

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.

Supreme Court No. 70586

Electronically Filed
Mar 05 2018 08:12 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

District Court Case No.
A-15-715577-J

MOTION TO POSTPONE ORAL ARGUMENT

COMES NOW Respondent Education Support Employees Association (“ESEA”), by and through its counsel of record and, pursuant to Nevada Rules of Appellate Procedure 26 and 34, hereby moves the Court to postpone oral argument currently set for April 11, 2018 per a Notice of Oral Argument Setting issued by the Clerk of the Court on February 28, 2018.

On the date set for oral argument, counsel for ESEA is scheduled to be in the second day of a three-day, statutory interest arbitration proceeding (NRS 288.217) to

resolve a negotiations impasse regarding a successor collective bargaining agreement between Respondent ESEA and Respondent Clark County School District (“CCSD”). That interest arbitration proceeding, which like the appeal in this matter entails extensive preparation, has already been postponed once.

Counsel for ESEA contacted counsel for the other parties and attempted to obtain a stipulation to postpone oral argument. *See* Declaration of Francis C. Flaherty attached hereto. Counsel for Respondent CCSD stated that it was not opposed to the request to postpone oral argument. *Id.* Counsel for the Appellant stated that the Appellant was opposed to any postponement, but did request that ESEA convey Appellant’s sentiment that if the postponement were to be granted, the oral argument should be reset for the week of April 16th; ESEA does not oppose resetting oral argument for the week of April 16th. *Id.* Counsel for Respondent International Brotherhood of Teamsters, Local 14 concurred with Appellant’s position. *Id.* The request to postpone oral argument is not intended for any reason of delay but to allow ESEA to timely move forward with the statutory impasse arbitration for a successor collective bargaining agreement between Respondent ESEA and Respondent CCSD.

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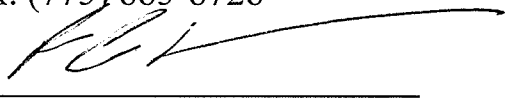
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Therefore, ESEA respectfully requests that the oral argument currently set for April 11, 2018 be postponed, and that if possible, the oral argument should be re-set for the following week of April 16th.

DATED this 2nd day of March, 2018.

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CERTIFICATE OF SERVICE

Pursuant to NRAP 25, the undersigned hereby certifies that I am an employee of the Dyer Lawrence Law Firm and that on the 2nd day of March, 2018, I served a true and correct copy of the Motion to Postpone Oral Argument by electronic mail to each of the following:

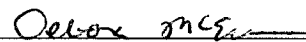
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Debora McEachin

Declaration of Francis C. Flaherty

1. I am a counsel of record for Education Support Employees Association in *State of Nevada, Local Government Employee-Management Relations Board v. Education Support Employees Association, International Brotherhood of Teamsters, Local 14 and Clark County School District*, Case No. 70586. I make this declaration upon my personal knowledge.
2. On February 28, 2018, I contacted counsel for all other parties in this matter to attempt to obtain a stipulation to postpone oral argument.
3. Counsel for Respondent, Clark County School District stated that it had no objection to postponing oral argument.
4. Counsel for Appellant State of Nevada, Local Government Employee-Management Relations Board did not agree to postpone oral argument and went on to state that if the Court were to grant an extension, the oral argument should be reset for the week of April 16, 2018.
5. Counsel for Respondent, International Brotherhood of Teamsters, Local 14 concurred with the position of counsel for Appellant.


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6. I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

Dated: March 2, 2018.



Francis C. Flaherty