

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

5 TAL HAREL,

6 Complainant,

7 vs.

8 CLARK COUNTY, NEVADA; ex. Rel.,  
9 Department of Real Property Management;  
10 DOES I thru V, inclusive; ROE  
11 CORPORATIONS, I thru V, Inclusive,

Respondents,

ITEM NO. 772A

CASE NO. A1-046037

**ORDER**

12 For Complainant: Andrew L. Rempfer, Esq.

13 For Respondent: Yolanda T. Givens, Esq.

14 On the 13th day of December, 2011, this matter came on before the State of Nevada,  
15 Local Government Employee-Management Relations Board ("Board"), for consideration and  
16 decision pursuant to the provisions of the NRS and NAC chapters 288, NRS chapter 233B, and  
17 was properly noticed pursuant to Nevada's open meeting laws.

18 Complainant Tal Harel has filed a Petition for Rehearing following the Board's order  
19 dismissing his complaint by construing the lack of an opposition to Clark County's motion to  
20 dismiss as consent to granting the motion under NAC 288.240(6). Harel did in fact file an  
21 opposition to the motion, however the opposition was not received by the Board until after the  
22 Board had pronounced its order dismissing the case. Harel acknowledges that the opposition was  
23 late, but that the Board should still consider the opposition to the motion under the provisions of  
24 NAC 288.235.

25 Having reviewed Harel's petition, we grant the petition for rehearing on the issue of  
26 whether the Board should consider Harel's opposition to the County's motion to dismiss  
27 pursuant to NAC 288.235.

28 ///

1 Pursuant to NAC 288.362, Clark County may file a response to Harel's petition within  
2 15 days of the date of this order.

3 Pursuant to NAC 288.364(4), this matter will be placed upon the agenda for a future  
4 board meeting, so that the Board may consider the petition and any response filed by Clark  
5 County and render a timely decision.

6 Pursuant to NAC 288.366, the effectiveness of the Board's prior order in this matter is  
7 hereby suspended until such time as the Board issues a final decision on rehearing pursuant to  
8 NAC 288.364(4).

9 DATED this 15th day of December, 2011.

10 LOCAL GOVERNMENT EMPLOYEE-  
11 MANAGEMENT RELATIONS BOARD

12 BY: 

13 SEATON J. CURRAN, ESQ., Chairman  
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10 DOES I thru V, inclusive; ROE  
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Respondents,

**NOTICE OF ENTRY OF ORDER**

12 To: Andrew L. Rempfer, Esq.

13 To: Yolanda T. Givens, Esq.

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

16 A copy of said order is attached hereto.

17 DATED this 15<sup>th</sup> day of December, 2011.

18 LOCAL GOVERNMENT EMPLOYEE-  
19 MANAGEMENT RELATIONS BOARD

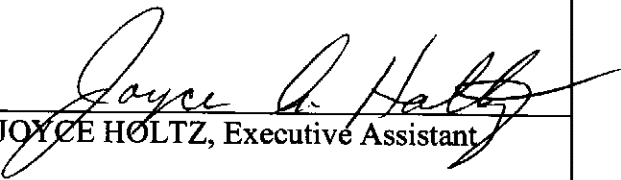
20 BY   
21 JOYCE A. HOLTZ, Executive Assistant  
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1                                 **CERTIFICATE OF MAILING**

2             I hereby certify that I am an employee of the Local Government Employee-Management  
3 Relations Board, and that on the 15<sup>th</sup> day of December, 2011, I served a copy of the foregoing  
4 ORDER by mailing a copy thereof, postage prepaid to:

5 Andrew L. Rempfer, Esq.  
6 Cogburn Law Offices  
7 9555 S. Eastern Ave., #280  
8 Las Vegas, NV 89123

9 Yolanda T. Givens, Esq.  
10 Deputy District Attorney, Clark County  
11 PO Box 552215  
12 Las Vegas, NV 89155-2215

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