

1 STATE OF NEVADA
2 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

3 SEIU LOCAL 1107, NEVADA)
4 SERVICE EMPLOYEES UNION,)
and EUGENE SHULTS,)
5 Complainants,)

ITEM NO. 364-A

6 vs.)

CASE NO. A1-045565

7 DEPARTMENT OF AVIATION, CLARK)
8 COUNTY, and CLARK COUNTY,)
Respondents.)

ORDER GRANTING RESPONDENTS'
MOTION TO DISMISS

9 For Complainants: William Sokol, Esq.
10 VAN BOURG, WEINBERG, ROGER & ROSENFELD

11 For Respondents: Mitchell M. Cohen, Esq.
12 CLARK COUNTY D.A.'S OFFICE

13 For EMRB: Christopher Voisin, Chairman
14 Tamara Barengo, Vice Chairman
15 David Goldwater, Member

16 Pursuant to the Board's deliberations at its meeting of
17 February 1, 1996, noticed pursuant to Nevada's Open Meeting
18 Law, regarding Respondents' Motion to Dismiss, or in the
19 Alternative, For Summary Judgement, and Complainants' Brief in
20 response thereto, the Board determined that the instant
21 Complaint was neither timely served [pursuant to NAC
22 288.080(5)] nor filed within six (6) months after the
23 occurrence which is the subject matter of the Complaint, as
24 required by NRS 288.110(4). The provisions of NAC 288.080(5)
25 and NRS 288.110(4) are mandatory. Complainants' failure to
26 comply therewith renders all other issues moot.

27 For the reasons set forth above, the Board

28 HEREBY ORDERS, ADJUDGES AND DECREES that Respondents'
Motion to Dismiss shall be and hereby is granted.

/ / /

1 Complainants and Respondents shall assume their own costs
2 and attorney's fees in this matter.

3 DATED this 12th day of February, 1996.

4 Local Government Employee-Management
5 Relations Board

6 By: Christopher W. Voisin
7 CHRISTOPHER VOISIN, Chairman

8 By: Tamara E. Barengo
9 TAMARA BARENGO, Vice Chairman

10 By: David Goldwater
11 DAVID GOLDWATER, Member

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