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STATE OF NEVADA  
OFFICE OF THE ATTORNEY GENERAL

5420 Kietzke Lane, Suite 202  
Reno, Nevada 89511

October 18, 2018

Mr. Justin A. Shiroff

**Re: Open Meeting Law Complaint, OAG File No. 13897-291  
State Public Charter School Authority Board**

Dear Mr. Shiroff:

The Office of the Attorney General (OAG) is in receipt of the complaint you submitted on behalf of your client, Jay Schuler, alleging violations of the Open Meeting Law (OML) by the State Public Charter School Authority Board (Board) regarding the failure to properly record a meeting and moving a meeting without the requisite notice.

On August 17, 2018, you sent me a notice that your client wished to withdraw his OML complaint. The OAG is charged with investigating and prosecuting violations and complaints alleging violations of the OML. *See Nevada Revised Statutes (NRS) 241.039.* Investigating OML violations is a duty owed by the OAG to the public, not to a specific complainant. Thus, the OAG may exercise its discretion in determining whether or not it is appropriate to allow the withdrawal of an OML complaint.

In this instance, the OAG finds it is appropriate to grant your client's request to withdraw his complaint. It does not appear any action was taken by the Board at the meeting in which the potential OML issues occurred. Further, it appears the unrecorded part of the meeting was of very short duration, and the Board made efforts

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to notify all interested members of the public when the venue of its meeting was moved before the end of the meeting.<sup>1</sup>

Accordingly, the OAG hereby grants the withdrawal of your client's complaint and will close its file on this matter.

Sincerely,

ADAM PAUL LAXALT  
Attorney General

By: 

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Senior Deputy Attorney General  
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JSM:sad

c: Ryan Herrick, General Counsel  
State Public Charter School Authority  
State of Nevada  
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<sup>1</sup> This is not an opinion that the Board could move the meeting subsequent to noticing it under the OML, or that if the meeting could be moved without re-noticing it, the Board took appropriate action to move it.