

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

5 KEITH SANDIN,

6 Complainant,

7 vs.

8 CITY OF BOULDER CITY; BOULDER
9 CITY POLICE DEPARTMENT and
BOULDER CITY POLICE PROTECTIVE
ASSOCIATION,

10 Respondents.
11

) ITEM NO. 672

) CASE NO. A1-045914

ORDER

12 For Complainant: Christopher Cannon, Esq.

13 For Respondents: Mark J. Ricciardi, Esq. and Shaun P. Haley, Esq.
14 Shook and Stone, Chtd.

15 On September 24, 2007, Keith Sandin ("Sandin") filed a complaint with the Local
16 Government Employee-Management Relations Board ("Board"). According to the proof of
17 service filed by Sandin, the complaint was served on all Respondents. On January 2, 2008,
18 Boulder City and its Police Department ("Boulder City") filed an answer. To date, the Boulder
19 City Police Protective Association has not filed an answer.

20 This matter was duly noticed for discussion and deliberation pursuant to NRS chapter
21 288, NAC chapter 288, NRS chapter 233B, and Nevada's Open Meeting Laws. Pursuant to NAC
22 288.220(1), a respondent "may" answer a complaint. The word "may" is permissive, not
23 mandatory. Should a respondent fail to file an answer, "the dilatory party is precluded, except
24 with the consent of the opposing party or the Board, from asserting any affirmative defense in
25 the proceeding." NAC 288.220(3). Furthermore, pre-hearing statements are due from the parties
26 within twenty (20) days "after service of the answer" NAC 288.250.

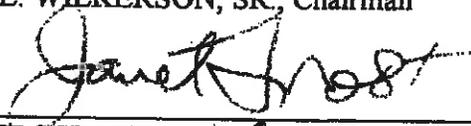
27 IT IS HEREBY ORDERED that Complainant and all Respondents shall file their
3 respective pre-hearing statements within twenty (20) days from the date of service of this order.

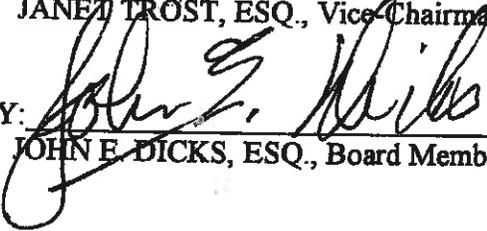
1 If the pre-hearing statements are not timely filed pursuant to this Order, this case will be placed
2 on the agenda for dismissal.

3 DATED this 2nd day of April, 2008.

4 LOCAL GOVERNMENT EMPLOYEE-
5 MANAGEMENT RELATIONS BOARD

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

9 BY: 
10 JANET TROST, ESQ., Vice Chairman

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