



Office of the City Attorney
News Release

FOR IMMEDIATE RELEASE

November 20, 2020

BOULDER CITY
CITY COUNCIL

Contact: Brittany Lee Walker, Esq. - Acting City Attorney
702.293.9264 or bwalker@bcnv.org

MAYOR
KIERNAN McMANUS

Statement Regarding Anti-SLAPP Action

COUNCIL MEMBERS:
JAMES HOWARD ADAMS
CLAUDIA M. BRIDGES
TRACY FOLDA
JUDITH HOSKINS

BOULDER CITY – Please see the statement below on behalf of the Office of the City Attorney, from Acting City Attorney Brittany Lee Walker:



MEETING LOCATION:
CITY COUNCIL CHAMBER
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

MAILING ADDRESS:
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

WEBPAGE:
WWW.BCNV.ORG



ACTING CITY MANAGER:
MICHAEL MAYS, AICP

ACTING CITY ATTORNEY:
BRITTANY LEE WALKER, ESQ

CITY CLERK:
LORENE KRUMM, MMC, CPO

ADMINISTRATIVE SERVICES DIRECTOR:
BRYCE BOLDT

COMMUNITY DEVELOPMENT DIRECTOR:
MICHAEL MAYS, AICP

PUBLIC WORKS DIRECTOR:
KEEGAN LITTTRELL, P.E.

UTILITIES DIRECTOR:
DENNIS PORTER, P.E.

POLICE CHIEF:
TIM SHEA

FIRE CHIEF:
WILLIAM GRAY, CFO

FINANCE DIRECTOR:
DIANE PELLETIER, CPA

PARKS & RECREATION DIRECTOR
ROGER HALL

On November 19, 2020, Judge Jim Crockett of Nevada’s Eight Judicial District Court granted the City of Boulder City’s Special Motion to Dismiss Claims 1-4 in Plaintiffs’ [Steven Morris and Alfonso Noyola’s] First Amended Complaint Pursuant to NRS 41.660 [Anti-SLAPP]. In granting the Motion, Judge Crockett determined that Plaintiffs’ claims involving alleged violations of Nevada’s Open Meeting Law (“OML”) constituted a Strategic Lawsuit Against Public Participation (“SLAPP”) and, further, that Mr. Morris and Mr. Noyola had not shown a likelihood of success on the merits of these claims.

During the hearing, Judge Crockett specifically commented that Plaintiffs’ claims fell flat and their allegation that the City Council had violated Nevada’s OML was “absurd.” Further, Judge Crockett expressly rejected Plaintiffs’ contention that the City Council, collectively, had to take action at an open meeting to create an agenda item to consider Plaintiffs’ misconduct at a later open meeting.

Nevada’s Anti-SLAPP law provides an expedited procedure by which a defendant, such as Boulder City, may seek early dismissal of meritless claims that arise out of “good faith communication(s) in furtherance of the right to petition or the right to free speech in direct connection with an issue of public concern.” When a court grants an Anti-SLAPP Motion to Dismiss, the defendant becomes entitled to seek a monetary award against the plaintiff for the reasonable costs and attorneys’ fees incurred in defending against the claims that were dismissed.

###