROGATORY	002			
0301	11/12/99	AFFD/AFFIDAVIT OF MARK A HUTCHISON	001			
0302	11/12/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE	001			
0303	11/12/99	NOTC/NOTICE OF TAKING DEPOSITION OF PERSON MOST KNOWLEDGEABLE RODDENBERRY 3014	AL		11/29/99	Y
0304	11/12/99	AFFD/AFFIDAVIT OF MARK HUTCHISON	001			
0305	11/12/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE	001			
0306	11/12/99	NOTC/NOTICE OF TAKING DEPOSITION OF CUSTODIAN OF RECORDS OF RODDENBERRY 3014 PARAMOUNT PICTURES CORP	AL		11/29/99	Y
0307	11/17/99	ROC /RECEIPT OF COPY	002		11/17/99	
0308	11/17/99	ROC /RECEIPT OF COPY	002		11/17/99	

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0309	11/17/99	NOTC/NOTICE TO CONSUMER (CCP SECTION 1985.3)	001		11/17/99	
0310	11/17/99	NOTC/NOTICE OF TAKING DEPOSITION OF PERSON MOST KNOWLEDGEABLE AT CALIFORNIA STATE PERSONNEL BOARD OUTSIDE THE STATE OF NEVADA	AL		11/17/99	Y
0311	11/17/99	AFFD/AFFIDAVIT OF MARK A HUTCHISON	001			
0312	11/17/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE	001			
0313	11/17/99	NOTC/NOTICE TO CONSUMER (CCP SECTION 1985.3)	001		11/17/99	
0314	11/17/99	NOTC/NOTICE OF TAKING DEPOSITION OF CUSTODIAN OF RECORDS OF THE CALIFORNIA STATE PERSONNEL BOARD OUTSIDE THE STATE OF NEVADA	AL	SC	12/08/99	Y
0315	11/17/99	AFFD/AFFIDAVIT OF MARK A HUTCHISON	001			
0316	11/17/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE	001			Y
0317	11/19/99	FILE/DECLARATION OF FELIX E LEATHERWOOD RE ANNA JOVANOVICH	002			
0318	11/19/99	ROC /RECEIPT OF COPY	002		11/19/99	
0319	11/19/99	ROC /RECEIPT OF COPY	002		11/19/99	
0320	11/19/99	NOTC/NOTICE OF TAKING DEPOSITION OF CUSTODIAN OF RECORDS OF YOUNGMART TOURS AND TRAVEL INC	AL		11/30/99	Y
0321	11/19/99	AFFD/AFFIDAVIT OF MARK A HUTCHISON	001			
0322	11/19/99	DEPO/COMMISSION TO TAKE DEPOSITION OUTSIDE THE STATE OF NEVADA	001		11/30/99	
0323	11/19/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE	001			
0324	11/19/99	NOTC/NOTICE OF TAKING DEPOSITION OF LOBO CHANG THE OWNER OF YOUNGMART TOURS AND TRAVEL INC	AL		11/30/99	Y
0325	11/19/99	AFFD/AFFIDAVIT OF MARK A HUTCHISON	001			
0326	11/19/99	DEPO/COMMISSION TO TAKE DEPOSITION OUTSIDE THE STATE OF NEVADA	001		11/30/99	
0327	11/19/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE	001			
0328	11/19/99	ERR /ERRATA	001			
0329	11/23/99	OBJ /FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S OBJECTIONS TO PLAINTIFFS OUT OF STATE COMMISSIONS AND DEPOSITION NOTICES	002			Y
0330	12/14/99	AFFD/AFFIDAVIT OF JOHN T STEFFEN	001			
0331	12/14/99	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE	001			
0332	12/14/99	NOTC/NOTICE OF TAKING DEPOSITION OF PRISCILLA LOUISE MAYSTEAD OUTSIDE THE STATE OF NEVADA	AL		12/30/99	Y
0333	12/17/99	NOTC/NOTICE OF DEPOSITION OF PERSONS MOST KNOWLEDGEABLE AT THE FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA	002		01/13/00	Y
0334	12/17/99	NOTC/NOTICE OF DEPOSITION OF PERSONS MOST KNOWLEDGEABLE AT THE FRANCHISE TAX	002		01/07/00	Y

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NO. FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
BOARD OF THE STATE OF CALIFORNIA					
0335 12/17/99 NOTC/NOTICE OF DEPOSITION OF PERSONS MOST	002		01/11/00	Y	
KNOWLEDGEABLE AT THE FRANCHISE TAX	002				
BOARD OF THE STATE OF CALIFORNIA					
0336 12/17/99 NOTC/NOTICE OF DEPOSITION OF PERSONS MOST	002		01/12/99	Y	
KNOWLEDGEABLE AT THE FRANCHISE TAX	002				
BOARD OF THE STATE OF CALIFORNIA					
0337 12/17/99 NOTC/NOTICE OF DEPOSITION OF PERSONS MOST	002		01/17/99	Y	
KNOWLEDGEABLE AT THE FRANCHISE TAX	002				
BOARD OF THE STATE OF CALIFORNIA					
0338 12/17/99 NOTC/NOTICE OF DEPOSITION OF PERSONS MOST	002		01/18/99	Y	
KNOWLEDGEABLE AT THE FRANCHISE TAX	002				
BOARD OF THE STATE OF CALIFORNIA					
0339 12/16/99 OBDC/OBJECTION TO DISCOVERY COMMISSIONERS	002				Y
REPORT AND RECOMMENDATIONS REGARDING	002				
PROTECTIVE ORDER FOR CONFIDENTIAL INFORMATION DECIDED IN CONJUNCTION WITH					
DEFENDANT FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S MOTION TO COMPEL					
DISCOVERY RESPONSES					
0340 12/16/99 OBDC/OBJECTION TO DISCOVERY COMMISSIONERS	002				Y
REPORT AND RECOMMENDATIONS REGARDING	002				
PLAINTIFF GILBERT P HYATT'S MOTION TO COMPEL RE MISSING REDACTED AND SANITIZED					
DOCUMENTS FROM THE FRANCHISE TAX BOARD'S RESIDENCY AUDIT FILES					
0341 12/20/99 NOTC/AMENDED NOTICE OF DEPOSITION OF	002	SC	01/13/00	Y	
PERSON(S) MOST KNOWLEDGEABLE AT THE	002				
FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA					
0342 12/20/99 NOTC/AMENDED NOTICE OF DEPOSITION OF	002	SC	01/11/00	Y	
PERSON(S) MOST KNOWLEDGEABLE AT THE	002				
FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA					
0343 12/20/99 NOTC/AMENDED NOTICE OF DEPOSITION OF	002	SC	01/12/00	Y	
PERSON(S) MOST KNOWLEDGEABLE AT THE	002				
FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA					
0344 12/20/99 NOTC/AMENDED NOTICE OF DEPOSITION OF	002	SC	01/12/00	Y	
PERSON(S) MOST KNOWLEDGEABLE AT THE	002				
FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA					
0345 12/20/99 NOTC/AMENDED NOTICE OF DEPOSITION OF	002	SC	01/07/00	Y	
PERSON(S) MOST KNOWLEDGEABLE AT THE	002				
FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA					
0346 12/20/99 NOTC/AMENDED NOTICE OF DEPOSITION OF	002	SC	01/18/00	Y	
PERSON(S) MOST KNOWLEDGEABLE AT THE	002				
FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA					
0347 12/20/99 NOTC/AMENDED NOTICE OF DEPOSITION OF	002	SC	01/17/00	Y	
PERSON(S) MOST KNOWLEDGEABLE AT THE	002				
FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA					
0348 12/20/99 ERR /ERRATA	002				
0349 12/21/99 RSPN/GIL HYATTS RESPONSE TO FTB OBJECTIONS	001				Y
AND REQUEST TO SUBMIT POINTS AND	001				
AUTHORITIES TO THE FTBS OBJECTIONS IF THE COURT DECIDES TO LOOK BEYOND THE					
SUBSTANTIAL BRIEFINGS AND ARGUMENTS CONSIDERED BY THE DISCOVERY COMMISSION					
CONCERNING BOTH MOTIONS					
0350 12/23/99 OBJ /OBJECTION TO DISCOVERY COMMISSIONERS	002				Y
REPORT AND RECOMMENDATIONS REGARDING	002				
DEFENDANT FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S MOTION TO COMPEL					

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
DISCOVERY RESPONSES						
0351	12/27/99	DCRR/DISCOVERY COMMISSIONERS REPORT AND RECOMMENDATIONS	AL			
0352	12/27/99	DCRR/DISCOVERY COMMISSIONERS REPORT AND RECOMMENDATIONS	001			
0353	01/05/00	OBJ /FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S OBJECTIONS TO	002		01/12/00	Y
PLAINTIFFS AMENDED NOTICE OF DEPOSITION OF PERSON(S) MOST KNOWLEDGEABLE AT THE FRANCHISE TAX						
0354	01/05/00	OBJ /FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S OBJECTIONS TO PLAINTIFFS	002		01/07/00	Y
AMENDED NOTICE OF DEPOSITION OF PERSON(S) MOST KNOWLEDGEABLE AT THE FRANCHISE TAX						
0355	01/05/00	OBJ /FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S OBJECTIONS TO PLAINTIFFS	002		01/11/00	Y
AMENDED NOTICE OF DEPOSITION OF PERSON(S) MOST KNOWLEDGEABLE AT THE FRANCHISE TAX						
0356	01/05/00	OBJ /FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S OBJECTIONS TO PLAINTIFFS	002		01/13/00	Y
AMENDED NOTICE OF DEPOSITION OF PERSON(S) MOST KNOWLEDGEABLE AT THE FRANCHISE TAX						
0357	01/10/00	OBJ /FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S OBJECTION TO	002			Y
PLAINTIFFS AMENDED NOTICE OF DEPOSITION OF PERSON(S) MOST KNOWLEDGEABLE AT THE FRANCHISE TAX						
0358	01/10/00	OBJ /FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S OBJECTION TO	002			Y
PLAINTIFFS AMENDED NOTICE OF DEPOSITION OF PERSON(S) MOST KNOWLEDGEABLE AT THE FRANCHISE TAX						
0359	01/12/00	MOT /PLTF'S MOTION FOR AN ORDER COMPELLING DEFT TO PRODUCE EMPLOYEE-WITNESSES FOR	AL	GP	02/02/00	
0360	01/12/00	NOTC/NOTICE OF EXHIBITS TO PLTF'S MOTION FOR AN ORDER IN THE VAULT			01/12/00	
0361	01/12/00	REQT/PLAINTIFF GIL HYATTS MOTION FOR AN ORDER -1 COMPELLING DEFENDANT TO PRODUCE	001		02/02/00	Y
EMPLOYEE-WITNESSES FOR DEPOSITIONS -2 COMPELLING DEFENDANT TO IMMEDIATELY PRODUCE DOCUMENTS IN COMPLIANCE WITH THIS COURTS ORDER OF DECEMBER 27 1999 AND HOLDING DEFENDANT IN CONTEMPT FOR ITS FAILURE AND REFUSAL TO COMPLY WITH THE COURT ORDER -3 IMPOSING SANCTIONS FOR DISCOVERY ABUSE						
0362	01/18/00	OBJ /FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S OBJECTIONS TO PLAINTIFFS	002			Y
NOTICE OF DEPOSITION DUCES TECUM OF JOSEPH MEYERS						
0363	01/18/00	OBJ /FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S OBJECTIONS TO PLAINTIFFS	002			Y
NOTICE OF DEPOSITION DUCES TECUM OF BARBARA HINCE						
0364	01/18/00	OBJ /FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S OBJECTIONS TO PLAINTIFFS	002			Y
NOTICE OF DEPOSITION DUCES TECUM OF RHONDA MARSHALL						
0365	01/18/00	OBJ /FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S OBJECTIONS TO PLAINTIFFS	002			Y
NOTICE OF DEPOSITION DUCES TECUM OF ROBERT ALVAREZ						
0366	01/18/00	OBJ /FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S OBJECTIONS TO PLAINTIFFS	002			Y

