

1 STATE OF NEVADA
2 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
3 RELATIONS BOARD
4

5 EDUCATION SUPPORT EMPLOYEES
6 ASSOCIATION,)

7 Complainant,)

8 vs.)

9 CLARK COUNTY SCHOOL DISTRICT,
10 EDWARD GOLDMAN and BUSINESS
11 BENEFITS, INC.,)

12 Respondents.)

ITEM NO. 573

CASE NO. A1-045788

ORDER

12 For Complainant: Sandra G. Lawrence, Esq.
13 Dyer, Lawrence, Penrose, Flaherty & Donaldson

14 For Respondent: C.W. Hoffman, Esq.

15 On February 17, 2004, Complainant EDUCATION SUPPORT EMPLOYEES
16 ASSOCIATION (hereafter "Association") filed a Complaint and a Motion for an Interim Cease
17 and Desist Order or, in the Alternative, for an Expedited Hearing with the LOCAL
18 GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS BOARD (hereafter "Board").

19 On February 27, 2004, Respondents CLARK COUNTY SCHOOL DISTRICT and
20 EDWARD GOLDMAN (hereafter "District") filed a Motion to Dismiss and, in the Alternative,
21 Opposition to Complainant's Motion for an Interim Cease and Desist Order. The Association
22 filed an opposition and reply on March 15, 2004 and the District replied on March 24, 2004.

23 The Board deliberated on said motions on March 30, 2004, noticed in accordance with
24 Nevada's Open Meeting Laws. Based upon the deliberations,

25 IT IS HEREBY ORDERED that the Motion for an Interim Cease and Desist Order is
26 denied. However, an expedited hearing will be held herein.

27 IT IS HEREBY ORDERED that Complainant brief the issue of whether this Board has
28 jurisdiction over Business Benefits, Inc. and whether it should or should not be dismissed from

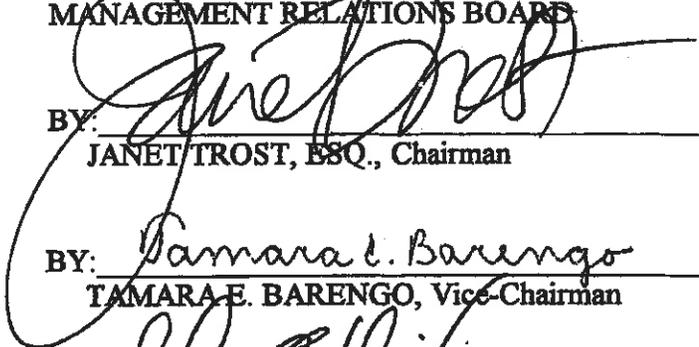
1 this action within twenty (20) days from the date of this order and any opposition from
2 Respondent due ten (10) days thereafter.

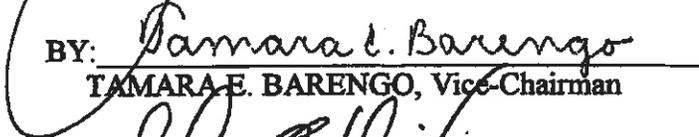
3 IT IS FURTHER ORDERED that the District shall file their answer within twenty (20)
4 days from the date of this order and both parties shall file their pre-hearing statements as outlined
5 in NAC 288.250 within days twenty (20) days thereafter.

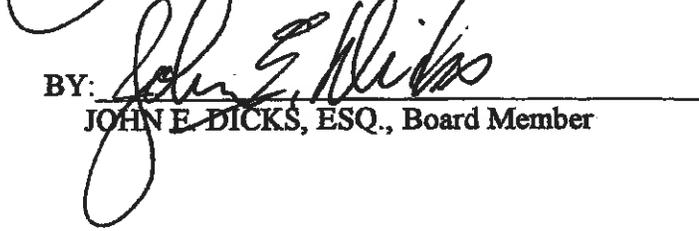
6 IT IS FURTHER ORDERED that the Motion to Dismiss is denied.

7 DATED this 31st day of March, 2004.

8 LOCAL GOVERNMENT EMPLOYEE-
9 MANAGEMENT RELATIONS BOARD

10 BY: 
11 JANET TROST, ESQ., Chairman

12 BY: 
13 TAMARA E. BARENGO, Vice-Chairman

14 BY: 
15 JOHN E. DICKS, ESQ., Board Member
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