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12 *Attorneys for Defendants*
13 *Washoe County School District and*
14 *its Trustees: President Barbara Clark,*
15 *Barbara McLaury, Howard Rosenberg,*
16 *John Mayer, Dave Aiazzi and Lisa Ruggerio,*
17 *in their individual and representative capacities*
18 *as District Trustees*

13 **IN THE SECOND JUDICIAL DISTRICT FOR THE STATE OF NEVADA**

14 **IN AND FOR THE COUNTY OF WASHOE**

15
16 **CATHERINE CORTEZ MASTO, Attorney**
17 **General of the State of Nevada,**

CASE NO.: CV14-01874

18 **Plaintiff,**

19 **vs.**

DEPT. NO.: 15

20 **WASHOE COUNTY SCHOOL DISTRICT;**
21 **and its TRUSTEES: President Barbara Clark,**
22 **Barbara McLaury, Howard Rosenberg, John**
23 **Mayer, Dave Aiazzi, and Lisa Ruggerio, in their**
24 **individual and representative capacities as District**
25 **Trustees,**

26 **Defendants.**

27 **STIPULATION AND ORDER FOR DISMISSAL WITH PREJUDICE**

28 The parties hereto, by and through their undersigned counsel, do hereby stipulate and agree that this case has been settled in all respects as evidenced by the Settlement and Consent Agreement Regarding Violations of Nevada Open Meeting Law; Findings of Fact and Conclusions of Law, attached hereto as Exhibit 1. The parties, therefore, stipulate that the Complaint filed herein be dismissed with prejudice and each side bear their own fees and costs.

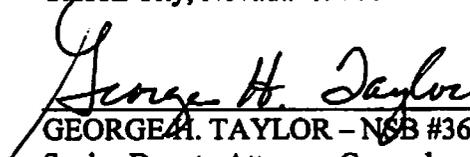
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AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that this document does not contain the social security number of any person.

DATED this 12th day of September, 2014.

CATHERINE CORTEZ MASTO
Attorney General
100 North Carson Street
Carson City, Nevada 89701



GEORGE H. TAYLOR - NSB #3615
Senior Deputy Attorney General
Attorneys for Plaintiff

DATED this 10th day of September, 2014.

ROBISON, BELAUSTEGUI, SHARP & LOW
A Professional Corporation
71 Washington Street
Reno, Nevada 89503



KENT R. ROBISON - NSB #1167
Attorneys for Defendants

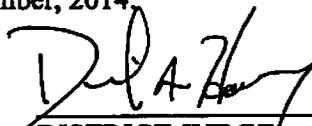
IN ASSOCIATION WITH:

MICHAEL E. MALLOY - NSB #617
MAUPIN, COX & LEGOY
4785 Caughlin Parkway
P.O. Box 30000
Reno, Nevada 89520

ORDER

IT IS SO ORDERED.

DATED this 17th day of September, 2014.



DISTRICT JUDGE

EXHIBIT LIST

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<u>NO.</u>	<u>DESCRIPTION</u>	<u>PAGES</u>
1	Settlement and Consent Agreement Regarding Violations of Nevada Open Meeting Law; Findings of Fact and Conclusions of Law	4 pages

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Clerk of the Court
Transaction # 4611164

EXHIBIT 1

EXHIBIT 1

SETTLEMENT AND CONSENT AGREEMENT REGARDING
VIOLATIONS OF NEVADA OPEN MEETING LAW;
FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Settlement and Consent Agreement Regarding Violations of Nevada Open Meeting Law; Findings of Fact and Conclusions of Law ("Settlement and Consent Agreement") is made and entered into this 9th day of September, 2014, by and among Catherine Cortez Masto, Attorney General of the State of Nevada ("Attorney General") on one hand, and the Washoe County School District, a political subdivision of the State of Nevada, its Board of Trustees, and six individual members of the Board, namely Barbara Clark, Barbara McLaury, Lisa Ruggerio, Howard Rosenberg, John Mayer, and Dave Aiazzi (collectively, the "WCSD") on the other hand.

