



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

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February 29, 2016

Via First Class Mail

Martin W. Westland
P.O. Box 151047
Ely, Nevada 89315

Re: Open Meeting Law Complaint, A.G. File No. 13897-157
The Management Board, White Pine Historical Railroad Foundation, Inc.

Dear Mr. Westland:

The Attorney General's Office (AGO) is closing its investigation in this matter. It was opened in response to an Open Meeting Law (OML) complaint filed with our office by Martin Westland (Mr. Westland) on July 6, 2015, against the White Pine Historical Railroad Foundation, Inc. Management Board members (Board).

Mr. Westland alleged that the Board conducted a meeting outside the authority of the OML. Mr. Westland observed members of the Board meet directly after the adjournment of its June 24th meeting which was attended by many interested citizens. Mr. Westland complained it appeared to him that board members were conducting business outside of an open meeting.

We opened an investigation to determine whether a violation had occurred. We also requested a response from the Board's counsel Scott Husbands. We received statements from each board member who was present at the meeting.

Martin W. Westland
February 29, 2016
Page 2

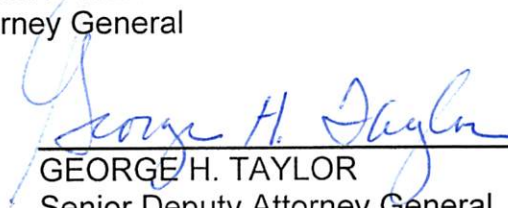
The findings of our investigation and Counsel's reply for the Board confirmed that the gathering of the board members was a non-meeting under the authority of NRS 241.015(3)(b)(2). The board members met only to receive information from their counsel regarding potential or existing litigation. Each board member's statement confirmed the gathering's purpose. The members discussed the format of upcoming mediation to be held in Reno to attempt to settle active litigation. The board members were entitled to meet following their properly noticed meeting earlier in the evening.

We found no violation; we are closing our file.

Sincerely,

ADAM PAUL LAXALT
Attorney General

By:



GEORGE H. TAYLOR
Senior Deputy Attorney General
Bureau of Government Affairs
Boards and Open Government Division
Open Meeting Law

Cc: Scott H. Husbands, Esq.
Melody VanCamp, City Mayor
Mark Bassett, Executive Director
John Gianoli
Steve Leith
Randy Larsen
Carole Marsh