

1 STATE OF NEVADA  
2 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT  
3 RELATIONS BOARD  
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5 DOUGLAS R. SMAELLIE,  
6 Complainant,

7 vs.

8 CITY OF MESQUITE/MESQUITE POLICE  
9 DEPARTMENT,  
10 Respondent.

) ITEM NO. 671

) CASE NO. A1-045917

) **ORDER**

11 For Complainant: Douglas R. Smaellie, In Proper Person

12 For Respondent: Jeffrey I. Pitegoff, Esq.

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14 On the 12th day of February, 2008, this "Motion to Dismiss, or in the Alternative, for a  
15 More Definite Statement" filed by the City of Mesquite and the Mesquite Police Department  
16 (collective, "Mesquite") came on before the State of Nevada, Local Government Employee-  
17 Management Relations Board ("Board") for consideration and decision, pursuant to the  
18 provisions of NRS and NAC chapters 288, NRS chapter 233B, and Nevada's open meeting laws.

19 The complaint in this matter was originally filed with the Board on October 27, 2007, by  
20 Douglas R. Smaelie ("Smaellie").

21 IT IS HEREBY ORDERED that the Motion to Dismiss is granted without prejudice as a  
22 prohibited practice was not identified.

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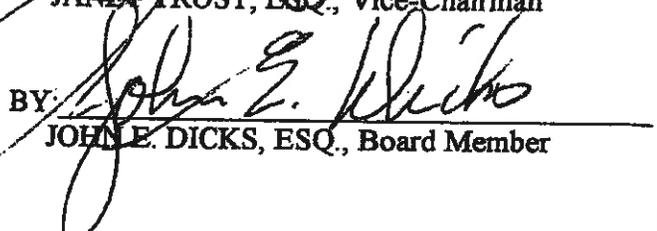
1 IT IS FURTHER ORDERED that each party shall bear their own attorney's fees and  
2 costs.

3 DATED this 12<sup>th</sup> day of February, 2008.

4 LOCAL GOVERNMENT EMPLOYEE-  
5 MANAGEMENT RELATIONS BOARD

6 BY:   
7 JAMES E. WILKERSON, SR., Chairman

8 BY:   
9 JANET TROST, ESQ., Vice-Chairman

10 BY:   
11 JOHN E. DICKS, ESQ., Board Member  
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