The parties agree as follows:

- A. The Attorney General has authority under the Nevada Open Meeting Law ("OML") to investigate and prosecute violations of the OML, to seek to void actions taken in violation of the OML, to seek and obtain injunctive relief and other sanctions against public bodies or persons who have violated the OML, and to require compliance with or prevent violations of the OML.
- B. This Settlement and Consent Agreement is entered into by the parties regarding the activities and conduct of the Board of Trustees that occurred on July 22, 2014, concerning WCSD Superintendent Pedro Martinez.

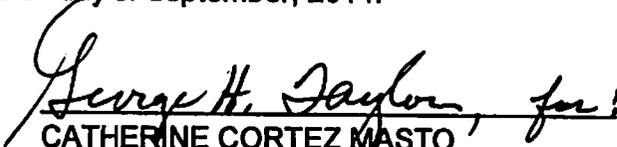
C. WCSD recognizes and acknowledges that the various decisions and actions taken by the Board of Trustees on July 22, 2014 violated the OML, specifically by: (1) holding a personnel session in private to discuss matters concerning Supt. Martinez unrelated to litigation or potential litigation in violation of NRS 241.015; (2) making a final determination to take the matter up in a public meeting, thereby taking action concerning Martinez' character, alleged misconduct and professional competence in violation of the fundamental notice and agenda provisions of NRS 241.033(1),(2), and 241.031(1); (3) requesting Martinez to be present in a closed meeting (not actually a "legal meeting") to discuss personnel matters in violation of NRS 241.015(3)(b)(2); (4) taking action in a closed meeting to terminate Martinez' contract, and then to negotiate his resignation without proper notice and a proper agenda, in violation of NRS 241.020; (5) deliberating about and making a first offer of an amount of money to Martinez to secure his resignation in violation of NRS 241.020; and (6) deliberating about and making a second offer of a higher amount of money to secure his resignation in violation of NRS 241.020, all justifying imposition of appropriate sanctions pursuant to NRS 241.040.

D. WCSD recognizes and acknowledges that because various decisions and actions were taken by the Board of Trustees on July 22, 2014 in violation of the OML, such decisions and actions were, and are, void *ab initio* pursuant to NRS 241.036.

- E. WCSD recognizes and acknowledges that full compliance with the OML is key to maintaining and preserving the public's trust and is in furtherance of the intent and spirit of the OML as expressed by the Nevada Legislature in NRS 241.010 that all decisions, actions, and deliberations of the Board of Trustees be taken openly for the purpose of aiding in the conduct of the people's business.**
- F. WCSD recognizes and acknowledges that all future decisions and actions that may be taken by the Board of Trustees in conducting its business and the affairs of the WCSD must, and shall be, conducted in full compliance with all requirements of the OML taken only in and pursuant to a properly noticed public meeting with appropriate specificity set forth in the applicable agendas for each such meeting.**
- G. WCSD recognizes and acknowledges that the mistakes made by the Trustees on July 22, 2014, which were in violation of the OML have caused substantial and legitimate public concern, which each Trustee sincerely regrets, and for which they apologize to the public which they serve.**

Based upon the foregoing, each of the six identified Trustees hereby consent to pay a civil fine of \$250 for each violation identified in paragraph C above, pursuant to NRS 241.040.

This Agreement is effective this 9th day of September, 2014.


CATHERINE CORTEZ MASTO
Attorney General of the State of Nevada

WASHOE COUNTY SCHOOL DISTRICT

By: 
BARBARA CLARK
President, Board of Trustees

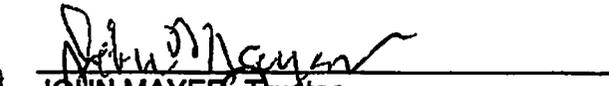
INDIVIDUAL TRUSTEES:

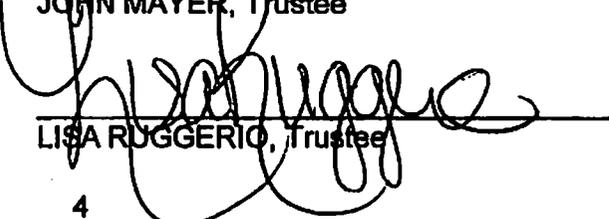

BARBARA CLARK, Trustee


BARBARA McLAURY, Trustee


HOWARD ROSENBERG, Trustee


DAVE AIAZZI, Trustee


JOHN MAYER, Trustee


LISA RUGGERIO, Trustee