

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

5 LAURIE BISCH,

6 Complainant,

7 vs.

8 THE LAS VEGAS METROPOLITAN  
9 POLICE DEPARTMENT, a local government  
10 employer, and LAS VEGAS POLICE  
11 PROTECTIVE ASSOCIATION,

12 Respondents.

ITEM NO. 705

CASE NO. A1-045955

**ORDER**

13 For Complainant: Laurie Bisch and her attorney Adam Levine, Esq.

14 For Respondents: The Las Vegas Metropolitan Police Department, a local government  
15 employer, and Las Vegas Police Protective Association and their attorneys  
16 Nick D. Crosby, Esq. of Marquis & Aurbach and Kathryn Collins, Esq.

17 On the 25th day of August, 2009, 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 Las Vegas Metro Police Department ("LVMPD") filed its Motion to Dismiss Complaint  
22 on July 1, 2009. Las Vegas Police Protective Association ("LVPPA") filed its Motion to  
23 Dismiss on July 1, 2009. Opposition to the Motions were filed on July 15, 2009. Replies were  
24 filed on July 24, 2009.

25 After due consideration and deliberations on the Motions and other documents filed, it is  
26 HEREBY ORDERED that the Motions to Dismiss filed by Respondents LVMDP and LVPPA  
27 are DENIED. Respondents have argued that although Petitioner's Complaint was timely filed, it  
28 was served two days late after the expiration of the 5-day period set forth in NAC 288.080(5) and  
should therefore be dismissed. Petitioner has argued that NAC 288.080 does not compel a  
mandatory dismissal of a Complaint served outside of the 5-day period. The Board agrees with

1 the Petitioner in this regard. The Board further finds that there was no showing of prejudice to  
2 the Respondents, which might otherwise warrant dismissal. Further, the Board finds that the  
3 Complaint is sufficient to state a claim upon which relief can be granted.

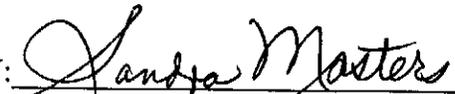
4 IT IS FURTHER ORDERED, Respondents may file an Answer within twenty (20) days  
5 of the date of this Order. Each party is ordered to file a Pre-Hearing Statement within forty (40)  
6 days of the date of this Order.

7 DATED this 28th day of October, 2009.

8 LOCAL GOVERNMENT EMPLOYEE-  
9 MANAGEMENT RELATIONS BOARD

10 BY:   
11 SEATON J. CURRAN, ESQ., Chairman

12 BY:   
13 JAMES E. WILKERSON, SR., Vice-Chairman

14 BY:   
15 SANDRA MASTERS, Board Member  
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**NOTICE OF ENTRY OF ORDER**

13 TO: Laurie Bisch and her attorney Adam Levine, Esq.

14 TO: The Las Vegas Metropolitan Police Department, a local government employer, and Las  
15 Vegas Police Protective Association and their attorneys Nick D. Crosby, Esq. of marquis  
16 & Aurbach and Kathryn Collins, Esq.

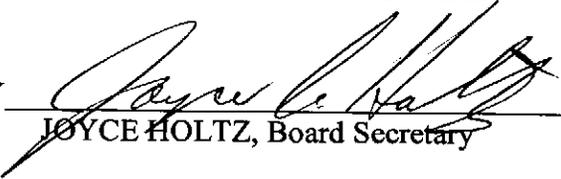
17 PLEASE TAKE NOTICE that an ORDER was entered in the above-entitled matter on  
18 October 28, 2009.

19 A copy of said order is attached hereto.

20 DATED this 28th day of October, 2009.

21 LOCAL GOVERNMENT EMPLOYEE-  
22 MANAGEMENT RELATIONS BOARD

23 BY

24   
25 JOYCE HOLTZ, Board Secretary  
26  
27  
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