

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

5 BRIAN HEITZINGER,

6 Complainant,

7 vs.

8 LAS VEGAS-CLARK COUNTY LIBRARY
9 DISTRICT; TEAMSTERS LOCAL 14; and
10 AMANDA LIVELY,

11 Respondents.

) ITEM NO. 728B

) CASE NO. A1-045977

) **ORDER**

11 For Complainant: Amberlea Davis, Esq. from Law Offices of Amberlea Davis

12 For Respondent
13 Las Vegas-Clark County Library Dist.: Scott M. Abbott, Esq. from Kamer Zuker Abbott

14 For Respondent
15 Teamsters Local 14: David T. Spurlock, Esq.

16 On the 12th day of January, 2011, 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 NRS and NAC chapters 288, NRS chapter 233B, and was properly
19 noticed pursuant to Nevada's open meeting laws.

20 On October 22, 2010, Complainant Brian Heitzinger filed a Renewed Motion to Compel
21 Union Admissions. The motion asks that the Board deem all allegations against the union as true.
22 Heitzinger's request is based upon NAC 288.220(2) which mandates a specific denial to each
23 allegation made in the complaint. Respondent Teamsters Local 14 made only a general denial of
24 allegations in the answer it submitted. Teamsters Local 14 did not submit an opposition to the
25 motion.

26 NAC 288.235(2) states that the Board may disregard any defects in pleadings which do
27 not affect substantial rights of the parties. In this case, the Board finds that the general denial

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1 made by Teamsters Local 14, as opposed to specific denials, does not affect the substantial rights
2 of the parties, and the Board will overlook the defect in the pleadings.

3 Accordingly, Complainant's motion to compel union admissions is Denied.

4 DATED this 9th day of February, 2011.

5 LOCAL GOVERNMENT EMPLOYEE-
6 MANAGEMENT RELATIONS BOARD

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

9 BY: 
10 SANDRA MASTERS, Vice-Chairman

11 BY: 
12 PHILIP E. LARSON, Board Member
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Respondents.

CASE NO. A1-045977

NOTICE OF ENTRY OF ORDER

11 TO: Amberlea Davis, Esq. from Law Offices of Amberlea Davis

12 TO: Scott M. Abbott, Esq. from Kamer Zuker Abbott

13 TO: David T. Spurlock, Esq

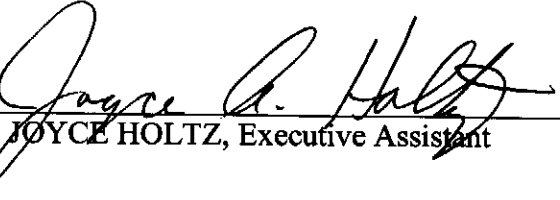
14 PLEASE TAKE NOTICE that an ORDER was entered in the above-entitled matter on
15 February 9, 2011.

16 A copy of said order is attached hereto.

17 DATED this 9th day of February. 2011.

18 LOCAL GOVERNMENT EMPLOYEE-
19 MANAGEMENT RELATIONS BOARD

20
21 BY


JOYCE HOLTZ, Executive Assistant

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CERTIFICATE OF MAILING

I hereby certify that I am an employee of the Local Government Employee-Management Relations Board, and that on the 9th day of February, 2011, I served a copy of the foregoing ORDER by mailing a copy thereof, postage prepaid to:

Amberlea Davis, Esq.
Law Office of Amberlea Davis
415 South 6th Street #300
Las Vegas, NV 89101

Scott M. Abbott, Esq.
3000 W. Charleston Blvd., Ste. 3
Las Vegas, NV 89102

Larry Griffith
Teamster's Union Local #14
1250 Burnham Ave. Floor 2
Las Vegas, NV 89104

David T. Spurlock, Esq.
PMB 296
7121 West Craig Rd. #113
Las Vegas, NV 89129


JOYCE HOLTZ, Executive Assistant