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
NOTICE OF DEPOSITION DUCES TECUM OF FARZANEH ESHAGHIAN						
0367	01/26/00	NOTC/NOTICE OF EXHIBITS TO OPPOSITION TO PLTF'S MOTION IN THE VAULT			01/25/00	
0368	01/25/00	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE	001 001	SC	02/17/00	Y
0369	01/25/00	AFFD/AFFIDAVIT OF JOHN T STEFFEN	001			
0370	01/25/00	NOTC/NOTICE OF CONTINUANCE OF TAKING DEPOSITION DUCES TECUM OF JEFFREY MCKENNEY OUTSIDE THE STATE OF NEVADA	AL AL			Y
0371	01/25/00	OPPS/DEFENDANT FRANCHISE TAX BOARDS OPPOSITION TO PLAINTIFFS MOTION FOR AN ORDER	002 002			Y
0372	01/26/00	AFFD/AFFIDAVIT OF MARK A HUTCHISON IN SUPPORT OF APPLICATION FOR COMMISSION TO TAKE OUT OF STATE DEPOSITION	001 001			Y
0373	01/26/00	APPL/APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE OUT OF STATE DEPOSITION	001 001			Y
0374	01/26/00	NOTC/NOTICE OF TAKING DEPOSITION DUCES TECUM OF HELENE SCHLINDWEIN	AL AL	SC	02/12/00	
0375	01/26/00	SUPP/SUPPLEMENTAL CERTIFICATE OF SERVICE	002			
0376	01/26/00	ROC /RECEIPT OF COPY	002		01/25/00	
0377	01/27/00	MOT /DEFT'S MOTION FOR SUMMARY JUDGMENT UNDER NRCP 56(b), OR FOR DISMISSAL UNDER NRCP12	AL AL	DN	04/21/00	
0378	01/28/00	ROC /RECEIPT OF COPY	001		01/27/00	
0379	01/28/00	RPLY/REPLY OF GIL HYATT IN SUPPORT OF MOTION TO COMPEL DEPOSITIONS AND PRODUCTION OF DOCUMENTS	001 001			Y
0380	01/28/00	RPLY/APPENDIX OF NON NEVADA AUTHORITIES CITED IN REPLY OF GIL HYATT IN SUPPORT OF MOTION TO COMPEL DEPOSITIONS AND PRODUCTION OF DOCUMENTS	001 001			Y
0381	01/28/00	CERT/CERTIFICATE OF SERVICE	002		01/28/00	
0382	01/31/00	ROC /RECEIPT OF COPY	002		01/28/00	
0383	01/31/00	NCA /APPENDIX OF NON-NEVADA AUTHORITIES FRANCHISE TAX BOARD IN ITS MOTION FOR SUMMARY JUDGMENT UNDER NRCP 56(B) OR ALTERNATIVELY FOR DISMISSAL UNDER NRCP 12(H) (3)	002 002			Y
0384	01/31/00	ROC /RECEIPT OF COPY OF APPENDIX OF NON- NEVADA AUTHORITIES CITED BY FRANCHISE TAX BOARD IN ITS MOTION FOR SUMMARY JUDGMENT UNDER NRCP 56(B) OR ALTERNATIVELY FOR DISMISSAL UNDER NRCP 12(H) (3)	001 001		01/31/00	Y
0385	02/02/00	MOT /PLTF'S MOTION TO EXTEND TIME TO FILE OPPOSITION TO THE FTB'S MTN FOR SUMMARY	AL AL	OC	02/07/00	
0386	02/02/00	ERR /ERRATA TO HYATTS MOTION FOR AN ORDER (1) COMPELLING DEFENDANT TO PRODUCE EMPLOYEE WITNESSES FOR DEPOSITIONS; (2) COMPELLING DEFENDANT TO IMMEDIATELY PRODUCE DOCUMENTS IN COMPLIANCE WITH THIS COURT'S ORDER OF 12/27/99	001 001			Y
0388	02/03/00	ROC /RECEIPT OF COPY	002		02/02/00	
0389	02/03/00	CERT/CERTIFICATE OF SERVICE	002		02/02/00	
0390	02/03/00	ERR /ERRATA TO HYATTS MOTION TO EXTEND TIME TO FILE OPPOSITION TO THE FTB'S MOTION	001 001			Y

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
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FOR SUMMARY JUDGEMENT UNDER NRCP 56(b) OR ALTERNATIVELY FOR DISMISSAL UNDER NRCP 12(b)(3) AND FOR AND ORDER SHORTENING TIME

0391	02/04/00	ORDR/STIPULATION AND ORDER TO CONTINUE HEARING	AL	HG	04/21/00	
0392	02/09/00	NOTC/NOTICE ATTACHMENT TO EVIDENCE IN SUPPORT IN THE VAULT	AL		01/27/00	
0393	02/07/00	NOTC/NOTICE OF ENTRY OF ORDER	AL		02/07/00	
0394	02/09/00	MOT /DEFT'S MOTION TO STAY PENDING APPEAL	NP	DN	03/06/00	
0395	02/09/00	ROC /RECEIPT OF COPY	002		02/09/00	
0396	02/11/00	OBJ /FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S OBJECTION TO NOTICE	AL			Y
0397	02/11/00	OBJ /FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S OBJECTION TO NOTICE	AL			Y
0398	02/11/00	OBJ /FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S OBJECTION TO NOTICE	AL			Y
0399	02/11/00	OBJ /FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S OBJECTION TO NOTICE	002			Y
0400	02/22/00	OPPS/HYATT'S OPPOSITION TO FTB'S MOTION FOR STAY PENDING APPEAL AND COUNTER MOTION	001			Y
0401	02/24/00	ERR /ERRATA TO HYATT'S OPPOSITION TO FTB'S MOTION FOR STAY PENDING APPEAL AND COUNTER-MOTION FOR A BOND AND SANCTIONS	001			Y
0402	02/24/00	ROC /RECEIPT OF COPY	002		02/22/00	
0403	02/28/00	RPLY/DEFENDANT FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S REPLY IN SUPPORT	002			Y
0404	02/29/00	ROC /RECEIPT OF COPY	001		02/28/00	
0405	02/29/00	NOTC/NOTICE OF FILING ORIGINAL AFFIDAVIT	002			
0406	03/01/00	OBJ /OBJECTIONS TO DISCOVERY COMMISSIONERS REPORT AND RECOMMENDATION DATED FEBRUARY	001			Y
0407	03/02/00	MOT /PLTF'S MOTION FOR LEAVE TO FILE SURREPLY	NP	DN	03/27/00	
0408	03/03/00	CRTF/CERTIFICATE OF SERVICE - FACSIMILE AND MAIL	001		03/02/00	
0409	03/03/00	OPPS/OPPOSITION TO PLAINTIFFS MOTION FOR LEAVE TO FILE SURREPLY	002			
0410	03/08/00	MOT /DEFT'S MOTION FOR PROTECTIVE ORDER BARRING HYATT FROM DEPOSING	AL	DN	03/30/00	
0411	03/08/00	ERR /ERRATA TO PLAINTIFFS MOTION FOR LEAVE TO FILE SURREPLY	001			
0412	03/09/00	ORDR/ORDER	001		03/22/00	
0413	03/09/00	REQT/EX PARTE MOTION FOR ONE-WEEK EXTENSION OF TIME FOR FILING OPPOSITION TO FTB'S MOTION FOR SUMMARY JUDGMENT	001			Y
0414	03/09/00	ROC /RECEIPT OF COPY	002		03/08/00	
0415	03/10/00	NOTC/NOTICE OF FILING ORIGINAL AFFIDAVIT	002			
0416	03/13/00	ERR /ERRATA AFFIDAVIT OF FELIX E LEATHERWOOD IN OPPOSITION TO PLAINTIFFS EX PARTE	002			Y

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NO. FILED/REC CODE

REASON/DESCRIPTION

FOR OC SCH/PER C

MOTION FOR ONE-WEEK EXTENSION FOR FILING OPPOSITION TO THE STATE OF CALIFORNIA'S MOTION FOR SUMMARY JUDGMENT

0417	03/16/00	MOT /DEFT'S MOTION FOR PROTECTIVE ORDER	AL	GP	04/11/00	
		BARRING HYATT'S SECOND WAVE OF PROPOSED	AL			
0418	03/15/00	ORDR/AMENDED ORDER	001	HG	04/21/00	
0419	03/17/00	MOT /DEFT'S MOTION TO COMPEL INTERROGATORY	AL	GP	04/11/00	
		RESPONSES/NRCP 16.1 WITNESS IDENTIFICATI	AL			
0420	03/16/00	NCA /FRANCHISE TAX BOARDS COMPENDIUM OF OUT	002			Y
		OF STATE AUTHORITIES IN SUPPORT OF ITS	002			
MOTION FOR A PROTECTIVE ORDER BARRING HYATTS SECOND WAVE OF PROPOSED FTB						
DEPOSITIONS UNDER RULE 30(B)(6)						
0421	03/17/00	ROC /RECEIPT OF COPY	002		03/17/00	
0422	03/17/00	NOTC/NOTICE OF ENTRY OF ORDER	AL		03/17/00	
0423	03/17/00	ROC /RECEIPT OF COPY	002		03/17/00	
0424	03/21/00	ROC /RECEIPT OF COPY	002		03/20/00	
0425	03/23/00	NOTC/NOTICE OF HYATT'S OPPOSITION TO THE			03/20/00	Y
		FTB'S MOTION FOR A PROTECTIVE				
ORDER (1) BARRING HYATT FROM DEPOSING NINE FTB EMPLOYEE WITNESSES; AND (2)						
LIMITING HYATT'S DEPOSITIONS OF FIVE OTHER FTB EMPLOYEE WITNESSES TO TWO HOURS						
AND COUNTER MOTION TO COMPEL (FILED UNDER SEAL) IN THE VAULT						
0426	03/23/00	NCA /FRANCHISE TAX BOARDS COMPENDIUM OF OUT	002			
		OF STATE AUTHORITIES	002			
0427	03/23/00	RPLY/REPLY IN SUPPORT OF MOTION OF	002			Y
		FRANCHISE TAX BOARD FOR A PROTECTIVE	002			
ORDER (1)BARRING HYATT FROM DEPOSING NINE FTB EMPLOYEE WITNESSES AND						
(2)LIMITING HYATTS DEPOSITIONS OF FIVE OTHER FTB EMPLOYEE WITNESSES TO						
TWO HOURS						
0428	03/22/00	AFFD/AFFIDAVIT OF GILBERT P HYATT IN	001			Y
		OPPOSITION TO THE FTB'S MOTION FOR	001			
SUMMARY JUDGMENT						
0429	03/22/00	AFFD/AFFIDAVIT OF MICHAEL W KERN IN	001			Y
		OPPOSITION TO THE FTB'S MOTION FOR	001			
SUMMARY JUDGMENT						
0430	03/22/00	ROC /RECEIPT OF COPY	002		03/22/00	
0431	03/22/00	AFFD/THOMAS K BOURKES AFFIDAVIT IN SUPPORT OF	001			Y
		GIL HYATTS OPPOSITION TO FTB'S MOTION	001			
FOR SUMMARY JUDGMENT						
0432	03/22/00	AFFD/AFFIDAVIT OF EUGENE G COWAN IN	001			Y
		OPPOSITION TO THE FTB'S MOTION FOR	001			
SUMMARY JUDGMENT						
0433	03/22/00	OPPS/GIL HYATTS OPPOSITION TO FTB'S MOTION	001			
		FOR SUMMARY JUDGMENT	001			
0434	03/24/00	NOTC/NOTICE OF EXHIBITS TO PLTF'S			03/22/00	
		OPPOSITION TO MOTION IN THE VAULT				
0435	03/24/00	ROC /RECEIPT OF COPY	001		03/23/00	
0436	03/29/00	NOTC/NOTICE OF HYATT'S OPPOSITION TO FTB'S			03/27/00	Y
		MOTION FOR PROTECTIVE ORDER IN THE				
VAULT						
0437	03/29/00	NOTC/NOTICE OF AFFIDAVIT OF THOMAS K.			03/27/00	Y
		BOURKE IN OPPOSITION TO FTB'S				
MOTION FOR PROTECTIVE ORDER ...IN THE VAULT						
0438	03/28/00	ROC /RECEIPT OF COPY	002		03/27/00	

