

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

5 MESQUITE POLICE OFFICERS
6 ASSOCIATION,

7 Complainant,

8 vs.

9 CITY OF MESQUITE,

10 Respondent.

ITEM NO. 655

CASE NO. A1-045901

ORDER

11 For Complainant: David R. Ford, Esq.

12 For Respondent: Jeffrey I. Pitegoff, Esq.

13 This matter came on for discussion and deliberations by the Local Government
14 Employee-Management Relations Board ("Board") on the 30th day of May, 2007, noticed
15 pursuant to NRS and NAC chapters 288, NRS chapter 233B, and Nevada's open meeting laws.
16 The Board finds, concludes, and orders as follows:

17 A complaint was filed by the Mesquite Police Officers Association ("Association") with
18 the Board on February 1, 2007. On March 13, 2007, the City of Mesquite filed its Answer which
19 included a "Counterstatement" of the case. It also requested a dismissal of this matter as well as a
20 request for deferral. On March 16, 2007, the Association filed its Motion to Dismiss the
21 Counterstatement, or in the alternative, asserted a response thereto. On March 26, 2007, the City
22 of Mesquite filed its "Opposition to the Motion to Strike Counterstatement of the Case and
23 Motion to Strike Response to Counterstatement." On March 30, 2007, the Association filed its
24 "Opposition to Countermotion to Strike Complainant's Response to Counterstatement."

25 Based upon a review of the documents filed to date, and good cause appearing therefor,

26 IT IS HEREBY ORDERED that the motion for deferral and/or dismissal found in the
27 answer is hereby denied. An arbitration will not resolve issues pertaining to alleged violations of
28 NRS chapter 288, as such is within the jurisdiction of this Board.

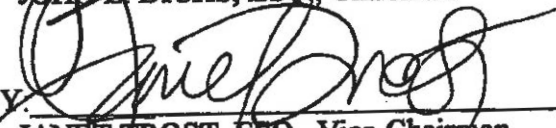
1 IT IS FURTHER ORDERED that the Motion to Strike Counterstatement is denied as the
2 Board will not engage in the censorship of various pleadings and documents, such as the
3 complaint, answer, and "counterstatements" filed in this matter.

4 IT IS FURTHER ORDERED that the Motion to Strike Response to Counterstatement is
5 denied based on its decision not to engage in censorship of pleadings and documents.

6 DATED this 31th day of May, 2007.

7 LOCAL GOVERNMENT EMPLOYEE-
8 MANAGEMENT RELATIONS BOARD

9
10 BY: 
11 JOHN E. DICKS, ESQ., Chairman

12
13 BY: 
14 JANET TROST, ESQ., Vice-Chairman

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