

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

5 ERIC SPANNBAUER,

6 Complainant,

7 vs.

8 CITY OF NORTH LAS VEGAS; NORTH
9 LAS VEGAS POLICE DEPARTMENT, and
10 NORTH LAS VEGAS POLICE OFFICERS
11 ASSOCIATION,

Respondents.

) ITEM NO. 636

) CASE NO. A1-045885

) **ORDER**

12 For Complainant: John J. Tofano, Esq.

13 For Respondents: Carie A. Torrence, Esq.
North Las Vegas City Attorney's Office

14 Michael A. Urban, Esq.
15 Douglas V. Ritchie, Esq.
16 Laquer, Urban, Clifford & Hodge LLP

17 On June 1, 2006, Complainant ERIC SPANNBAUER ("Spannbauer") filed a complaint
18 with the LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS BOARD
19 ("Board").

20 On June 27, 2006, Respondent NORTH LAS VEGAS POLICE OFFICERS
21 ASSOCIATION ("Association") filed an answer to the complaint. On June 29, 2006,
22 Respondents CITY OF NORTH LAS VEGAS; NORTH LAS VEGAS POLICE
23 DEPARTMENT ("City") filed a Motion to Dismiss. Spannbauer filed a Verification on July 10,
24 2006 and on July 19, 2006, Spannbauer opposed the motion.

25 Spannbauer filed a Motion to Stay Filing of Prehearing Statement Pending Resolution of
26 Respondent City of North Las Vegas Police Department's Motion to Dismiss on July 26, 2006.

27 On July 27, 2006, the Association filed a Joinder in the Motion to Dismiss Complaint.
28 Spannbauer filed a Motion to Strike the Association's Joinder on August 2, 2006. The

1 Association opposed Spannbauer's motion on August 9, 2006. On August 10, 2006, the City
2 filed its reply to the Motion to Dismiss.

3 The Board held deliberations on said motions on September 7, 2006, noticed in
4 accordance with Nevada's Open Meeting Law. Based upon the Board's deliberations,

5 IT IS HEREBY ORDERED that the City's Motion to Dismiss is DENIED. The Board
6 notes that it relies upon the case of *Copeland v. Desert Inn Hotel*, 99 Nev. 823, 673 P. 2d. 490
7 (1984) for jurisdiction relating to the statute of limitations in this matter.

8 IT IS HEREBY ORDERED that the Association's Joinder in the City's Motion to
9 Dismiss and Spannbauer's Motion to Strike are DENIED.

10 IT IS FURTHER ORDERED that based on the Board's Orders, the Motion to Stay is
11 deemed to be moot.

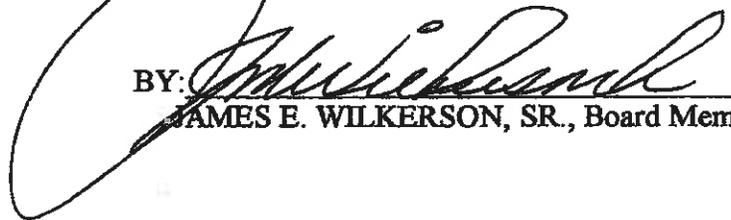
12 IT IS FURTHER ORDERED that the City shall file its answer to the complaint within
13 twenty (20) days from the date of this order and all parties shall thereafter file their pre-hearing
14 statements in accordance with NAC 288.250.

15 DATED this 18th day of September, 2006.

16 LOCAL GOVERNMENT EMPLOYEE-
17 MANAGEMENT RELATIONS BOARD

18 BY: 
19 JOHN E. DICKS, ESQ., Chairman

20 BY: 
21 JANET TROST, ESQ., Vice-Chairman

22 BY: 
23 JAMES E. WILKERSON, SR., Board Member
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