

1 STATE OF NEVADA  
2 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT  
3 RELATIONS BOARD  
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5 BRADLEY WALKER, M.D.,

6 Complainant,

7 vs.

8 UNIVERSITY MEDICAL CENTER OF  
9 SOUTHERN NEVADA,

10 Respondent.

ITEM NO. 625

CASE NO. A1-045877

**ORDER**

11 For Complainant: Esther C. Rodriguez, Esq.

12 For Respondent: Jeffrey I. Pitegoff, Esq.

13 On January 24, 2006, Complainant BRADLEY WALKER, M.D. ("Walker") filed a  
14 Complaint with the LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS  
15 BOARD ("Board").

16 On March 20, 2006, Respondent UNIVERSITY MEDICAL CENTER OF SOUTHERN  
17 NEVADA ("UMC") filed its Answer and a Motion to Dismiss Claims. On April 3, 2006,  
18 Walker filed his opposition and UMC filed their reply on April 17, 2006.

19 On April 12, 2006, Walker filed his Pre-Hearing Statement and UMC filed its Pre-  
20 Hearing Statement on April 21, 2006.

21 The Board held deliberations on UMC's Motion to Dismiss at their scheduled meeting on  
22 May 2, 2006, which was noticed in accordance with Nevada's Open Meeting Law. Based upon  
23 the Board's deliberations,

24 IT IS HEREBY ORDERED that the Motion to Dismiss is granted in part and denied in  
25 part as follows:

26 The Board GRANTS UMC's Motion to Dismiss as to Walker's claims for punitive  
27 damages, Intentional Infliction of Emotional Distress, his claims arising under the Federal  
28 Family and Medical Leave Act, claims relating to alleged violations of Title VII of the Civil

1 Rights Act, and claims relating to alleged retaliation against Walker for union activities and  
2 for prior testimony given by Walker relating to an alleged Equal Employment Opportun-  
3 Commission charge, as these claims do not properly fall within the Board's jurisdiction.

4 The Board DENIES UMC's Motion to Dismiss as to any claims made by Walker whi  
5 relate to alleged refusals to bargain in violation of the provisions of NRS Chapter 288.

6 IT IS FURTHER ORDERED that the parties shall file amended pre-hearing statements  
7 within twenty (20) days from the date of this order.

8 DATED this 19<sup>th</sup> day of June, 2006.

9 LOCAL GOVERNMENT EMPLOYEE-  
10 MANAGEMENT RELATIONS BOARD

11 BY:   
12 JOHN E. DICKS, ESQ., Chairman

13 BY:   
14 JANET TROST, ESQ., Vice-Chairman

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