

1 STATE OF NEVADA  
2 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT  
3 RELATIONS BOARD  
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5 ELKO COUNTY CLASSROOM TEACHERS  
6 ASSOCIATION,

7 Complainant,

8 vs.

9 ELKO COUNTY SCHOOL DISTRICT and  
10 ELKO COUNTY BOARD OF SCHOOL  
11 TRUSTEES,

12 Respondents.

ITEM NO. 603

CASE NO. A0-045815

ORDER

13 For Complainant: Thomas J. Donaldson, Esq.  
Dyer, Lawrence, Penrose, Flaherty & Donaldson

14 For Respondents: Charles P. Cockerill, Esq.  
Bischof & Cockerill

15 On August 30, 2004, Complainant ELKO COUNTY CLASSROOM TEACHERS  
16 ASSOCIATION ("Association") filed a Verified Complaint with the LOCAL GOVERNMENT  
17 EMPLOYEE-MANAGEMENT RELATIONS BOARD ("Board").

18 On September 15, 2004, Respondents ELKO COUNTY SCHOOL DISTRICT and  
19 ELKO COUNTY BOARD OF SCHOOL TRUSTEES ("District") filed a Motion to Dismiss  
20 Verified Complaint or For Deferral of Proceedings. On October 12, 2004, a Stipulation was filed  
21 by the parties agreeing to extend the time period for the District to file a responsive pleading  
22 until after receipt of the arbitrator's award in Grievance #0304-3.

23 On February 10, 2005, the District filed a Second Motion to Dismiss Verified Complaint.  
24 The Association filed their opposition on February 25, 2005 and on March 8, 2005, the District  
25 filed their response.

26 The Board held deliberations on said motion on March 30, 2005, noticed in accordance  
27 with Nevada's Open Meeting Law. Based upon the Board's deliberations,

28 IT IS HEREBY ORDERED that the motion is denied.

1 IT IS FURTHER ORDERED that the District shall file its answer to the complaint within  
2 twenty (20) days from the date of this order.

3 DATED this 30<sup>th</sup> day of March, 2005.

4 LOCAL GOVERNMENT EMPLOYEE-  
5 MANAGEMENT RELATIONS BOARD

6 BY: Janet Trost  
7 JANE TROST, ESQ., Chairman

8 BY: Tamara E. Barengo  
9 TAMARA E. BARENGO, Vice-Chairman

10 BY: John E. Dicks  
11 JOHN E. DICKS, ESQ., Board Member  
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