

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

5 TIMOTHY FRABBIELE,
6 Complainant,
7 vs.

8 CITY OF NORTH LAS VEGAS; NORTH
9 LAS VEGAS POLICE DEPARTMENT AND
ASSOCIATION,
10 Respondent.

) ITEM NO. 680C
) CASE NO. A1-045929
) **ORDER**

11 For Complainant: Adam Levine, Esq.
12 Law Offices of Daniel Marks

13 For Respondents: Malani L. Kotchka, Esq.
14 Lionel Sawyer & Collins
15 John Dean Harper, Esq.

16 This matter having come on for hearing before the State of Nevada Local Government
17 Employee-Management Relations Board ("Board") on February 9, 2009, noticed pursuant to
18 NRS and NAC chapters 288, NRS chapter 233B, as well as Nevada's Open Meeting Laws, finds,
19 concludes, and orders as follows:

20 On or about July 28, 2008, the City of North Las Vegas Police Department
21 ("Department") filed a motion to stay these proceedings; and on July 31, 2008, claimant Timothy
22 Frabbiele ("Frabbiele") filed a motion to stay these proceedings. To date, the North Las Vegas
23 Police Officers Association ("Association") filed its prehearing statement as did Frabbiele. On
24 December 8, 2008, the City of North Las Vegas filed a motion to stay, and Frabbiele has
25 opposed the same. The City of North Las Vegas and the Department have not filed their
26 prehearing statements. On December 10, 2008, the Department filed a "Motion to Stay
27 Proceedings Pending Nevada Supreme Court Appeal." It should be noted that the 8th Judicial

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1 District Court decision was rendered in the court action filed by the City of North Las Vegas, and
2 this Court decision has been appealed to the Nevada Supreme Court.

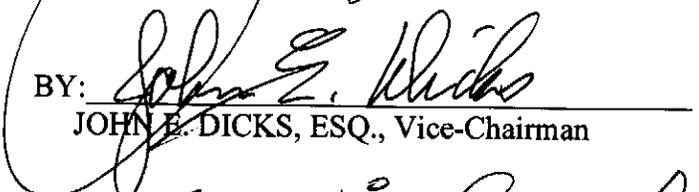
3 BASED UPON the documents and pleadings filed to date; and good cause appearing
4 therefore, IT IS HEREBY ORDERED that the requests for a stay of these proceedings is
5 DENIED and this matter should be scheduled for hearing.

6 IT IS FURTHER ORDERED that the City of North Las Vegas and the Department shall
7 file their respective prehearing statements within twenty (20) days from the service of this order.
8 Failure to do so may result in sanctions being imposed by this Board.

9 DATED this 9th day of February, 2009.

10 LOCAL GOVERNMENT EMPLOYEE-
11 MANAGEMENT RELATIONS BOARD

12 BY: 
13 JANET TROST, ESQ., Chairman

14 BY: 
15 JOHN E. DICKS, ESQ., Vice-Chairman

16 BY: 
17 JAMES E. WILKERSON, SR., Board Member
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