

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

5 INTERNATIONAL ASSOCIATION OF )  
6 FIRE FIGHTERS, LOCAL 1908, )

7 Complainant, )

8 vs. )

9 COUNTY OF CLARK, STATE OF )  
10 NEVADA; CLARK COUNTY FIRE )  
11 DEPARTMENT, )

12 Respondents. )

ITEM NO. 663D

CASE NO. A1-045910

**ORDER**

13 For Complainant: W. David Holsberry, Esq.  
14 McCracken, Stemerman & Holsberry

15 For Respondents: Shaun Haley, Esq.  
16 Fisher and Phillips, LLP

17 This matter having come on for hearing before the State of Nevada Local Government  
18 Employee-Management Relations Board ("Board") on April 3, 2009, noticed pursuant to NRS  
19 and NAC chapters 288, NRS chapter 233B, as well as Nevada's Open Meeting Laws, finds and  
20 orders as follows:

21 The Board notes that the "Verified Appeal" in this matter was filed on June 6, 2007, by  
22 the International Association of Fire Fighters, Local 1908 ("Association"); and thereafter, an  
23 Answer was filed by Clark County, State of Nevada, and the Clark County Fire Department  
24 (collectively, "Clark County"). This matter then proceeded to hearing on October 1 and 2, 2008.  
25 The Board's "Order" with findings, conclusions, and a decision was entered on February 10,  
26 2009. On February 20, 2009, the Association filed a "Request for Reconsideration/Rehearing on  
27 the Issue of Attorney's Fees" as the prevailing party and pursuant to NRS 288.110(6). An  
28 opposition was not filed.

BASED UPON the documents and pleadings filed to date, and good cause appearing  
therefore, IT IS HEREBY ORDERED that the Motion is Denied. This denial is based upon the

1 facts that the employer in this matter indicated at the onset of this matter that it would comply  
2 with whatever decision is rendered by the Board, thus, the acts of the employer in this matter has  
3 not risen to the level of being frivolous, justifying an award of fees and costs.

4 DATED this 3rd day of April, 2009.

5 LOCAL GOVERNMENT EMPLOYEE-  
6 MANAGEMENT RELATIONS BOARD

7 BY: 

8 JANET TROST, ESQ., Chairman

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10 BY: 

11 JOHN E. DICKS, ESQ., Vice-Chairman

12 BY: 

13 JAMES E. WILKERSON, SR., Board Member  
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