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NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0439	03/28/00	ROC /RECEIPT OF COPY	002		03/27/00	
0440	03/29/00	ERR /ERRATA TO PLAINTIFFS OPPOSITION TO THE	001			
		FTB'S MOTION FOR A PROTECTIVE ORDER	001			
0441	03/29/00	ERR /ERRATA TO PLAINTIFFS OPPOSITION TO THE	001			
		FTB'S MOTION FOR A PROTECTIVE ORDER	001			
0442	03/29/00	ERR /ERRATA TO PLAINTIFFS OPPOSITION TO THE	001			
		FTB'S MOTION TO COMPEL	001			
0443	03/29/00	ERR /ERRATA TO PLAINTIFFS OPPOSITION TO THE	001			
		FTB'S MOTION FOR SUMMARY JUDGMENT	001			
0444	04/03/00	ORDR/ORDER	001	HG	03/06/00	
0445	04/03/00	RSPN/GILBERT P HYATT'S SUPPLEMENTAL RESPONSE	001			Y
		TO HIS OPPOSITION TO THE FTB'S MOTION TO	001			
		COMPEL INTERROGATORY RESPONSES AND NCRP 16.1 WITNESS IDENTIFICATION COMPLIANCE				
0446	04/06/00	NOTC/NOTICE ERRATA TO PLTF'S OPPOSITION			04/05/00	
		FILED UNDER SEAL IN THE VAULT				
0447	04/04/00	NOTC/NOTICE OF ENTRY OF ORDER	AL		04/04/00	
0448	04/04/00	ROC /RECEIPT OF COPY	002		04/03/00	
0449	04/04/00	RPLY/REPLY IN SUPPORT OF MOTION OF FRANCHISE	002			Y
		TAX BOARD FOR A PROTECTIVE ORDER BARRING	002			
		HYATT'S SECOND WAVE OF PROPOSED FTB DEPOSITIONS UNDER RULE 30B6				
0450	04/05/00	ERR /ERRATA TO PLAINTIFFS OPPOSITION TO THE	001			
		FTB'S MOTION FOR SUMMARY JUDGMENT	001			
0451	04/05/00	ERR /ERRATA TO PLAINTIFFS OPPOSITION TO THE	001			
		BTB'S MOTION FOR SUMMARY JUDGMENT	001			
0452	04/10/00	NOTC/NOTICE OF EXHIBITS TO ERRATA TO PLTF'S			04/05/00	Y
		OPP TO FTB'S MOTION FOR SUMMARY				
		JUDGMENT IN THE VAULT				
0453	04/11/00	MOT /ALL PENDING MOTIONS FOR 4/11/00	AL	GP	04/11/00	
0454	04/06/00	ROC /RECEIPT OF COPY	001		04/05/00	
0455	04/07/00	RPLY/DEFENDANTS REPLY TO HYATTS OPPOSITION	002			Y
		TO MOTION TO COMPEL INTERROGATORY	002			
		RESPONSES AND NRCP 16.1 WITNESS IDENTIFICATION COMPLIANCE				
0456	04/10/00	ROC /RECEIPT OF COPY	001		04/07/00	
0457	04/17/00	NOTC/NOTICE OF EXHIBITS FRANCHISE TAX			04/14/00	
		BOARDS COMPENDIUM IN THE VAULT				
0458	04/14/00	NCA /FRANCHISE TAX BOARDS COMPENSUM OF OUT	002			Y
		OF STATE AUTHORITIES IN SUPPORT OF ITS	002			
		REPLY TO MOTION FOR SUMMARY JUDGMENT				
0459	04/14/00	OBJ /FTB'S OBJECTION TO AFFIDAVITS AND	002			Y
		ERRATA FILED IN SUPPORT OF HYATTS	002			
		OPPOSITION TO MOTION FOR SUMMARY JUDGMENT				
0460	04/14/00	RPLY/REPLY OF FRANCHISE TAX BOARD IN	002			Y
		SUPPORT OF MOTION FOR SUMMARY	002			
		JUDGMENT UNDER NRCP 56(B) OR ALTERNATIVELY FOR DISMISSAL UNDER NRCP 12(H) (3)				
0461	04/18/00	ROC /RECEIPT OF COPY	001		04/14/00	
0462	04/19/00	ROC /RECEIPT OF COPY	001		04/19/00	
0463	04/19/00	SUPP/FRANCHISE TAX BOARD'S SUPPLEMENT TO	002			Y
		COMPENDIUM OF OUT OF STATE AUTHORITIES	002			
		IN SUPPORT OF ITS REPLY TO MOTION FOR SUMMARY JUDGMENT				
0464	05/26/00	DCRR/DISCOVERY COMMISSIONERS REPORT AND	AL			
		RECOMMENDATIONS	AL			
0465	05/31/00	ORDR/ORDER	001			

(Continued to page 19)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0466	06/01/00	NOTC/NOTICE OF ENTRY OF ORDER	AL		06/01/00	
0467	06/07/00	MOT /DEFT'S MOTION TO COMPEL DEPOSITION RESPONSES AND PRODUCTION OF DOCUMENTS	AL	OC	06/29/00	
0468	06/02/00	NCA /FRANCHISE TAX BOARDS SUMMARY OF LEGAL ISSUES	002			
0469	06/02/00	DCRR/DISCOVERY COMMISSIONERS REPORT AND RECOMMENDATIONS	002			
0470	06/08/00	OCAL/STATUS CONFERENCE VR 6-12-00	AL	VC	06/13/00	
0471	06/05/00	EXH /DEFENDANT FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S PROPOSED EXHIBIT	002			Y
LIST						
0472	06/05/00	LIST/DEFENDANT FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S PROPOSED WITNESS	002			Y
LIST						
0473	06/07/00	REQT/DEFENDANTS MOTION TO COMPEL DEPOSITION RESPONSES AND PRODUCTION OF DOCUMENTS	002			
0474	06/13/00	NOTC/NOTICE OF EXHIBITS TO DEFT'S MOTION TO COMPEL IN THE VAULT			06/07/00	
0475	06/08/00	OBJ /PLAINTIFFS OBJECTIONS TO DEFENDANT FRANCHISE TAX BOARD OF THE STATE OF CALIFORNIA'S PROPOSED EXHIBIT LIST PROPOSED WITNESS LIST AND STATEMENT OF ISSUES	001			Y
0476	06/08/00	ROC /RECEIPT OF COPY	001		06/07/00	
0477	06/09/00	ROC /RECEIPT OF COPY	002		06/08/00	
0478	07/03/01	MOT /FRANCHISE TAX BOARD'S MTN FOR EXTENSION OF TIME TO FILE MEMORANDUM OF COSTS	AL	GR	07/10/01	
0479	07/05/01	CRTF/CERTIFICATE OF SERVICE OF MOTION FOR EXTENSION OF TIME TO FILE MEMORANDUM OF COSTS ON ORDER SHORTENING TIME	002		07/03/01	Y
0480	07/23/01	NOTC/NOTICE OF EXHIBITS TO APPENDIX 1A, 1B, &2 IN SUPPORT OF FTB'S MOTION FOR AWARD COST IN THE VAULT				Y
0481	07/06/01	FUS /FILED UNDER SEAL GILBERT P HYATT'S OPPOSITION TO FTB'S MOTION	002			Y
0482	07/24/01	NOTC/NOTICE OF EXHIBITS TO APPENDIX 3 IN SUPPORT OFFTB'S MOTION FOR AWARD COST IN THE VAULT	002			Y
0483	07/11/01	ORDR/ORDER	002			
0484	07/16/01	ORDR/REVISED ORDER	AL		07/13/01	
0485	07/16/01	ORDR/ORDER	AL		07/12/01	
0486	07/16/01	ORDR/ORDER	AL		07/12/01	
0487	07/17/01	NOTC/NOTICE OF ENTRY OF ORDER	AL		07/17/01	
0488	07/17/01	NOTC/NOTICE OF ENTRY OF ORDER	AL		07/17/01	
0489	07/20/01	NCA /APPENDIX 3 IN SUPPORT OF FTBS MOTION FOR AWARD COSTS	002			
0490	07/20/01	NCA /APPENDIX 2 IN SUPPORT OF FTBS MOTION FOR AWARD COSTS	002			
0491	07/20/01	NCA /APPENDIX 1(B) IN SUPPORT OF FTBS MOTION FOR AWARD COSTS	002			
0493	07/20/01	NCA /APPENDIX 1(A) IN SUPPORT OF FTBS MOTION AWARD COSTS	002			

(Continued to page 20)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0494	07/20/01	CC10/FTBS MEMORANDUM OF AND MOTION FOR AWARD OF COSTS	002			
0495	08/01/01	ORDR/STIPULATION AND ORDER GRANTING EXTENSION OF TIME RE MOTION TO RETAX COSTS	001		08/01/01	
0496	08/02/01	NOTC/NOTICE OF ENTRY OF STIPULATION AND ORDER GRANTING EXTENSIONS OF TIME RE MOTION TO	002		08/02/01	Y
		RETAX COSTS	002			
0497	08/17/01	MOT /PLTF'S MOTION TO RETAX COSTS/46	AL		03/15/02	
0498	08/20/01	ROC /RECEIPT OF COPY OF GILBERT P HYATTS MOTION TO RETAX COSTS AND NOTICE	002			Y
		OF MOTION	002			
0499	08/31/01	TRAN/REPORTER'S TRANSCRIPT OF DEFENDANTS MOTION FOR EXTENSION OF TIME	AL		08/28/01	
0500	08/27/01	OPPS/GILBERT P HYATTS OPPOSITION TO FTB'S REQUEST TO EXTEND TIME TO FILE	001			Y
		OPPOSITION TO MOTION TO RETAX COSTS	001			
0501	09/07/01	OPPS/FTB'S OPPOSITION TO MOTION TO RETAX COSTS	002			
			002			
0502	09/11/01	ORDR/ORDER	001			
0503	09/12/01	NOTC/NOTICE OF FILING ORIGINAL AFFIDAVIT	AL			
0504	09/17/01	NOTC/NOTICE OF ENTRY OF ORDER	AL		09/17/01	
0505	09/28/01	FUS /FILED UNDER SEAL REPLY POINTS AND AUTHORITIES	001			
			001			
0506	09/28/01	FUS /FILED UNDER SEAL APPENDIX OF EXHIBITS	001			
0507	09/28/01	FUS /FILED UNDER SEAL APPENDIX OF EXHIBITS	001			
0508	10/18/01	NOTC/NOTICE OF EXHIBITS TO APPENDIX OF EXHIBITS SUBMITTED WITH GILBERT P.				Y
		HYATT'S REPLY IN SUPPORT OF MOTION TO RETAX COSTS IN THE VAULT				
0509	10/22/01	TRAN/REPORTER'S TRANSCRIPT HEARING ON PLTT'S MOTION TO RELAX COSTS	AL		10/09/01	
			AL			
0510	11/14/01	ORDR/STIPULATION AND ORDER RE SETTING HEARING ON MOTION TO RETAX COSTS	001	SC	01/11/02	
			001			
0511	11/15/01	NOTC/NOTICE OF ENTRY OF STIPULATION AND ORDER RESETTING HEARING ON MOTION	AL		11/15/01	Y
			AL			
		TO RELAX COST				
0512	12/04/01	MOT /FTBS MTN TO VACATE PROTECTIVE ORDER/47 FILED UNDER SEAL	AL	DN	01/17/02	
			AL			
0513	12/04/01	FUS /FILED UNDER SEAL NOTICE OF MOTION	002		01/08/02	
0514	12/04/01	FUS /FILED UNDER SEAL NOTICE OF MOTION ON FTB'S MOTION TO VACATE PROTECTIVE	002			Y
			002			
		ORDER				
0515	12/05/01	ROC /RECEIPT OF COPY	002		12/04/01	
0516	12/17/01	ORDR/STIPULATION AND ORDER CONTINUING HEARING ON FTBS MOTION TO VACATE PROTECTIVE	AL	SC	01/17/02	Y
			AL			
		ORDER				
0517	12/27/01	ROC /RECEIPT OF COPY	002		12/26/01	
0518	12/28/01	NOTC/NOTICE OF ENTRY OF STIPULATION AND ORDER CONTINUING HEARING ON FTBS MOTION	AL		12/13/01	Y
			AL			
		TO VACATE PROTECTIVE ORDER				
0519	12/26/01	FUS /FILED UNDER SEAL OPPOSITION	001			
0520	12/26/01	FUS /FILED UNDER SEAL APPENDIX	001			
0521	01/09/02	ORDR/STIPULATION AND ORDER CONTINUING HEARING ON MOTION TO RETAX COSTS	001		01/09/02	
			001			

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0522	01/11/02	NOTC/NOTICE OF FIRM NAME CHANGE	AL			
0523	01/11/02	NOTC/NOTICE OF ENTRY OF STIPULATION AND ORDER	AL	01/08/02		Y
		CONTINUING HEARING ON FTB'S MOTION TO	AL			
RETAX COSTS						
0524	01/11/02	FUS /FILED UNDER SEAL CERTIFICATE OF SERVICE	002	01/11/02		
0525	01/11/02	FUS /FILED UNDER SEAL FRANCHISE TAX BOARDS	002			Y
		REPLY IN SUPPORT OF MOTION TO VACATE	002			
PROTECTIVE ORDER						
0526	01/11/02	RPLY/FRANCHISE TAX BOARDS REPLY IN SUPPORT	002			
		OF MOTION TO VACATE PROTECTIVE ORDER	002			
0527	01/14/02	OBJ /OBJECTION OF PLAINTIFF GIL HYATT TO	001			Y
		THE FTBS REPLY IN SUPPORT OF MOTION	001			
TO VACATE PROTECTIVE ORDER						
0528	01/14/02	OBJ /OBJECTION OF PLAINTIFF GIL HYATT TO	001			Y
		THE FTBS REPLY IN SUPPORT OF MOTION	001			
TO VACATE PROTECTIVE ORDER						
0529	01/14/02	EXH /PROPOSED SUPPLEMENTAL HEARING EXHIBITS	001			Y
		SUBMITTED BY PLAINTIFF GIL HYATT RE	001			
HEARING ON THE FTBS MOTION TO VACATE PROTECTIVE ORDER						
0530	01/14/02	SUPP/PROPOSED SUPPLEMENTAL HEARING EXHIBITS	001			Y
		SUBMITTED BY PLAINTIFF GIL HYATT RE	001			
HEARING ON THE FTB'S MOTION TO VACATE PROTECTIVE ORDER						
0531	01/15/02	ROC /RECEIPT OF COPY	002	01/14/02		
0532	01/15/02	ROC /RECEIPT OF COPY	002	01/14/02		
0533	01/16/02	OPPS/FRANCHISE TAX BOARDS OPPOSITION TO	002			Y
		PLAINTIFFS OBJECTION TO FTB'S REPLY IN	002			
SUPPORT OF MOTION TO VACATE PROTECTIVE ORDER						
0534	01/23/02	FUS /FILED UNDER SEAL TRANSCRIPT	001	01/17/02		
0535	01/31/02	ORDR/ORDER DENYING FTBS MOTION TO VACATE	AL	01/30/02		
		PROTECTIVE ORDER	AL			
0536	02/15/02	FUS /FILED UNDER SEAL FTBS SUPPLEMENTAL	002			
		POINTS AND AUTHORITIES RE COSTS	002			
0537	02/19/02	NOTC/NOTICE OF EXHIBITS TO SUPPLEMENTAL		02/15/02		
		POINTS AND AUTHORITIES IN THE VAULT				
0538	02/19/02	NOTC/NOTICE OF ENTRY OF ORDER DENYING FTB'S	AL	02/19/02		
		MOTION TO VACATE PROTECTIVE ORDER	AL			
0539	02/20/02	MOT /DEFT'S MTN FOR AUTHORIZATION TO DISCLOSE	AL	03/15/02		
		AND FOR LEAVE TO DEPOSE MR KERN/48	AL			
0540	02/19/02	ROC /RECEIPT OF COPY	002			
0541	02/19/02	NOTC/NOTICE OF MOTION	AL			
0542	03/19/99	SEAL/CASE HAS BEEN ORDERED SEALED				

ORIGINAL

FILED

JAN 31 1 30 PM '02

Shirley E. Pangione
CLERK

ORD

Thomas L. Steffen
Nevada Bar No. 1300
Mark A. Hutchison
Nevada Bar No. 4639
John Steffen
Nevada Bar No. 4390
HUTCHISON & STEFFEN
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(702) 650-6565
Attorneys for Plaintiff

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

Docket No.: F

Date of Hearing: January 17, 2002

Time of Hearing: 9:00 A.M.

