

1 STATE OF NEVADA  
2 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT  
3 RELATIONS BOARD  
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5 LYON COUNTY EDUCATION  
6 ASSOCIATION, )

7 Complainant, )

8 vs. )

9 LYON COUNTY SCHOOL DISTRICT;  
10 NATALE LOMMORI and MELINDA  
11 JOHNSON, )

12 Respondents. )

ITEM NO. 593

CASE NO. A1-045813

**ORDER**

12 For Complainant: Sandra G. Lawrence, Esq.  
13 Dyer, Lawrence, Penrose, Flaherty & Donaldson

14 For Respondent: Rick R. Hsu, Esq.  
15 Walther, Key, Maupin, Oats, Cox & LeGoy

16 On August 12, 2004, Complainant LYON COUNTY EDUCATION ASSOCIATION  
17 (hereafter "Association") filed a Complainant with the LOCAL GOVERNMENT EMPLOYEE-  
18 MANAGEMENT RELATIONS BOARD (hereafter "Board").

19 On September 7, 2004, Respondent LYON COUNTY SCHOOL DISTRICT; NATALE  
20 LOMMORI and MELINDA JOHNSON (hereafter "District") filed a Motion to Dismiss. The  
21 Association filed an opposition on September 23, 2004 and the District filed their reply on  
22 October 1, 2004.

23 The Board held deliberations on said motion on November 3 and 4, 2004 and January 5,  
24 2005, noticed in accordance with Nevada's Open Meeting Law. Based upon the Board's  
25 deliberations,

26 IT IS HEREBY ORDERED that Respondent's Motion to Dismiss the Complaint and its  
27 included request for costs and fees are DENIED.

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1 IT IS FURTHER ORDERED that because application of the limited deferral doctrine  
2 adopted by this Board in L.A.E.F. #731 v. City of Reno, EMRB Item No. 257, Case No. A1-  
3 045466 (February 15, 1991), is warranted here, this matter shall be and hereby is deferred for  
4 exhaustion of the parties' contractual grievance arbitration remedies.

5 IT IS FURTHER ORDERED that the parties are to provide a written status report to the  
6 Board within six (6) months from the date of this order. The parties shall also provide a written  
7 report to the Board within thirty (30) days of the completion of the grievance arbitration process,  
8 filing either an amended complaint or a stipulation to dismiss.

9 DATED this 23<sup>rd</sup> day of February 2005.

10 LOCAL GOVERNMENT EMPLOYEE-  
11 MANAGEMENT RELATIONS BOARD

12 BY: 

13 JANET TROST, ESQ., Chairman

14 BY: 

15 JOHN E. DICKS, ESQ., Board Member  
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