

STATE OF NEVADA
LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD

NICOLE D. WILSON,

Complainant,

vs.

NORTH LAS VEGAS POLICE
DEPARTMENT,

Respondent.

ITEM NO. 677B

CASE NO. A1-045925

ORDER

For Complainant: M. Lani Esteban-Trinidad, Esq.
Esteban-Trinidad Law, P.C.

For Respondents: Carie A. Torrence, Esq.
City of North Las Vegas

On the 29th day of July, 2008, this matter came on before the State of Nevada, Local Government Employee-Management Relations Board ("Board"), for consideration and decision pursuant to the provisions of NRS and NAC chapters 288, NRS chapter 233B, and Nevada's open meeting laws.


A complaint was filed in this matter on January 24, 2008 by Complainant Nicole Wilson ("Wilson"), in proper person. On February 19, 2008, the North Las Vegas Police Department ("Police Department") filed its answer. On that same date, the North Las Vegas Police Officers Association ("Association") filed an answer and a motion to dismiss based upon an alleged failure by Wilson to state a proper cause of action. The Board treated the motion as one requesting a more definite statement; and, on May 6, 2008, Wilson filed an amended complaint. The amended complaint was served on the City of North Las Vegas and its Police Department. Although the Police Department filed an answer to the original complaint, it did not answer the amended complaint. The Association was dismissed from this case on June 25, 2008.

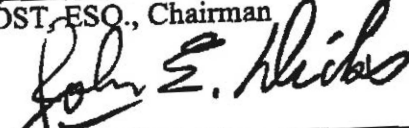
1 On June 9, 2008, the Police Department filed a motion to dismiss, which Wilson
2 opposed. Reply points and authorities were then filed by the Police Department on July 2, 2008.

3 Based upon the arguments raised, IT IS HEREBY ORDERED that the Motion to Dismiss
4 is DENIED at this time as sufficient allegations have been made by Wilson to warrant the
5 continuation of this matter at this time. Wilson was a governmental employee at the time of the
6 events alleged and, thus, NRS and NAC chapters 288 would be applicable to Ms. Wilson. The
7 Police Department was ordered to file its pre-hearing statement, which it has failed to do. Rather
8 it has filed a Motion to Stay these proceedings pending the outcome of a District Court case.
9 The Board reserves the right to reconsider dismissal upon receipt of the Police Department's pre-
10 hearing statement and directs the Police Department to file its pre-hearing statement.

11 DATED this 30th day of July, 2008.

12 LOCAL GOVERNMENT EMPLOYEE-
13 MANAGEMENT RELATIONS BOARD

14 BY: 
15 JANET TROST, ESQ., Chairman

16 BY: 
17 JOHN E. DICKS, ESQ., Vice-Chairman

18 BY: 
19 JAMES E. WILKERSON, SR., Board Member
20
21
22
23
24
25
26
27
28