

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA LOCAL  
GOVERNMENT EMPLOYEE-  
MANAGEMENT RELATIONS BOARD,  
Appellant,

vs.

EDUCATION SUPPORT EMPLOYEES  
ASSOCIATION; INTERNATIONAL  
BROTHERHOOD OF TEAMSTERS,  
LOCAL 14; AND CLARK COUNTY  
SCHOOL DISTRICT,

Respondents.

No. 70586

**FILED**

SEP 13 2017

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER GRANTING MOTION TO STRIKE ANSWERING BRIEF AND  
GRANTING MOTION FOR JUDICIAL NOTICE*

We previously entered an order denying respondent International Brotherhood of Teamsters, Local 14's (Local 14) motion for leave to file opening and reply briefs. We stated that Local 14 could file an answering brief conceding district court error, but could not seek to alter the judgment. *See Ford v. Showboat Operating Co.*, 110 Nev. 752, 877 P.2d 546 (1994). Appellant has filed a motion to strike Local 14's answering brief on the basis that the brief presents arguments seeking to alter the order challenged on appeal. Local 14 opposes the motion and appellant has filed a reply.

Having considered the parties' arguments and Local 14's answering brief, we agree that the brief improperly presents arguments in support of altering the district court order. Accordingly, we grant the motion. The clerk shall strike the answering brief filed on June 20, 2017. Local 14 may file an amended answering brief within 11 days of the date of this order, if deemed warranted. Any amended brief may not contain

argument in support of reversal of the challenged district court order, but may only concede error. *See id.*; NRAP 2.

Cause appearing, Local 14's unopposed motion requesting that this court take judicial notice of certain documents is granted. *See Occhiuto v. Occhiuto*, 97 Nev. 143, 145, 625 P.2d 568, 569 (1981). This court will take judicial notice of Exhibits A and B attached to the motion filed on June 20, 2017.

It is so ORDERED.

Cherry, C.J.

cc: Attorney General/Carson City  
Attorney General/Las Vegas  
Dyer, Lawrence, Penrose, Flaherty, Donaldson & Prunty  
McCracken, Stemerman & Holsberry  
Clark County School District Legal Department