

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

5 NICOLE D. WILSON,

6 Complainant,

7 vs.

8 NORTH LAS VEGAS POLICE  
9 DEPARTMENT and THE NORTH LAS  
10 VEGAS POLICE OFFICERS  
11 ASSOCIATION,

12 Respondent.

ITEM NO. 677

CASE NO. A1-045925

**ORDER**

11 For Complainant: M. Lani Esteban-Trinidad, Esq.  
12 Esteban-Trinidad Law, P.C.

13 For Respondents: Carie A. Torrence, Esq.  
14 City of North Las Vegas

15 Jeffrey F. Allen, Esq.  
16 Olson, Cannon, Gormley & Desruisseaux

17 On the 2nd day of April, 2008, this matter came on before the State of Nevada, Local  
18 Government Employee-Management Relations Board ("Board"), for consideration and decision  
19 pursuant to the provisions of NRS and NAC chapters 288, NRS chapter 233B, and Nevada's  
20 open meeting laws.

21 A complaint was filed in this matter on January 24, 2008 by Complainant Nicole Wilson  
22 ("Wilson"), in proper person. On February 19, 2008, the North Las Vegas Police Department  
23 ("Department") filed its answer. On that same date, the North Las Vegas Police Officers  
24 Association ("Association") filed an answer and a motion to dismiss based upon an alleged  
25 failure by Wilson to state a proper cause of action. The Association claims that it did not have  
26 authority to represent Wilson at a non-confirmation hearing and that the Department can non-  
27 confirm a probationary officer. On February 28, 2008, Wilson filed her opposition to the motion  
to dismiss and further alleged that the answers filed by both the Department and the Association

///

1 were untimely. On March 11, 2008, reply points and authorities in support of dismissal were  
2 filed by the Association.

3 Having considered the arguments of counsel in this matter, IT IS HEREBY ORDERED  
4 that Respondent Association's motion to dismiss for failure to state a claim upon which relief  
5 may be granted, is construed as one for a More definite statement and is, in fact, granted as such.

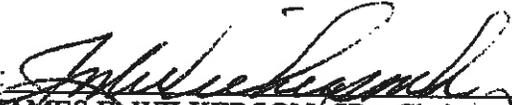
6 Thus, within twenty (20) days of the entry of the instant order, Complainant is HEREBY  
7 ORDERED to file and serve an Amended Complaint upon all parties in this matter which clearly  
8 sets forth those provisions of NRS Chapter 288 that Complainant believes have been violated.

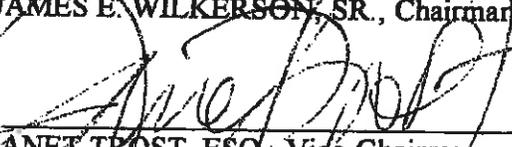
9 Amended Answers thereafter may be filed by Respondents and pre-hearing statements  
10 filed thereafter.

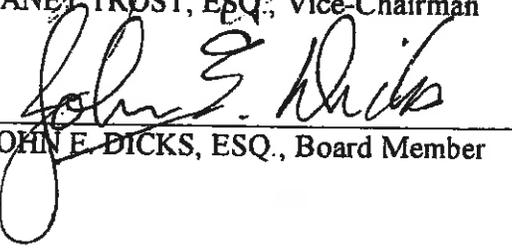
11 Pursuant to NAC 288.220(3), the Board may allow a dilatory party to file an answer  
12 beyond the prescribed date and present affirmative defenses. IT IS THEREFORE ORDERED  
13 that the Board SHALL deem both answers timely filed as no prejudice has been shown.

14 DATED this 3rd day of April, 2008.

15 LOCAL GOVERNMENT EMPLOYEE-  
16 MANAGEMENT RELATIONS BOARD

17 BY:   
18 JAMES E. WILKERSON, SR., Chairman

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

21 BY:   
22 JOHN E. DICKS, ESQ., Board Member  
23  
24  
25  
26  
27  
28