



- 1 2. Respondent City of Mesquite has previously been dismissed from this matter.  
2 3. If any of the foregoing findings is more appropriately construed a conclusion of law, it  
3 may be so construed.

4 **CONCLUSIONS OF LAW**

- 5 1. NAC 288.375(1) states that the Board may dismiss a matter if the complaint has been  
6 settled and notice of settlement has been received by the Board.  
7 2. The Stipulation for Dismissal of a Party complies with the provisions of NAC  
8 288.375(1), and the Board accepts the same.  
9 3. The Motion for Summary Judgment filed by Mesquite Police Officers Association on  
10 December 30, 2010 is rendered moot by the Stipulation for Dismissal.  
11 4. If any of the foregoing conclusions is more appropriately construed a finding of fact, it  
12 may be so construed.

13 **ORDER**

14 IT IS HEREBY ORDERED that this action is dismissed with prejudice, each party to  
15 bear its own fees and costs.

16 DATED this 17th day of February, 2011.

17 LOCAL GOVERNMENT EMPLOYEE-  
18 MANAGEMENT RELATIONS BOARD

19 BY: *Sandra Masters*  
20 SANDRA MASTERS, Vice-Chairman

21 BY: *Philip E. Larson*  
22 PHILIP E. LARSON, Board Member  
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1 STATE OF NEVADA  
2 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT  
3 RELATIONS BOARD  
4

5 TRACY FAILS,

6 Complainant,

7 vs.

8 CITY OF MESQUITE AND MESQUITE  
9 POLICE OFFICERS ASSOCIATION,

10 Respondents.

) CASE NO. A1-045983

) **NOTICE OF ENTRY OF ORDER**

11 TO: Tracy Fails & his attorney David R. Ford, Esq,

12 TO: City of Mesquite & their attorney Rebecca Bruch, Esq.

13 TO: Mesquite Police Officers Association & their attorney Andrew F. Dixon, Esq.

14  
15 PLEASE TAKE NOTICE that an ORDER was entered in the above-entitled matter on  
16 February 17, 2011.

17 A copy of said order is attached hereto.

18 DATED this 18th day of February. 2011.

19 LOCAL GOVERNMENT EMPLOYEE-  
20 MANAGEMENT RELATIONS BOARD

21 BY

22   
23 JOYCE HOLTZ, Executive Assistant

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1 **CERTIFICATE OF MAILING**

2 I hereby certify that I am an employee of the Local Government Employee-Management  
3 Relations Board, and that on the 18th day of February, 2011, I served a copy of the foregoing  
4 ORDER by mailing a copy thereof, postage prepaid to:

5 David R. Ford, Esq.  
330 E. Warm Springs Road  
6 Las Vegas, NV 89119

7 Rebecca Bruch, Esq.  
Erickson, Thorpe, & Swainston, LTD  
8 99 West Arroyo St.  
Reno, NV 89521

9 Andrew F. Dixon, Esq.  
10 BOWLER DIXON & TWITCHELL LLP  
400 North Stephanie St. #235  
11 Henderson, NV 89014

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14 JOYCE HOLTZ, Executive Assistant

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