ORDER DENYING FTB'S MOTION TO VACATE PROTECTIVE ORDER

This matter having come before the Court for hearing the FTB's Motion to Vacate Protective Order (the "Motion") on January 17, 2002, and the parties having appeared by and through their counsel of record, and the Court having received and reviewed the Motion and the points and authorities and exhibits submitted in support of and in opposition to the Motion, and the Court having heard the arguments of counsel, and good cause appearing therefor,

\\ \\ \\

\\ \\ \\

COUNTY CLERK

JAN 31 2002


RECEIVED

BERNHARD & BRADLEY, CHTD
Attorneys at Law
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Suite 550
Las Vegas, NV 89109
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IT IS HEREBY ORDERED THAT the FTB's Motion to Vacate Protective Order be and the same hereby is denied.

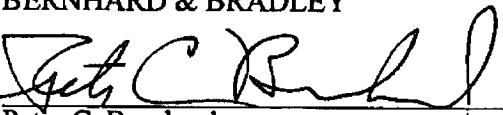
DATED: Jan 30, 2002


DISTRICT JUDGE

Prepared and submitted by:

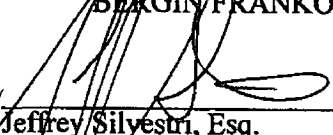
HUTCHISON & STEFFEN
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Attorneys for Plaintiff

Approved as to form:

MCDONALD CARANO WILSON McCUNE
BERGIN FRANKOVICH & HICKS LLP


Jeffrey Silvestri, Esq.
Nevada Bar No. 5779
2300 West Sahara Avenue, Suite 1000
Las Vegas, NV 89102
Attorneys for Franchise Tax Board

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Attorneys for Plaintiff

FILED

FEB 19 3 48 PM '02

Shirley D. Longoria
CLERK

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

Date of Hearing: January 17, 2002
Time of Hearing: 9:00 A.M.

NOTICE OF ENTRY OF ORDER
DENYING FTB'S MOTION TO VACATE PROTECTIVE ORDER

TO: ALL PARTIES IN INTEREST; and

TO: Their attorneys of Record:

NOTICE IS HEREBY GIVEN that an Order Denying FTB's Motion to Vacate Protective Order was entered in the above-referenced matter on the 31st day of January, 2002. A copy of said Stipulation and Order is attached hereto.

DATED this 19 day of February, 2002.

BERNHARD & BRADLEY, CHTD.

By: *[Signature]*
PETER C. BERNHARD, ESQ.
Nevada Bar No. 000734
3980 Howard Hughes Pkwy.
Suite 550
Las Vegas, NV 89109

COUNTY CLERK

FEB 19 2002

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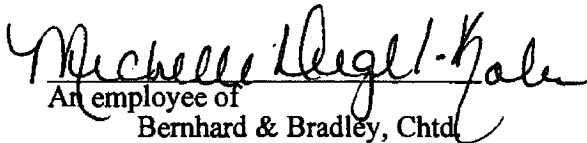
1 **CERTIFICATE OF MAILING NOTICE OF ENTRY OF ORDER**
2 **DENYING FTB'S MOTION TO VACATE PROTECTIVE ORDER**

3 I hereby certify that I am an employee of the law firm of Bernhard & Leslie, Chtd., and that
4 on the 19th day of February, 2002, I caused to be deposited, postage fully prepaid, at Las Vegas,
5 Nevada, a true copy of the foregoing, **ORDER DENYING FTB'S MOTION TO VACATE**
6 **PROTECTIVE ORDER** to all parties below.

7 Thomas R.C. Wilson, Esq.
8 James Giudici, Esq.
9 McDonald, Carano, Wilson, McCune,
10 Bergin, Frankovich & Hicks
11 241 Ridge Street, Fourth Floor
12 Reno NV 89501

13 Bryan Clark, Esq.
14 Jeffery Silvestri, Esq.
15 McDonald, Carano, Wilson, McCune,
16 Bergin, Frankovich & Hicks
17 2300 West Sahara Avenue, Suite 1000
18 Las Vegas, NV 89102

19 Felix Leatherwood, Esq.
20 California Attorney General
21 300 South Spring Street, Suite 5212
22 Los Angeles, CA 90013

23
24
25
26
27
28

An employee of
Bernhard & Bradley, Chtd

1 IT IS HEREBY ORDERED THAT the FTB's Motion to Vacate Protective Order be and the
2 same hereby is denied.

3 DATED: Jan 30, 2002

4
5 
6 DISTRICT JUDGE

7 Prepared and submitted by:

8 HUTCHISON & STEFFEN

9 Thomas L. Steffen

10 Nevada Bar No. 1300

11 Mark A. Hutchison

12 Nevada Bar No. 4639

13 John Steffen

14 Nevada Bar No. 4390

15 8831 West Sahara Avenue

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17 BERNHARD & BRADLEY

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19 Peter C. Bernhard

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21 3980 Howard Hughes Parkway

22 Suite 550

23 Las Vegas, NV 89109

24 Attorneys for Plaintiff

25 Approved as to form:

26 McDONALD CARANO WILSON McCUNE

27 BERGIN FRANKOVICH & HICKS LLP

28 

Jeffrey Silvestri, Esq.

Nevada Bar No. 5779

2300 West Sahara Avenue, Suite 1000

Las Vegas, NV 89102

Attorneys for Franchise Tax Board

CIVIL COURT MINUTES

98-A-382999-C Hyatt, Gilbert P vs California State Franchise Tax

02/23/98 09:00 AM 00 DEFTS' MOTION TO QUASH SERVICE OF
PROCESS AND FOR NO OTHER RELIEF

HEARD BY: Myron E. Leavitt, Judge; Dept. 12

OFFICERS: SUE DEATON, Court Clerk

PARTIES: NO PARTIES PRESENT

COURT noted case has been removed to Federal Court and ORDERED CASE
DISMISSED WITHOUT PREJUDICE.

CONTINUED TO: 07/27/98 ??:?? ?M 01

12/21/98 09:00 AM 00 PLTF'S MOTION FOR PROTECTIVE ORDER;
MOTION TO COMPEL PRODUCTION OF DOCUMENTS

HEARD BY: Thomas W Biggar, Discovery Commissioner; Dept. DC1

OFFICERS: MARY DAIGLE, Court Clerk
JENNIFER LOTT /jl, Relief Clerk
MARNITA HAMMER, Reporter/Recorder

REQ. BY: 001 P1 Hyatt, Gilbert P

PARTIES: 001 P1 Hyatt, Gilbert P
004639 Hutchison, Mark A.

Y
Y

002 D1 California State Franchise Tax Board
004201 Addison, Matthew C.

N
Y

Mr. Addison stated the documents arrived Thursday afternoon; copies were delivered overnight mail to Mr. Hutchinson. Documents were available under the Freedom of Information Act. The deadline was December 10; they were seven days overdue. Arguments by Mr. Addison regarding production of documents from Sacramento. There are a number of disputes regarding depositions. Mr. Addison believes he has made reasonable efforts to comply with providing names of deponents. Several witnesses are in a witness protection program as they have had threats made on their lives. Arguments by Mr. Addison regarding difficulty contacting witnesses. Mr. Addison requested December 30 for deadline to provide plaintiff with names and dates of deponents as most of them are located in Sacramento; counsel requested depositions be taken by videotape. Mr. Hutchinson stated this was originally a tort case. Depositions were noticed and served by December 4, but counsel could never get a firm date. The follow up documents produced were not responsive to what he needed. Mr. Hutchinson will stipulate to confidentiality. Plaintiff's motion to Associate Counsel is on calendar 1/4/99. Commissioner Biggar stated counsel needs signed order from the judge to associate counsel. COMMISSIONER RECOMMENDED, Defendants, California State Franchise Tax Board, will provide identities and specific dates on or

CONTINUED ON PAGE: 002

CIVIL COURT MINUTES

98-A-382999-C Hyatt, Gilbert P

vs California State Franchise Tax

CONTINUED FROM PAGE: 001

before 1/21/99, counsel to work out any details; motion is GRANTED. COMMISSIONER FURTHER RECOMMENDED, depositions will be in conjunction with the confidentiality order on any disbursement of any materials; videotaped depositions will be allowed in the future by unilateral notice. Mr. Hutchinson to prepare recommendation.

01/25/99 09:00 AM 01 PLTF'S MOTION TO ASSOCIATE COUNSEL

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: JOSEPHINE BOHN, Court Clerk

PARTIES: NO PARTIES PRESENT

There being no opposition, COURT ORDERED, motion GRANTED.

02/02/99 09:30 AM 00 PLTF'S MOTION FOR AN ORDER COMPELLING
ANSWERS TO DEPOSITION QUESTIONS RE RELAT

HEARD BY: Thomas W Biggar, Discovery Commissioner; Dept. DC1

OFFICERS: MARY DAIGLE, Court Clerk
KAREN BENTLEY, Reporter/Recorder

REQ. BY: 002 D1 California State Franchise Tax Board

PARTIES: 001 P1 Hyatt, Gilbert P
004639 Hutchison, Mark A.

N
Y

002 D1 California State Franchise Tax Board
004442 Clark, Bryan R.

N
Y

Felix Leatherwood, Esq., California Deputy Attorney General, present, appearing Pro Hac Vice for Defendant; Grace Jeng and Mike Kern also present. Argument by Mr. Leatherwood as to timely receipt of motion and California statutory law applicable to case. Mr. Leatherwood argued the law proscribes Defendant's employees from discussing confidential nonparty tax records. Commissioner stated he has not had the opportunity to look at the cases cited by Mr. Leatherwood as objection was just provided this morning. Mr. Hutchison argued Section 1040 of the Evidentiary Code, provided copy of Code to Commissioner and stated opposition's argument is not being asserted in good faith and the privilege does not apply. Further argument by counsel. Commissioner stated he finds Mr. Leatherwood did not have the opportunity to respond, there was miscommunication between counsel and he will not make a ruling today. COMMISSIONER RECOMMENDED, MR. LEATHERWOOD HAS UNTIL FEBRUARY 10 TO FILE A RESPONSE, MR. HUTCHISON HAS UNTIL FEBRUARY 16 TO FILE AND SERVE HIS REPLY, HE EXPECTS ALL PAPERS TO BE FAXED TO COUNSEL, AT THE LEAST, CONTINUED FOR FINAL ARGUMENT. COMMISSIONER DIRECTED Mr. Leatherwood to

CONTINUED ON PAGE: 003

CIVIL COURT MINUTES

98-A-382999-C Hyatt, Gilbert P vs California State Franchise Tax
CONTINUED FROM PAGE: 002

provide him with a specific citation or attach copy of any California cases.

CONTINUED TO: 02/18/99 09:30 AM 01

02/08/99 ??:?? ?M 00 PLTF'S MOTION TO ASSOCIATE COUNSEL

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: JOSEPHINE BOHN, Court Clerk

PARTIES: NO PARTIES PRESENT

COURT ORDERED, motion GRANTED.

Mr. Steffen (Hutchison & Steffen) to prepare the order and notify appropriate parties.

02/18/99 10:00 AM 00 ALL PENDING MOTIONS FOR 2/18/99

HEARD BY: Thomas W Biggar, Discovery Commissioner; Dept. DC1

OFFICERS: MARY DAIGLE, Court Clerk
KAREN MELL, Reporter/Recorder

PARTIES: 001 P1 Hyatt, Gilbert P
004639 Hutchison, Mark A.

N
Y

002 D1 California State Franchise Tax Board
001638 Bradshaw, James W.

N
Y

DEFT'S MOTION FOR ORDER COMPELLING FURTHER DEPOSITION TESTIMONY. . .PLTF'S
MOTION FOR AN ORDER COMPELLING ANSWERS TO DEPOSITION QUESTIONS

Also present: Thomas Bourke, Esq., California counsel, representing
Plaintiff; Felix Leatherwood, California Deputy Attorney General, present,
representing Defendant.

Commissioner stated he received a stack of documents in case yesterday
afternoon and will be continuing the matter. Colloquy among Commissioner
and counsel regarding continuance date and time. COMMISSIONER RECOMMENDED,
CONTINUED TO FEBRUARY 22, 1999, AT 10:00 A.M.

