

STATE OF NEVADA
LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

KEITH SANDIN,

Complainant,

vs.

CITY OF BOULDER CITY; BOULDER
CITY POLICE DEPARTMENT and
BOULDER CITY POLICE PROTECTIVE
ASSOCIATION,

Respondents.

ITEM NO. 672

CASE NO. A1-045914

ORDER

For Complainant: Christopher Cannon, Esq.

For Respondents: Mark J. Ricciardi, Esq. and Shaun P. Haley, Esq.
Shook and Stone, Chtd.

On September 24, 2007, Keith Sandin ("Sandin") filed a complaint with the Local Government Employee-Management Relations Board ("Board"). According to the proof of service filed by Sandin, the complaint was served on all Respondents. On January 2, 2008, Boulder City and its Police Department ("Boulder City") filed an answer. To date, the Boulder City Police Protective Association has not filed an answer.


This matter was duly noticed for discussion and deliberation pursuant to NRS chapter 288, NAC chapter 288, NRS chapter 233B, and Nevada's Open Meeting Laws. Pursuant to NAC 288.220(1), a respondent "may" answer a complaint. The word "may" is permissive, not mandatory. Should a respondent fail to file an answer, "the dilatory party is precluded, except with the consent of the opposing party or the Board, from asserting any affirmative defense in the proceeding." NAC 288.220(3). Furthermore, pre-hearing statements are due from the parties within twenty (20) days "after service of the answer" NAC 288.250.


IT IS HEREBY ORDERED that Complainant and all Respondents shall file their respective pre-hearing statements within twenty (20) days from the date of service of this order

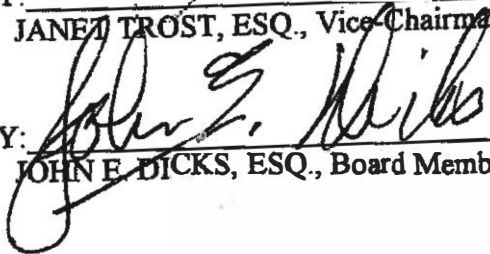
1 If the pre-hearing statements are not timely filed pursuant to this Order, this case will be place^d
2 on the agenda for dismissal.

3 DATED this 2nd day of April, 2008.

4 LOCAL GOVERNMENT EMPLOYEE-
5 MANAGEMENT RELATIONS BOARD

6 BY: 
7 JAMES E. WILKERSON, SR., Chairman

8 BY: 
9 JANET TROST, ESQ., Vice Chairman

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