

IN THE SUPREME COURT OF THE STATE OF NEVADA

FRANCHISE TAX BOARD OF THE
STATE OF CALIFORNIA,
Appellant,
vs.
GILBERT P. HYATT,
Respondent.

No. 39312

FILED

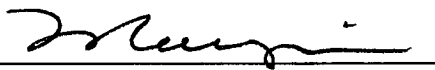
APR 10 2002

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY J. Richards
CHIEF DEPUTY CLERK

ORDER DENYING MOTION TO DISMISS

This is an appeal from a district court order denying appellant's motion to vacate a protective discovery order. Respondent has moved this court to dismiss the appeal. Because we have already dismissed the appeal for lack of jurisdiction, respondent's motion to dismiss is moot; we therefore deny the motion.

It is so ORDERED.

, C.J.
Maupin

cc: Hon. Nancy M. Saitta, District Judge
California Attorney General
McDonald Carano Wilson McCune Bergin Frankovich & Hicks
LLP/Las Vegas
McDonald Carano Wilson McCune Bergin Frankovich & Hicks
LLP/Reno
Bernhard & Bradley, Chtd.
Hutchison & Steffen
Clark County Clerk