2/22/99 10:00 AM DEFT'S MOTION FOR ORDER COMPELLING FURTHER DEPOSITION
TESTIMONY/PLTF'S MOTION FOR AN ORDER COMPELLING ANSWERS TO DEPOSITION
QUESTIONS

CIVIL COURT MINUTES

98-A-382999-C Hyatt, Gilbert P vs California State Franchise Tax
CONTINUED FROM PAGE: 003

02/22/99 10:00 AM 00 ALL PENDING MOTIONS

HEARD BY: Thomas W Biggar, Discovery Commissioner; Dept. DC1

OFFICERS: MARY DAIGLE, Court Clerk
REBECCA FOSTER/rf, Relief Clerk
KAREN MELL, Reporter/Recorder

REQ. BY: Hyatt Gilbert P, Plaintiff

PARTIES: 001 P1 Hyatt, Gilbert P
004639 Hutchison, Mark A.

N
Y

002 D1 California State Franchise Tax Board
001638 Bradshaw, James W.

N
Y

PLTF'S MOTION FOR AN ORDER COMPELLING ANSWERS TO DEPOSITION QUESTIONS RE
RELATED TAXPAYERS AND FOR AN ORDER SHORTENING TIME FILED UNDER SEAL BY
STIPULATION AND ORDER DATED JANUARY 25, 1999...PLTF'S MOTION FOR AN ORDER
COMPELLING FURTHER DEPOSITION TESTIMONY FROM DEFENDANT'S RULE 30(b)(6)
WITNESS SHEILA COX AND FOR AN ORDER SHORTENING TIME.

Thomas K. Bourke, Esq. present with Mr. Hutchison and Felix Leatherwood,
Deputy California Attorney General present with Mr. Bradshaw. Mr. Hutchison
advised the Commissioner Mr. Bourke is present primarily to discuss the
Sheila Cox testimony. As to Pltff's Motion for an Order Compelling Further
Deposition Testimony from Deft's Rule 30(b)(6) Witness Sheila Cox, Mr.
Hutchison advised the Commissioner there are two reasons for necessity of
more time: sanitized and redacted documents and a lack of preparation in
answering questions. Mr. Leatherwood stated he believes five days is enough
time for the deposition. Argument by counsel and colloquy between
Commissioner and counsel regarding time needed for deposition and
confidentiality of records. COMMISSIONER RECOMMENDED, as to Deft's motion
for order compelling answers to deposition questions, HE WILL ALLOW THE
DISCOVERY AND FURTHER RESPONSES GIVEN BY THE FRANCHISE TAX BOARD IN REGARD
TO DIGITAL NUTRONICS, JENG AND LEETRONICS and these three can be inquired
into, they will be allowed to continue to assert confidentiality on any of
the other related taxpayer accounts or investigations that may have been
mentioned collaterally; AS TO MOTION FOR ORDER COMPELLING FURTHER DEPOSITION
TESTIMONY, HE WILL ALLOW FOUR MORE DAYS AND WILL NOT PREVENT PLAINTIFFS FROM
RETURNING TO SEEK MORE BUT HE WANTS DEPOSITION TESTIMONY TIGHTENED UP AND
QUESTIONS COMPRESSED ON BEHALF OF PLAINTIFF. Mr. Bourke requested Mr.
Hyatt's income not be disclosed in any documents filed. COMMISSIONER
RECOMMENDED, file SEALED and all future documents to be filed under seal.

CIVIL COURT MINUTES

98-A-382999-C Hyatt, Gilbert P vs California State Franchise Tax
CONTINUED FROM PAGE: 004

02/22/99 ??:?? ?M 00 PLTF'S MOTION TO EXTEND TIME TO FILE
OPPOSITION TO FTB'S MTN FOR JUDG ON PLEA

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: JOSEPHINE BOHN, Court Clerk

PARTIES: NO PARTIES PRESENT

COURT ORDERED, motion GRANTED; DISCOVERY STAYED.

CLERK'S NOTE: Mr. Steffen, notified by this minute order, to prepare the
order and notify appropriate parties.

03/03/99 08:00 AM 00 PLTF'S MOTION TO RECONSIDER STAY OF
DISCOVERY

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: JOSEPHINE BOHN, Court Clerk
SHERRY ROBINSON, Reporter/Recorder

REQ. BY: Saitta Nancy M, Judge; Dept. 18

PARTIES: 001 P1 Hyatt, Gilbert P
004639 Hutchison, Mark A.

N
Y

002 D1 California State Franchise Tax Board
001638 Bradshaw, James W.

N
Y

Arguments by counsel. Mr. Hutchison moved for a protective order regarding all documents. Mr. Bradshaw stated that issue should be before the Discovery Commissioner and opposed the motion. Court stated that based on there being no opposition to the Discovery Commissioner's recommendation, Pltf's motion to reconsider is GRANTED within the LIMITED GUIDELINES SET FORTH IN THE RECOMMENDATION, i.e., 1) THAT WHICH HAS BEEN ALLOWED WILL BE CONTINUED and, 2) DEPOSITION TO BE SCHEDULED WITHIN A REASONABLE TIME AFTER DECISION ON THE MOTION FOR JUDGMENT ON THE PLEADINGS to avoid any undue burden. FURTHER, RULING IS RESERVED on the motion for protective order and cautioned counsel to that there is an obligation on both sides to preserve documents and to narrow their discovery requests. Colloquy regarding exchange of exhibits and continuance of depositions. Mr. Hutchison to prepare the order and submit to Mr. Bradshaw for review prior to submitting same to the Court.

CIVIL COURT MINUTES

98-A-382999-C Hyatt, Gilbert P vs California State Franchise Tax
CONTINUED FROM PAGE: 005

04/07/99 10:00 AM 02 DEFT FRANCHISE TAX BOARD OF THE STATE OF
CALIFORNIA'S MTN FOR JUDG ON THE PLEADIN

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: DENISE HUSTED, Relief Clerk
SHERRY ROBINSON, Reporter/Recorder

REQ. BY: Saitta Nancy M, Judge; Dept. 18

PARTIES:	001 P1	Hyatt, Gilbert P	Y
	004639	Hutchison, Mark A.	Y
	002 D1	California State Franchise Tax Board	Y
	001568	Wilson, II, Thomas R.	Y

Following arguments by counsel, COURT ORDERED, motion DENIED as to Tort Claims; Court GRANTED judgment as to Declaratory Relief Action for lack of subject matter jurisdiction.

04/20/99 09:00 AM 00 ALL PENDING MOTIONS FOR 4/20/99

HEARD BY: Thomas W Biggar, Discovery Commissioner; Dept. DC1

OFFICERS: MARY DAIGLE, Court Clerk
KAREN MELL, Reporter/Recorder

REQ. BY: 001 P1 Hyatt, Gilbert P

PARTIES:	001 P1	Hyatt, Gilbert P	N
	004109	Johnson, Valner L.	Y

Also present: Donald Kula, Esq., California counsel, representing Plaintiff; Matthew Addison, Esq., representing Defendant; Felix Leatherwood, Esq., California counsel, representing Defendant.

PLTF'S MOTION FOR AN ORDER COMPELLING PRODUCTION OF WITNESS ANNA JOVANOVIH
PLTF'S MOTION TO COMPEL RE MISSING, REDACTED/SANITIZED DOCUMENTS FROM FTB

Argument by counsel regarding redaction of documents and necessity for redaction. Mr. Leatherwood described the procedures of the Franchise Tax Board regarding audits and protests and the role of Anna Jovanovitch in the investigation. COMMISSIONER RECOMMENDED, MR. LEATHERWOOD SHALL SUPPLY THE LAST INFORMATION HE HAS ON THE WHEREABOUTS OF ANNA JOVANOVIH AND HER LAST KNOWN ADDRESS ON OR BEFORE APRIL 30, 1999; DEFENDANTS TO SUBMIT THEIR DOCUMENTS ON A PRIVILEGE LOG FOR IN CAMERA INSPECTION AND HE WILL MAKE A RECOMMENDATION, counsel to provide unredacted and redacted copy and highlight unredacted copy or indicate that page was not produced at all, documents TO BE PROVIDED ON OR BEFORE APRIL 30; CONTINUED TO MAY 5, 1999 AT

CIVIL COURT MINUTES

98-A-382999-C Hyatt, Gilbert P vs California State Franchise Tax
CONTINUED FROM PAGE: 006

10:00; Mr. Leatherwood to prepare the recommendation to be approved by defense counsel as to form and content.

05/05/99 10:00 AM 00 ALL PENDING MOTIONS FOR 5/5/99

HEARD BY: Thomas W Biggar, Discovery Commissioner; Dept. DC1

OFFICERS: MARY DAIGLE, Court Clerk
Karen Bentley, Reporter/Recorder

REQ. BY: 002 D1 California State Franchise Tax Board

PARTIES: 001 P1 Hyatt, Gilbert P
004639 Hutchison, Mark A.

N
Y

002 D1 California State Franchise Tax Board
004201 Addison, Matthew C.

N
Y

PLTF'S MOTION FOR AN ORDER COMPELLING PRODUCTION OF WITNESS ANNA JOVANOVIH
PLTF'S MOTION TO COMPEL RE MISSING, REDACTED/SANITIZED DOCUMENTS FROM FTB

ALSO PRESENT: Donald Kula, Esq., California counsel, representing Pltf.; Felix Leatherwood, Esq., California counsel, representing Deft. Argument by counsel regarding producing Anna Jovanovich for deposition and production of documents by Deft. Colloquy among Commissioner and counsel regarding status of the case. COMMISSIONER RECOMMENDED, DEFT. SHALL PRODUCE ANNA JOVANOVIH FOR DEPOSITION MAY 25 AND 26, if she is not produced the FTB will produce her last known address, social security number and last known phone number so that Plaintiff's counsel can find her; Plaintiff's counsel can raise the issue concerning the costs of briefing the motion after Jovanovich deposition; ON OR BEFORE MAY 21, 1999, DEFT. TO PRODUCE ANY OTHER DOCUMENTS IN THEIR FILE WHETHER THEY ARE DEEMED AUDIT FILE, AUDIT NOTES OR ANYTHING ELSE, THEY WILL BE IDENTIFIED AND PRODUCED OR NOTED IN AN APPROPRIATE VAUGHN INDEX as to their identification and why they are not going to be produced if there is in camera inspection required; Deft. will identify Ford's notes and he needs to have a motion as to any destruction of Carol Ford documents; he will ALLOW PLTF. TO DESIGNATE UP TO 30 PAGES AND THE PARTIES CAN ARRANGE TO HAVE AN EXPERT EXAMINATION WITH A REPRESENTATIVE OF FTB PRESENT; AS TO DOCUMENT PRODUCTION: ITEM 137 he will allow production of phone numbers; ITEM 139 no production pending further argument; ITEM 141 no production, protected; ITEM 152 whole page to be produced; ITEMS 168 to 183 no production of the internal computer codes; ITEMS 209 and 218 no production at this time, counsel can brief; ITEM 288 denied production now based on attorney-client privilege, to be briefed by counsel, attorney-client privilege can be briefed also; ITEMS 289 to 292 denied production now, to be briefed by counsel; ITEM 335 has been produced; ITEMS 341 and 347 to be produced; ITEM 401 is a duplicate document from Item 218 and is cumulative; ITEM 418 is irrelevant to the issues in this case and further production is denied; ITEMS 464 to 473 denied further production; ITEMS 490 to 498 denied

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CIVIL COURT MINUTES

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further production; ITEM 418 is irrelevant to the issues in this case and production is denied; ITEMS 464 to 473 these are computer code information and are denied further production; ITEMS 490 to 498 is information on an unrelated third party taxpayer and he will have them produce just the names; ITEM 664 are internal codes and are denied; ITEMS 908 TO 909 a memorandum, which was withheld and needs to be briefed, addressed to A. Jovanovich, Residency Central Office, Lead Technical Counsel, from Mark Shayer; ITEMS 524 AND 530 PRODUCE THE TELEPHONE NUMBER; ITEM 632 no production; ITEMS 634 to 645 and 646 to 656 to be produced except for the evaluative comments and the questions to counsel, the rest is factual information about the case which should be produced but not produced until he sees the points and authorities on these two memos; BRIEFING SCHEDULE SET AS FOLLOWS, opening brief by Mr. Kula due June 1; reply brief by Mr. Leatherwood due June 15; any response brief by Mr. Kula due June 25, 1999, and decision will be forthcoming the following week; Plaintiff's counsel to prepare the recommendation to be approved as to form and content by Defendant's counsel, counsel are to agree on recommendation and if they cannot he will look at recommendations from both sides with the differences; he will keep the in camera documents.

05/10/99 ??:?? ?M 00 PLTF'S MOTION FOR LEAVE TO FILE SURREPLY

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: DENISE HUSTED, Relief Clerk

PARTIES: NO PARTIES PRESENT

COURT ORDERED, matter OFF CALENDAR, as issue is moot.

06/14/99 ??:?? ?M 00 PLTF'S MOTION TO ASSOCIATE COUNSEL

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: DENISE HUSTED, Relief Clerk

PARTIES: NO PARTIES PRESENT

There being no opposition, COURT ORDERED, motion GRANTED.

