

1 STATE OF NEVADA
2 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
3 RELATIONS BOARD
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5 RONALD G. TAYLOR,
6 Complainant,

7 vs.

8 CLARK COUNTY EDUCATION
9 ASSOCIATION (CCEA) and MARY ELLA
10 HOLLOWAY,
Respondents.

ITEM NO. 658

CASE NO. A1-045906

ORDER

11 For Complainant: Ronald G. Taylor

12 For Respondents: Francis C. Flaherty, Esq.
13 Dyer, Lawrence, Penrose, Flaherty & Donaldson

14 This matter came on for discussion and deliberations by the Local Government
15 Employee-Management Relations Board ("Board") on the 30th day of May, 2007, noticed
16 pursuant to NRS and NAC chapters 288, NRS chapter 233B, and Nevada's open meeting laws.
17 The Board finds, concludes, and orders as follows:

18 On March 2, 2007, a document entitled "Duty of Fair Representation" was filed by
19 Ronald G. Taylor ("Taylor") with the Board. On March 28, 2007, the Clark County Education
20 Association and Mary Ella Holloway (collectively, the "Association") filed an Answer and
21 Counterclaim. On April 20, 2007, Taylor filed a Motion to Dismiss Counterclaim; and the
22 Association filed a Motion to Strike on May 3, 2007. Taylor opposed the Motion to Strike on
23 May 11, 2007; and the Association filed their reply points and authorities on May 29, 2007. The
24 Motion to Strike was based on Taylor's signing the certificate of mailing on his Motion to
25 Dismiss on April 18, 2007, indicating that the document was mailed on that date; however, the
26 document was file-stamped on April 20, 2007, and the envelope is postmarked April 21 2007.

27 Based upon the documents filed to date, and good cause appearing therefor, IT IS
28 HEREBY ORDERED that the Motion to Strike the Motion to Dismiss is denied as no prejudice

1 has resulted from the erroneous information contained within the certificate of mailing and the
2 pro se complainant has now had a lesson on the procedures of filing and serving documents
3 pursuant to NRS and NAC chapters 288.

4 IT IS FURTHER ORDERED that the Association shall file an opposition to the Motion
5 to Dismiss Counterclaim within ten (10) days of service of the order.

6 DATED this 31st day of May, 2007.

7 LOCAL GOVERNMENT EMPLOYEE-
8 MANAGEMENT RELATIONS BOARD

9 BY: *John E. Dicks*
10 JOHN E. DICKS, ESQ., Chairman

11 BY: *Janet Trost*
12 JANET TROST, ESQ., Vice-Chairman

13 BY: *James E. Wilkerson*
14 JAMES E. WILKERSON, SR., Board Member
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