

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

5 TIMOTHY FRABBIELE,)
6 Complainant,) ITEM NO. 680E
7 vs.) CASE NO. A1-045929
8 CITY OF NORTH LAS VEGAS; NORTH)
9 LAS VEGAS POLICE DEPARTMENT AND) **ORDER**
10 NORTH LAS VEGAS POLICE OFFICERS)
11 ASSOCIATION,)
12 Respondent.)

11 For Complainant: Adam Levine, Esq.
12 Law Offices of Daniel Marks

13 For Respondents: Malani L. Kotchka, Esq.
14 Lionel Sawyer & Collins
15 John Dean Harper, Esq.

16 On the 19th day of January, 2010, this matter came on before the State of Nevada, Local
17 Government Employee-Management Relations Board ("Board"), for consideration and decision
18 pursuant to the provisions of the NRS and NAC chapters 288, NRS chapter 233B, and was
19 properly noticed pursuant to Nevada's open meeting laws.

20 Complainant filed a motion on December 11, 2009 to correct the record. Complainant
21 requests that an error on page 720 of the transcript be corrected. Specifically, Complainant
22 requests that the word "legally" as transcribed on line 9, be changed to read "illegally."

23 The relevant portion of the transcript currently reads:

24 ///

25 ///

26 ///

27 ///

28 ///

1 Q: Based on what you now know, looking back, was that vehicle actually legally
2 parked?

3
4 A: Yes it was.

5
6 (Transcript p. 720:8-9)

7
8 Therefore, Complainant asserts, the question asked on page 720, line 8-9 should now read:

9
10 Q: Based on what you know now, looking back, was that vehicle actually illegally
11 parked?

12
13 A: Yes it was.

14
15 Complainant submitted affidavits from the witness Leah Adams and the Court Reporter in
16 support of his Motion.

17 Respondent filed an opposition to the motion to correct the record and included in the
18 opposition a Motion to Strike portions of Complainant's post-hearing brief, largely addressing
19 the merits of the specified portion of Complainant's post-hearing brief.

20 Based upon the foregoing, and good cause appearing therefore:

21 IT IS HEREBY ORDERED that the Complainant's motion to correct the record is
22 Granted.

23 IT IS FURTHER ORDERED that the Motion to Strike portions of Complainant's post-
24 hearing statement is Denied. The Board will not consider any additional arguments on the merits

25 ///

26 ///


27 ///

28 ///

1 made after the submission of the post hearing briefs, as ordered by the board at the close of the
2 hearing. (Transcript pp. 1185-1189).

3 DATED this 29th day of January, 2010.

4 LOCAL GOVERNMENT EMPLOYEE-
5 MANAGEMENT RELATIONS BOARD

6 BY: 
7 SEATON J. CURRAN, ESQ., Chairman

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

5 TIMOTHY FRABBIELE,
6 Complainant,
7 vs.

8 CITY OF NORTH LAS VEGAS; NORTH
9 LAS VEGAS POLICE DEPARTMENT AND
10 NORTH LAS VEGAS POLICE OFFICERS
11 ASSOCIATION,

Respondent.

CASE NO. A1-045929

NOTICE OF ENTRY OF ORDER

12 To: Adam Levine, Esq.
13 To: Malani L. Kotchka, Esq.
14 Lionel Sawyer & Collins
15 John Dean Harper, Esq.

16 PLEASE TAKE NOTICE that an ORDER was entered in the above-entitled matter on
17 January 29, 2010.

18 A copy of said order is attached hereto.

19 DATED this 29th day of January, 2010.

20 LOCAL GOVERNMENT EMPLOYEE-
21 MANAGEMENT RELATIONS BOARD

22 BY 
23 JOYCE HOLTZ, Board Secretary
24
25
26
27
28

CERTIFICATE OF MAILING

I hereby certify that I am an employee of the Local Government Employee-Management Relations Board, and that on the 29th day of January, 2010, I served a copy of the foregoing ORDER by mailing a copy thereof, postage prepaid to:

Adam Levine, Esq.
Law Offices of Daniel Marks
530 S. Las Vegas Blvd., #300
Las Vegas, NV 89101

Malani L. Kotchka, Esq.
Lionel Sawyer & Collins
1700 Bank of America Plaza
300 South Fourth Street
Las Vegas, NV 89101

John Dean Harper, Esq.
9330 W. Lake Mead Blvd. Suite 200
Las Vegas, NV 89134


JOYCE HOLTZ, Board Secretary

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28