CLERK'S NOTE: Mark A. Hutchison, Esq., of the law firm Hutchison & Steffen, notified by this minute order to prepare the order and notify appropriate parties.

CIVIL COURT MINUTES

98-A-382999-C Hyatt, Gilbert P vs California State Franchise Tax
CONTINUED FROM PAGE: 008

07/26/99 09:00 AM 00 ALL PENDING MOTIONS 7-26-99

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: DENISE HUSTED, Court Clerk
REBECCA FOSTER/rf, Relief Clerk
SHERRY ROBINSON, Reporter/Recorder

PARTIES:	001 P1	Hyatt, Gilbert P	N
	004639	Hutchison, Mark A.	Y
	002 D1	California State Franchise Tax Board	N
	001568	Wilson, II, Thomas R.	Y

Don Kula, out of state counsel present for pltf Hyatt. James Bradshaw and George Takenoeichi, members of California State Franchise Board present. Colloquy between Court and counsel regarding continuation of trial date, Discovery disputes and necessity of calendar call. COURT ORDERED, trial dates VACATED and RESET; counsel to have exhibits to court clerk no later than 10-24-00; calendar call date is not necessary.

10-16-00, 1:30 P.M., PRETRIAL CONFERENCE

11-7-00, 9:00 A.M., JURY TRIAL

08/11/99 09:30 AM 00 ALL PENDING MOTIONS FOR 8/11/99

HEARD BY: Thomas W Biggar, Discovery Commissioner; Dept. DC1

OFFICERS: MARY DAIGLE, Court Clerk
Christa Broka, Reporter/Recorder

REQ. BY: 001 P1 Hyatt, Gilbert P

PARTIES:	001 P1	Hyatt, Gilbert P	Y
	004639	Hutchison, Mark A.	Y
	002 D1	California State Franchise Tax Board	Y

PLTF'S MOTION TO STRIKE FTB APPENDIX TO DEFT'S MOTION. . .PLTF'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS

Felix Leatherwood, Esq., California counsel, present, representing Defendant; James Bradshaw, California State Franchise Tax Board, present. Commissioner stated he will only address the motion to compel production of documents today. COMMISSIONER RECOMMENDED, motion to strike FTB appendix to Deft's motion OFF CALENDAR, he has not been able to complete a review of all the documents submitted and subsequent to his completing the review counsel will have his recommendation. Colloquy among Commissioner and counsel

CIVIL COURT MINUTES

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vs California State Franchise Tax

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regarding status of the case. Argument by counsel. Commissioner stated he will go over Plaintiff's requests, beginning on page 7 of the motion, and will designate them as opposed to the numbering done in the motion; he will address them as requests. COMMISSIONER RECOMMENDED, request number 1 for the strategic plans, he will have the answers supplemented with others for 1991 through 1997, he will DENY FURTHER PRODUCTION ON NUMBERS 2 and 3, number 4 he will DENY any further production, number 7 the private disclosure manual he will DENY at this point in time, number 10 he will have the FTB designate a person in a formal designation, number 12 DENIED, number 17 this is taken care of with number 10 above the only thing they will have to do is designate the person in a formal response, number 25 UNDER ADVISEMENT, will give counsel the ruling with the other items that are under advisement in a supplemental ruling, second set of documents request numbers 5 and 7 performance reviews and applications for promotion he will have these produced, on page 21 of Plaintiff's motion, employees who worked on the Hyatt file, he is inclined to review these in camera and if there are comments by the employee as to what they did he thinks that is legitimate information but that would be the only thing that would come out of these, PRODUCE FOR IN CAMERA REVIEW for the people listed on page 21 of Plaintiff's motion and for Steve Illyia for 1995, 1996 and 1997, ON OR BEFORE SEPTEMBER 10, 1999, if there is any purge policy for former employees Mr. Leatherwood to respond in that way, numbers 1 and 13, the e-mail, he believes this is just under review, number 5 he will have the FTB produce that as it relates to Mr. Hutchinson and Mr. Hutchinson's entities in this case, to formally respond and indicate that it is any electronic data as well, numbers 3 and 4 GRANTED, regarding number 3 counsel are to reach an agreement on who the key people are, the key people are the ones he will be including, number 9 the flow chart they are entitled to a flow chart in regard to the tax board that was in place at the time of this audit for 1993 to 1997, numbers 11 and 12 the photos, provide the prints of the photos, as to the third and last set of requests: number 4 provide a formal response if there are no notes for Marsh and Mason and the Ford notes are under review, number 5 DENIED as irrelevant, number 10 the expense report GRANTED, number 13 the two attachments GRANTED, number 15 to be produced, number 17 the sheets to be produced, numbers 18 and 19 produce limited to residency audits and workshop, number 17 the time sheets to be submitted in camera with the Hyatt work highlighted, produce the training manuals she had at the workshop but no information regarding the audit techniques or how audit target candidates are targeted, Mr. Leatherwood to produce what he thinks is appropriate, at a minimum the information she was supplied with, providing an index or table of contents, if there is something Mr. Leatherwood is withholding he is to identify it, TO BE PRODUCED BY SEPTEMBER 17, 1999, number 20 GRANTED for 1994 to 1996; Mr. Hutchinson to prepare the recommendation to be approved as to form and content by defense counsel, he will get counsel the decision on the documents as soon as possible.

CIVIL COURT MINUTES

98-A-382999-C Hyatt, Gilbert P vs California State Franchise Tax
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09/08/99 09:30 AM 00 DEFT'S MOTION FOR PROTECTIVE ORDER
BARRING PLTF FROM DEPOSING GERALD GOLDBE

HEARD BY: Thomas W Biggar, Discovery Commissioner; Dept. DC1

OFFICERS: MARY DAIGLE, Court Clerk
MARGIE CARLSEN, Reporter/Recorder

REQ. BY: 001 P1 Hyatt, Gilbert P

PARTIES: 001 P1 Hyatt, Gilbert P
004639 Hutchison, Mark A.

Y
Y

Donald Kula, Esq., present, California counsel, representing Plaintiff;
Thomas Heller, Esq., present, California counsel, representing Defendant;
John Bradshaw, California State Franchise Tax Board, present.

Argument by Mr. Kula regarding the Goldberg deposition. Colloquy among
Commissioner and counsel regarding status of the case. COMMISSIONER
RECOMMENDED, motion for protective order GRANTED at this point in time, Mr.
Kula can raise the issue at a later time but the Commissioner will need more
specifics, it will have to be raised by a motion which indicates the
information being sought; California counsel to prepare the recommendation.

11/09/99 10:00 AM 00 DEFT'S MOTION TO COMPEL DISCOVERY
RESPONSES

HEARD BY: Thomas W Biggar, Discovery Commissioner; Dept. DC1

OFFICERS: MARY DAIGLE, Court Clerk

PARTIES: 001 P1 Hyatt, Gilbert P
004639 Hutchison, Mark A.

N
Y

002 D1 California State Franchise Tax Board
001568 Wilson, II, Thomas R.

N
Y

Thomas Bourke, Esq., and Donald Kula, Esq., present, California counsel,
representing Plaintiff; Felix Leatherwood, Esq., present, California
counsel, representing Defendant; Matthew Addison, Esq., present,
representing Defendant; John Bradshaw of the California State Franchise Tax
Board, present.

The Commissioner stated he will provide a confidentiality order after
reviewing suggestions by counsel on both sides that the parties will agree
to. Once that is agreed the motion to compel will be granted, conditioned
upon the signing of the protective order. The Plaintiffs must provide a
detailed and appropriate Vaughn index if they choose to withhold any of the
information that has been requested after the signing of the protective

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order. He wants that index completed and served on the other side no later than November 30; the only thing that would delay that is if there is a choice to appeal the recommendation today and then the date would simply be moved up until later. Colloquy among Commissioner and counsel regarding the Vaughn index. Commissioner stated substantial portions of the index he saw are not sufficient as a Vaughn index and he agrees the Franchise Tax Board did not provide an appropriate Vaughn index either. Mr. Kula argued 90 percent of their entries are attorney-client. COMMISSIONER RECOMMENDED, he will allow the Franchise Tax Board to inquire about the entries they are concerned about. Mr. Kula stated if the opposition is going to insist on detailed things, he will go along with it because of the inadequate index of the opposition. Argument by counsel regarding the protective order. The Commissioner referred to the Second Errata filed by Plaintiff. COMMISSIONER RECOMMENDED, he will have Mr. Kula prepare the order as follows: looking at page 1 the part stating "upon stipulation of the parties and" shall be redacted and the rest of the page is ok; on page 2 we will include the language down through line 11 and then we will add a paragraph designated as "E" to read "an abuse of the confidential designation shall result in sanctions to the offending party and lines 12 through 28 are eliminated; on page 3 lines 1 through 4 are eliminated; all of page 4 is in; on page 5 lines 1 through 6 are in and he is eliminating paragraph numbered 5 (lines 8 through 18), the balance of page 5 will remain in and page 6 will remain in; on page 7 lines 1 through 10 will remain in, on line 11 "such safeguards shall include" is in and "the sealing of the courtroom" is out and this will read "such safeguards shall include the the exclusion from. . ."; on page 7 line 25 the sentence beginning "Nothing in this Protective Order" through line 27; the last line of page 7 and all of page 8 will be in. Argument by Mr. Kula. The Commissioner told Mr. Kula he is not going to keep any information confidential in this case and anything Mr. Kula is relying on will have to be produced to the other side. Further, counsel will not be penalized for the use of any documents prior to this time. Further argument by counsel. COMMISSIONER RECOMMENDED, motion for protective order GRANTED conditioned on the protective order he just delineated; Mr. Kula to prepare the protective order to be signed by both sides. The Commissioner stated in regard to the documents submitted in camera, even after going over them, he still does not have some documents, such as the Carol Ford notes and documents numbered 18 through 122 as well as the Sigamitzu reply memo which is referred to in his deposition on page 27. Colloquy between the Commissioner and Mr. Kula regarding June 25, 1998, photos and memo which are numbered 5994 to 5996. Mr. Kula advised this is a memo from Sheila Cox to Mr. Masud directing him to take the photos. The Commissioner stated he needs to see these as he wants to verify a trail from Cox to Masud. COMMISSIONER RECOMMENDED, Defendant to provide items numbered 5994 through 5996 plus a copy of the memo, electronic or otherwise, regarding these same pictures for in camera review plus the most recently printed copies of Carol Ford's handwritten notes to her supervisors WITHIN TWO WEEKS. Further argument and colloquy regarding document production. The Commissioner told defense counsel anytime anything is submitted they need to provide information to Plaintiff's counsel as to what was submitted so defense counsel will need to check back and make sure Plaintiff's counsel got them.

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Further colloquy between the Commissioner and counsel regarding the role of Anna Jovanovich. The Commissioner stated that he is completely aghast as to why Jovanovich was not produced immediately and the Franchise Tax Board's assertion they could not get ahold of her is grounds for sanctions particularly with the continuing involvement she had after she left the office. She also was a consultant in this case and now attorney-client privilege is being claimed. The Commissioner told Mr. Leatherwood he made a representation that Jovanovich was not available and questioned how Mr. Leatherwood would get ahold of Jovanovich to act as a consultant. Colloquy. The Commissioner stated he thinks the heart of the case is the process which the Franchise Tax Board used in conducting this audit, including but not limited to, the activities in the state of Nevada. COMMISSIONER RECOMMENDED, he does not find any deliberative privilege in regard to any documents generated by Anna Jovanovitch prior to her generation of the documents designated 104058 through 104080 and 104081 through 104116, as to the two documents submitted to him in camera as of October 27. He will protect these documents at this point in time conditioned upon the fact that Anna Jovanovitch will not be testifying on behalf of the Franchise Tax Board as an expert; documents numbered 5938 through 5965 were news items obtained by Alexis on Mr. Hyatt and he saw no memo in regard to these items which were printed off the internet in 1998, he still needs the Jovanovitch memorandum he just spoke of and still needs produced in camera any supporting documents to these about how they were generated, these news items are specifically work product so he will not order any production of these. Colloquy and argument regarding document numbered 7381, a Gould memo dated May 28, 1997. Upon the Commissioner's inquiry, Mr. Leatherwood advised Jovanovitch left the Franchise Tax Board April 1, 1998 but he is not certain. COMMISSIONER RECOMMENDED, DOCUMENT NUMBERED 7381 SHALL BE PRODUCED and he also finds the testimony of Jovanovitch and her participation throughout this case would waive any other kind of information by her actions, her testimony and her participation throughout this case and that is why he finds the reason to producing number 7381; he will deny production of the evaluations of: S. Cox, C. Ford, Sheila Samana, Johnna Alverado and Mr. Sorriano as irrelevant in this case. He is making the distinction of allowing Plaintiff to get information as to the processing of the audit as compared with discovery into the whole workings of the Franchise Tax Board and only discovery into the actions of the people who handled the Hyatt audit and not all the other ramifications of what these actions may have been, he finds the performance evaluations and appraisals are not going to be relevant into discovery of this case and that is why he is recommending the denial of these documents, he will not let Plaintiff go into the the policies and processes of the Franchise Tax Board that would indicate the basis for raises and advancement within that agency; he will protect document numbered 126 beginning with the sentence about five from the bottom that ends with "tax reporter" the balance of that has nothing to do with Richard Gould and is confidential; in regard to number 139 that has to do with Jovanovitch and he will have that produced; as far as number 209, typed transcript of document number 126, the same portion will be produced in number 209 as it was in number 126; number 288 has already been produced and was used and there is no privilege; as to number 218 there is no legal

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advise or communication and there is no privilege; as to number 288 that has to be produced, numbers 908 through 909 produce, numbers 1634 through 1645 and 1646 through 1656 to be produced. Further argument by counsel.

