

Case 2025-005
Justin Darling v. LVVWD

Complainant Justin Darling's Status Report

STATE OF NEVADA
EMPLOYEE-MANAGEMENT RELATIONS BOARD

FILED
October 9, 2025
State of Nevada
E.M.R.B.
4:13 p.m.

JUSTIN DARLING, a Local Government Employee,
Complainant,
v.
LAS VEGAS VALLEY WATER DISTRICT,
a Political Subdivision of the State of Nevada,
Respondent.

Case No. 2025-005
COMPLAINANT'S STATUS REPORT

COMES NOW, Complainant Justin Darling, *pro se*, and hereby submits this Status Report in the above-referenced matter as follows:

Respondent previously filed a Partial Motion to Strike and Partial Motion to Dismiss Untimely Claims Outside of the Statute of Limitations, and a Motion for Stay and Full or Partial Deferral seeking to stay and/or defer this matter pending the outcome of the related arbitration.

On May 22, 2025, the EMRB entered a Notice of Entry of Order granting the Motion for Stay under the **limited deferral doctrine**, thereby deferring this matter pending final resolution of the related grievance arbitration. As set forth in the Board's Order, the Partial Motion to Strike and Partial Motion to Dismiss remain pending and will be deferred until such time as the arbitration of the grievance is resolved and the stay is lifted.

The arbitration in this matter was held on August 26 and 27, 2025, before Arbitrator Patrick Halter. At the close of the hearing, Arbitrator Halter asked whether the parties were seeking a bench decision, and Respondent stated that it preferred to file post-hearing briefs. A transcript of the hearing was prepared and provided to the parties on September 10, 2025. Respondent initially requested that post-hearing briefs be due in November 2025; however, the parties ultimately agreed to an October 31, 2025 deadline.

Complainant notes that while the arbitration hearing has concluded, the matters before the EMRB remain distinct from those addressed in arbitration. The EMRB complaint raises statutory and representational issues beyond the scope of the grievance process, and Complainant respectfully requests that the Board maintain jurisdiction consistent with its prior Order and the limited deferral doctrine pending completion of arbitration.

Dated this 9th day of October, 2025.

JUSTIN DARLING

Complainant, *Pro Se*
1610 Rocking Horse Drive
Henderson, NV 89002

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that on this 9th day of October, 2025, I electronically filed the foregoing **Complainant's Status Report** with the Employee–Management Relations Board and served a true and correct copy upon the following:

Allison L. Kheel, Esq.
Fisher & Phillips LLP
300 South 4th Street, Suite 1500
Las Vegas, Nevada 89101

/s/ **Justin Darling**

Respondent LVVWD's Status Report

FILED
October 9, 2025
State of Nevada
E.M.R.B.
4:30 p.m.

FISHER & PHILLIPS LLP
MARK J. RICCIARDI, ESQ.
Nevada Bar No. 3141
ALLISON L. KHEEL, ESQ.
Nevada Bar No. 12986
300 South Fourth Street, Suite 1500
Las Vegas, NV 89101
Telephone: (702) 252-3131
Facsimile: (702) 252-7411
E-Mail Address: mricciardi@fisherphillips.com
E-Mail Address: akheel@fisherphillips.com

Attorneys for Respondent

STATE OF NEVADA

EMPLOYEE-MANAGEMENT RELATIONS BOARD

JUSTIN DARLING, a Local Government Employee,)	Case No.: 2025-005
)	
Complainant,)	RESPONDENT'S STATUS REPORT
)	
vs.)	
)	
LAS VEGAS VALLEY WATER DISTRICT, a Political Subdivision of the State of Nevada,)	
)	
Respondent.)	
)	

COMES NOW, Respondent Las Vegas Valley Water District ("LVVWD" and/or "Respondent"), by and through its counsel, Fisher & Phillips, LLP hereby submits its Status Report in the above-referenced matter as follows:

Respondent filed a Partial Motion to Strike and Partial Motion to Dismiss Untimely Claims Outside of the Statute of Limitations and Motion for Stay and Full or Partial Deferral seeking to Strike and/or Dismiss or alternatively to stay and/or defer the matter pending the outcome of an upcoming arbitration set for this matter. On May 22, 2025, the EMRB entered a Notice of Entry of Order, granting the Motion for Stay under the limited deferral doctrine, deferring the matter pending the final resolution of the related grievance arbitration. As set forth in the Board's Order, the Partial Motion to

1 Strike and the Partial Motion to Dismiss Untimely Claims Outside of the Statute of
2 Limitations remain pending and will be deferred until such time as the arbitration of the
3 grievance is resolved and the stay on this case is lifted. The Respondent provides the
4 following update on the status of the matter.

5 The arbitration in this matter was held on August 26 and 27, 2025, before
6 Arbitrator Patrick Halter. A transcript of the matter has been prepared and post hearing
7 briefs are due to the Arbitrator on or before October 31, 2025.

8 Dated this 9th day of October, 2025.

9 FISHER & PHILLIPS, LLP

10 /s/ Allison L. Kheel Esq.

11 MARK J. RICCIARDI, ESQ.

12 ALLISON L. KHEEL, ESQ.

13 300 South 4th Street, Suite 1500

14 Las Vegas, Nevada 89101

15 *Attorneys for Respondent*

CERTIFICATE OF ELECTRONIC SERVICE

This is to certify that on the 9th day of October, 2025, the undersigned, an employee of Fisher & Phillips LLP, electronically filed the foregoing **RESPONDENT'S STATUS REPORT** with EMRB (emrb@business.nv.gov) and the following:

JUSTIN DARLING
1610 Rocking Horse Drive
Henderson, NV 89002
Jwdwj713@gmail.com

By: /s/ Darhyl Kerr
An employee of Fisher & Phillips LLP