COMMISSIONER FURTHER RECOMMENDED, he is reluctant to impose sanctions on political entities and the only thing he really had concern about was the Jovanovich deposition delay and the disclosure of her whereabouts, HE WILL NOT IMPOSE SANCTIONS OR FEES AT THIS POINT IN TIME but he cautions counsel in that he will not hesitate to impose sanctions; ON OR BEFORE NOVEMBER 30, 1999, the remaining in camera documents should be submitted, he will not have further argument and will just supplement the decision; ON OR BEFORE NOVEMBER 30, 1999, documents and in camera index shall be submitted; Plaintiff needs to get information to the Defendants now that we have the protective order in effect; discovery will be tending to broad on both sides; defense counsel to prepare the recommendation regarding the motion to compel and protective order and Mr. Hutchinson to prepare the rest of the recommendation.

02/02/00 09:00 AM 00 PLTF'S MOTION FOR AN ORDER COMPELLING
DEFT TO PRODUCE EMPLOYEE-WITNESSES FOR

HEARD BY: Thomas W Biggar, Discovery Commissioner; Dept. DC1

OFFICERS: MARY DAIGLE, Court Clerk
MONICE CAMPBELL, Reporter/Recorder

PARTIES: 001 P1 Hyatt, Gilbert P
004639 Hutchison, Mark A.

N
Y

Donald Kula, Esq., and Thomas Bourke, Esq., present, California counsel, representing pltf.; James Bradshaw, Esq., and Felix Leatherwood, Esq., present, California Deputy Attorneys General, representing deft. Colloquy among Commissioner and counsel regarding writ filed by defense with the Nevada Supreme Court. Upon the Commissioner's inquiry, Mr. Bradshaw advised no stay order has been done. Colloquy among Commissioner and counsel regarding location of depositions. Argument by counsel regarding location of depositions. Colloquy among the Commissioner and defense counsel regarding deft's reasons for and timing of the filing of their writ and their motion for summary judgment. Argument by counsel. COMMISSIONER RECOMMENDED, he will DENY ANY SANCTIONS at this point in time since deft. filed for relief with the writ in what he will accept at this point in a timely manner, right now deft. is under an obligation to produce the documents and in order to correct that procedurally deft. must file a motion for stay ON OR BEFORE FEBRUARY 11, 2000, otherwise he will begin imposing monetary sanctions on a daily basis, he will not take any further action on the discovery problems in this case pending the resolution of the writ, his hands and the hands of the District Court will be tied until the resolution of the writ. Further argument by counsel. COMMISSIONER RECOMMENDED, the issues of the writ are separate and apart from any of the witnesses that are under the control of deft. and the ruling is that deft. would have to bring

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the witnesses here if deft. insists on the necessity of a subpoena in California he will rule they bring the witnesses here because that, in his opinion, is a frivolous request, given that ruling, if counsel want to cooperate in having witnesses here or California they can do that, he will let counsel work that out or deft. can supplement writ to add that as well. Colloquy between Commissioner and Mr. Leatherwood regarding Nevada rules. Mr. Bradshaw moved for a supervised discovery plan. Commissioner told Mr. Bradshaw he will let Mr. Bradshaw do that and get back to him. Further argument regarding depositions and location. Commissioner told Mr. Leatherwood he is not making a ruling on any particular witness or on any witness and deft. can bring a motion. COMMISSIONER RECOMMENDED, he wants affidavits on any motions to be clear and wants meet and confer conferences NO LATER THAN ONE WEEK PRIOR TO MOTIONS and on that basis parties can bring any motions they want to bring; Mr. Hutchinson to prepare the recommendation to be approved as to form and content by defense counsel.

02/07/00 09:00 AM 00 PLTF'S MOTION TO EXTEND TIME TO FILE
OPPOSITION TO THE FTB'S MTN FOR SUMMARY

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: DENISE HUSTED, Court Clerk

PARTIES: NO PARTIES PRESENT

COURT ORDERED, matter OFF CALENDAR per stipulation by counsel to continue.

03/06/00 ??:?? ?M 00 DEFT'S MOTION TO STAY PENDING APPEAL

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: DENISE HUSTED, Court Clerk

PARTIES: NO PARTIES PRESENT

COURT ORDERED, matter to be continued to a future date at the request of parties, therefore OFF CALENDAR.

CLERK'S NOTE: A copy of this minute order placed in the attorney folders of:
Mark Hutchison, Esq., (HUTCHISON & STEFFEN) and
Thomas Wilson, Esq., (McDONALD CARANO WILSON McCUNE BERGIN FRANKOVICH
& HICKS LLP)

CLERK'S NOTE: Above minute order modified on 3/16/00 per law clerk:
Based upon Deft's counsel's representation that no hearing or
continuance had been agreed to, COURT ISSUES RULING; DEFT'S MOTION TO
STAY PENDING APPEAL is DENIED. Mark Hustchison, Esq., to prepare the
order.

CIVIL COURT MINUTES

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CLERK'S NOTE: A copy of this minute order placed in the attorney folders of:
 Mark Hutchison, Esq., (HUTCHISON & STEFFEN) and
 Thomas Wilson, Esq., (McDONALD CARANO WILSON McCUNE BERGIN FRANKOVICH
 & HICKS LLP)

03/27/00 ??:?? ?M 00 PLTF'S MOTION FOR LEAVE TO FILE SURREPLY

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: DENISE HUSTED, Court Clerk

PARTIES: NO PARTIES PRESENT

COURT ORDERED, motion DENIED.

CLERK'S NOTE: Thomas R. Wilson, Esq., of the law firm McDONALD, CARANO, WILSON, McCUNE, BERGIN, FRANKOVICH & HICKS, notified by this minute order to prepare the order and notify appropriate parties.

03/30/00 09:00 AM 00 DEFT'S MOTION FOR PROTECTIVE ORDER
 BARRING HYATT FROM DEPOSING

HEARD BY: Thomas W Biggar, Discovery Commissioner; Dept. DC1

OFFICERS: MARY DAIGLE, Court Clerk
 KARRE LEWIS, Reporter/Recorder

REQ. BY: 001 P1 Hyatt, Gilbert P

PARTIES: 001 P1 Hyatt, Gilbert P
 004639 Hutchison, Mark A.

N
 Y

Thomas Heller, Esq., California counsel, present, representing deft. Arguments by counsel regarding the limitation or barring of the taking of depositions of 14 witnesses. Commissioner stated he agrees with Mr. Hutchison that the case law is very strong as far as curtailing the right to take depositions. Colloquy regarding submission to Commissioner of Bourke affidavit. Further arguments by counsel. COMMISSIONER RECOMMENDED, he will DENY the motion for protective order in regard to setting time limits on depositions. Further colloquy among Commissioner and counsel regarding appropriate time needed for depositions. COMMISSIONER FURTHER RECOMMENDED, he will not put a limit on the depositions, if the depositions go over what has been suggested counsel can move for sanctions and if this happens in more than one or two cases then more drastic steps can be taken; DENIED on the condition defts. are allowed to come in post-deposition and seek sanctions for unwarranted time, the deft. will be provided with a full copy of the unredacted affidavit of Mr. Bourke which was submitted to me for in

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CIVIL COURT MINUTES

98-A-382999-C Hyatt, Gilbert P vs California State Franchise Tax
CONTINUED FROM PAGE: 016

camera review, this is all conditioned upon Mr. Hutchison's providing an unredacted copy of Mr. Bourke's affidavit.

04/11/00 09:30 AM 00 ALL PENDING MOTIONS FOR 4/11/00

HEARD BY: Thomas W Biggar, Discovery Commissioner; Dept. DC1

OFFICERS: MARY DAIGLE, Court Clerk
TESSA HEISHMAN, Reporter/Recorder

REQ. BY: 001 P1 Hyatt, Gilbert P

PARTIES: 001 P1 Hyatt, Gilbert P
004639 Hutchison, Mark A.

Y
Y

DEFT'S MOTION TO COMPEL INTERROGATORY RESPONSES/NRCP 16.1 WITNESS IDENTIFICATION. . .DEFT'S MOTION FOR PROTECTIVE ORDER BARRING HYATT'S SECOND WAVE OF PROPOSED FTB DEPOSITIONS

Thomas Bourke, Esq., and Donald Kula, Esq., present, California co-counsel, representing pltf.; James Bradshaw, Esq., present, representing deft.; Thomas Heller, Esq., California Attorney General, present.

Colloquy among Commissioner and counsel regarding status of the case. Argument by Mr. Kula regarding responses to written discovery. Commissioner told Mr. Kula he has to answer; defense is entitled to the answers. Further arguments by counsel. COMMISSIONER RECOMMENDED, deft's motion to compel further responses to written discovery is GRANTED IN PART; pltf. shall answer further with many more specifics interrogatories numbered 2-6, 8 and 11; pltf. shall answer number 9 in regard to trial witnesses, number 10 exactly what was told to pltf., number 12 in regard to Boone case and shall identify any statements in response to number 7; no further response is required to number 1 or 13-15; pltf. shall supplement his 16.1 witness list appropriately with all information required by the Rule; he will allow until ON OR BEFORE MAY 5, 2000, TO FULLY SUPPLEMENT IN RESPONSE TO THIS RECOMMENDATION, IF PLTF. DOES NOT FULLY SUPPLEMENT BY THAT TIME DEFENSE CAN COME IN AND WE WILL DISCUSS IT AND POSSIBLY IMPOSE FEES.

MATTER IN RECESS TO ALLOW FOR THE HEARING OF CASES A379269 AND A352719.

MATTER RECALLED. All parties present as before. Arguments by counsel regarding deft's motion for protective order regarding 30(b)(6) depositions and pltf's counter motion to compel. COMMISSIONER RECOMMENDED, IN REGARD TO NUMBER 1 he will ALLOW THE DEFT. 30 DAYS TO RESPOND TO THE INTERROGATORY AND THE CUSTODIAN OF RECORDS DEPOSITION WILL BE PRECLUDED, ANSWER FOR 1993 THROUGH 1997 TO NUMBERS 1, 2, 6, AND 11, number 11 can be limited to the designation as to who is responding, he thinks they are entitled to know where the source of information is coming from, he will have pltf. designate not only the person who answers the interrogatory but from where the

CIVIL COURT MINUTES

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vs California State Franchise Tax

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information was generated, the source of information and the witness or witnesses who contributed it, he will take out the tax potential and he does not want them to respond to hours; IN REGARD TO NUMBER 2 THE SURVEILLANCE ITEMS any surveillance of pltf. that was done prior to the filing of the complaint in this case should have been identified by the deft. by this point in time, any surveillance which is considered work product does not have to be produced at this point in time but he will give deft. UNTIL ON OR BEFORE MAY 12, 2000, to produce surveillance of whatever nature they intend to use in this case since the time of the filing of the complaint up to May 12, if this is not identified or produced it will be excluded, this is limited to pltf. and Ms. Chang. Mr. Bourke moved for a Vaughn Index of work product items. COMMISSIONER RECOMMENDED, motion for a Vaughn Index of the work product items DENIED at this point; regarding number 3 the divorce documents and divorce information and the monetary system regarding account activities, he will DENY DIVORCE DOCUMENTS, HE WILL HAVE PRODUCED THE 30(B) (6) WITNESS REGARDING SYSTEMS FOR ACCOUNT ACCESS ACTIVITIES AND DENY THE TARGETING, HE WILL GRANT THE 30(B) (6) WITNESS ON THE TRAINING FOR THESE PARTICULAR AUDITORS THAT ARE LISTED, the witness most knowledgeable and the auditors' training; as to number 4 DENIED, he will deny that 30(b) (6) deposition conditioned upon the fact that the FTB shall produce no testimony of any witness other than those employee witnesses already deposed who received some sort of promotion at or near the time of the Hyatt audit and who testified about the courses for promotions or lack of testimony, also the FTB is not going to produce any counter testimony, as long as FTB is not going to provide testimony in that regard then he will not let them go into the depositions but if they are going to let them then he will allow them to go into the depositions; number 5 DENIED, he will extend the time to MAY 12 ON THAT AS WELL; in regard to number 6 pltf. can submit interrogatories regarding facts about the residence or lack of residence in California or Nevada, the facts about tax evasion or fraud that have not already come out or been explained, he WILL NOT ALLOW ANY 30(B) (6) DEPOSITION. Further colloquy among Commissioner and counsel regarding status of the case. COMMISSIONER RECOMMENDED, recommendation to be prepared by defense counsel and approved as to form and content by pltf's counsel. Further colloquy regarding stay in case. Mr. Bradshaw advised the judge denied the stay and they will be going to the Supreme Court. COMMISSIONER RECOMMENDED, anything regarding the stay must be filed with the Supreme Court ON OR BEFORE APRIL 14, 2000.

CIVIL COURT MINUTES

98-A-382999-C Hyatt, Gilbert P vs California State Franchise Tax
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04/21/00 09:00 AM 01 DEFT'S MOTION FOR SUMMARY JUDGMENT UNDER
NRCP 56(b), OR FOR DISMISSAL UNDER NRCP12

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: BLANCA MADRIGAL/BM, Relief Clerk
CARI LEWIS, Reporter/Recorder

REQ. BY: 001 P1 Hyatt, Gilbert P

PARTIES:	001 P1	Hyatt, Gilbert P	Y
	001300	Steffen, Thomas L.	Y
	004639	Hutchison, Mark A.	Y
	004639	Hutchison, Mark A.	Y
	002 D1	California State Franchise Tax Board	N
	001568	Wilson, II, Thomas R.	Y

Don Kula Esq., present for Pltf; Thomas Heller Esq., and George Takenouchi Esq., present for Deft. Arguments by counsel regarding California and Nevada Laws applying to case & California Sovereign Immunity Laws. Upon Court's inquiry, Mr. Heller advised no evidence existed, therefore, no genuine issues of fact remained as to torts. Mr. Kula stated torts existed, California does not have privilege and sovereign immunity does not apply. COURT ORDERED, Motion DENIED in its ENTIRETY WITHOUT PREJUDICE. Further, Court advised counsel that future motions are to be filed in brief form. Mr. Hutchison stated they are awaiting notice from the Supreme Court, on a writ to issue, and had been unable to do discovery. COURT ORDERED, matter set for Status Conference. Both sides agreed upon a stay of 60 days on filing of motions. Court instructed counsel on order of proceedings as to Status Conference.

06/29/00 09:30 AM 00 DEFT'S MOTION TO COMPEL DEPOSITION
RESPONSES AND PRODUCTION OF DOCUMENTS

HEARD BY: Thomas W Biggar, Discovery Commissioner; Dept. DC1

OFFICERS: CONNIE KALSKI/CK, Court Clerk

PARTIES: NO PARTIES PRESENT

COMMISSIONER noted, matter OFF CALENDAR.

CIVIL COURT MINUTES

98-A-382999-C Hyatt, Gilbert P vs California State Franchise Tax
CONTINUED FROM PAGE: 019

07/10/01 09:00 AM 00 FRANCHISE TAX BOARD'S MTN FOR EXTENSION
OF TIME TO FILE MEMORANDUM OF COSTS

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: DENISE HUSTED, Court Clerk
KRISTINE CORNELIUS, Reporter/Recorder

REQ. BY: Hyatt Gilbert P, Plaintiff

PARTIES:	001 P1	Hyatt, Gilbert P	Y
	004639	Hutchison, Mark A.	Y
	000034	Skau, Creighton C.	Y
	002 D1	California State Franchise Tax Board	N
	004442	Clark, Bryan R.	Y

Mr. Clark requested an additional ten days to file a memorandum of costs to ensure no duplication of costs. Arguments in opposition by Mr. Hutchison. COURT ORDERED, motion GRANTED; five (5) days extension to be allowed. Colloquy regarding judgment. Court directed counsel to resubmit. Mr. Clark to prepare the order.

10/09/01 10:00 AM 02 PLTF'S MOTION TO RETAX COSTS/46

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: AMBER FARLEY, Court Clerk
Kristine Cornelius, Reporter/Recorder

PARTIES:	001 P1	Hyatt, Gilbert P	Y
	004639	Hutchison, Mark A.	Y
	000734	Bernhard, Peter C.	Y
	002 D1	California State Franchise Tax Board	N
	001568	Wilson, II, Thomas R.	Y

Also present: Don Kula, Esq., pro hac vice present on behalf of the Plaintiff, and James Guidici, Esq. present on behalf of the Defendant.

Court noted time is limited for this hearing and has some preliminary rulings. Other matters will require further support and/or argument. The following costs as listed in the memorandum of costs were addressed:

1. \$546.16 for appeal costs is awarded.
2. Regarding the Clerk's fee, only the filing fee is recoverable.
3. Regarding the reporter fees for the depositions: Court may approve one copy and appearance fees, however, there isn't sufficient breakdown of the \$85,688.34 requested. Court further noted that whatever amount is

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CIVIL COURT MINUTES

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vs California State Franchise Tax

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ultimately awarded, that amount will be reduced by any and all "expedited" fees.

4. Regarding the witness fees for trial hearings: Court requires further breakdown/argument.

5. Regarding expert fees of \$18,072.21: Court noted it may only award \$1,500 per witness, with a maximum of five experts. Court noted one witness was never disclosed. Further argument is needed.

6. Regarding \$3,690 in accounting fees: Court noted there was no notice of an accountant as an expert, however, noted Scadden was consulted on a patent issue. Further argument is needed.

7. With regard to long distance charges, COURT FINDS \$4,563.68 is reasonable and is awarded.

8. Facsimile copy fees are awarded.

9. With regard to photocopy fees: Court noted it normally awards less than the standard \$.25 per page, in the amount of \$.15 or \$.10 per page based on the going rate in the community for mass copying available at commercial copy centers. Court needs further information/argument.

10. FedEx charges will be stricken and are not awarded.

11. With regard to Lexis charges of \$14,043: Court FINDS \$10,000 is reasonable and awards that amount.

Court stated it needs further information and requested counsel address the following issues next date:

1. \$247,466 in costs for non-attorney salary expenses. Court stated it needs further clarification as this isn't a matter of first impression.

2. \$51,546 in costs for travel and lodging. Court requests clarification as to what costs relate to the actual depositions, and clarification with regard to cash distributions.

3. \$87,742 in costs for document management and the purchase of a computer. Court stated that perhaps some government employees' duties would necessarily include the compilation of some of these documents. Court stated perhaps the computer has value still and could be deducted from the overall costs. Further discussion is needed.

4. With regard to process service: insufficient support has been given and the matter needs to be addressed.

5. With regard to Reporter transcripts at trial: insufficient support has been given and the Court needs further information. Court is not certain fees from the Nevada bar are recoverable.

6. Court noted no bond has been posted; nothing awarded for same.

7. With regard to postage: Court needs further support, specifically why it was necessary to use overnight mail for certain correspondence.

Mr. Kula stated he doesn't believe the facsimile charges add up. Court stated it FINDS based on this case, those charges appear to be reasonable.

Matter CONTINUED.

CONTINUED TO: 11/09/01 08:30 AM 03

CIVIL COURT MINUTES

98-A-382999-C Hyatt, Gilbert P vs California State Franchise Tax
CONTINUED FROM PAGE: 021

01/17/02 09:00 AM 01 FTBS MTN TO VACATE PROTECTIVE ORDER/47
FILED UNDER SEAL

HEARD BY: Nancy M Saitta, Judge; Dept. 18

OFFICERS: Amber Farley, Relief Clerk
Kristine Cornelius, Reporter/Recorder

REQ. BY: 001 P1 Hyatt, Gilbert P

PARTIES:	001 P1	Hyatt, Gilbert P	Y
	004639	Hutchison, Mark A.	Y
	000734	Bernhard, Peter C.	Y
	002 D1	California State Franchise Tax Board	N
	001568	Wilson, II, Thomas R.	Y
	005779	Silvestri, Jeffrey A.	Y

Also present: Don Kulla, pro hac vice on behalf of Plaintiff, and Felix Leatherwood, pro hac vice on behalf of Defendant.

Mr. Wilson discussed the history of the case. Mr. Wilson argued that Defendant is merely conducting an investigation of the residency of the Plaintiff. Mr. Wilson argued that the protective order previously granted was stayed by the Nevada Supreme Court twice. Mr. Wilson argued that notwithstanding the doctrine of comity, the doctrine of sovereign immunity also applies in this instance, and suggested that the Court did not want to govern another state's audit process. Mr. Wilson suggested that the protective order goes too far, and it is being used to obstruct California's attempt to obtain the residency information it is seeking.

Court disclosed that Mike Kearns has been and is its accountant. All counsel stated no opposition to this Court proceeding with this matter.

Mr. Kulla argued that the protective order only applies to specifically designated documents, and that Commissioner Biggar was very clear that the protective order was very limited. Mr. Kulla argued the order in no way impedes California's proceedings. Mr. Kulla stated Mr. Hyatt has provided some of the documents requested, and argued that this Court should defer and let the other matter proceed in the ordinary course; requested that the status quo be maintained.

Mr. Bernhard argued that by virtue of the language contained in the protective order, the Supreme Court's order has no affect on it. Further arguments by Mr. Wilson and Mr. Kulla.

COURT FINDS that the Defendant can seek the information in another fashion and that the Nevada Supreme Court didn't intent to have the broad application presently being sought by the Defendant. Court stated it has no desire to supervise nor impede another State's processes. Court stated the

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CIVIL COURT MINUTES

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protection does not expire at the conclusion of this case and ORDERED,
Motion DENIED.

03/04/02

E X H I B I T S

6:49 PM

CASE NO. 98-A-382999-C

CASE STATUS: ACTIVE

Hyatt, Gilbert P

[] vs California State Franchise Tax Boa []

NO.	CODE	EXHIBIT DESCRIPTION	SUB	OF/OB	DATE	S
0001	D	/EXHIBITS TO OPPOSITION TO MOTION	002	/	02/17/99	V
0002	P	/EXH IN SUPPORT OF POST HEARING MEMORANDU	P	/	06/01/99	V
0003	P/	/EXHIBITS TO APPENDIX	001	/	06/02/99	V
0004	P-	/DOCUMENTS FILED UNDER SEAL	001	/	07/21/99	V
0005	D/	/EXH TO DEFT'S OPPOSITION TO PLTF'S MOTIO	002	/	07/26/99	V
0006	PP	/EXHIBITS FILED UNDER SEAL	001	/	10/28/99	V
0007	P/P	/EXH TO MOTION FOR AN ORDER	001	/	01/12/00	V
0008	DD	/EXH TO OPPOSITION TO PLTF'S MOTION	002	/	01/25/00	V
0009	D4	/ATTACHMENTS TO EVIDENCE IN SUPPORT	002	/	01/27/00	V
0010	P//	/OPP TO MOTION FILED UNDER SEAL	001	/	03/20/00	V
0011	P///	/OPP TO MOTION FILED UNDER SEAL	001	/	03/22/00	V
0012	P\	/HYATT'S OPP TO FTB'S MOTION FOR PROTECTI	001	/	03/27/00	V
0013	P\\	/AFFIDAVIT OF THOMAS K. BOURKE IN OPP TO	001	/	03/27/00	V
0014	P7	/DOCUMENTS FILED UNDER SEAL	001	/	04/05/00	V
0015	P*	/ERRATA TO PLTF'S OPP TO MOTION FOR SUMMA	001	/	04/05/00	V
0016	D1	/FRANCHISE TAX BOARDS COMPENDIUM	002	/	04/14/00	V
0017	D2	/EXH TO DEFT'S MOTION TO COMPEL	002	/	06/07/00	V
0018	D/.	/EXH TO APPENDIX IN SUPPORT OF MOTION	002	/	07/20/01	V
0019	D./	/EXH TO APPENDIX 3 IN SUPPORT OF MTN	002	/	07/20/01	V
0020	P.	/EXH TO APPENDIX OF EXHIBITS (SEALED)	001	/	99/99/99	V
0021	D/3	/EXH TO SUPPLEMENTAL POINTS/AUTHORITY	002	/	02/14/02	V

Certification of Copy

STATE OF NEVADA }
COUNTY OF CLARK } SS:

I, SHIRLEY B. PARRAGUIRRE, the duly elected, qualifying and acting Clerk of Clark County, in the State of Nevada, and Ex-Officio Clerk of the District Court, do hereby certify that the foregoing is a true, full and correct copy of the original:

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; ORDER DENYING FTB'S MOTION TO VACATE PROTECTIVE ORDER; NOTICE OF ENTRY OF ORDER DENYING FTB'S MOTION TO VACATE PROTECTIVE ORDER; DISTRICT COURT MINUTES; EXHIBIT LIST;

GILBERT P. HYATT,

Plaintiff(s),

vs.

FRANCHISE TAX BOARD OF THE STATE
OF CALIFORNIA,

Defendant(s).

D.C. CASE A382999
Department XVIII

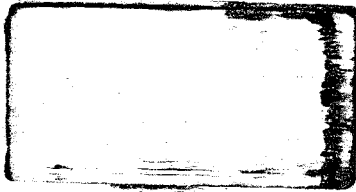
now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto set my hand and Affixed the seal of the Court at my office, Las Vegas, Nevada, this 4th day of March, 2002 .

SHIRLEY B. PARRAGUIRRE
CLARK COUNTY CLERK

Johnna Walker

Deputy Clerk



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**McDONALD CARANO WILSON McCUNE
BERGIN FRANKOVICH & HICKS LLP**
2300 W. SAHARA AVENUE, #1000
LAS VEGAS, NEVADA 89102
(702) 873-4100

NSB NEVADA STATE BANK
1 West Liberty Street
Reno, Nevada 89501
94-77/1224

09012

TWO HUNDRED AND 00/100 Dollars

PAY TO THE ORDER OF
Supreme Court Clerk

DATE
Mar 04, 2002

AMOUNT
\$** *** 200.00

Rozie Vollmann

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