

1 STATE OF NEVADA

2 PRIVATE INVESTIGATORS LICENSING BOARD

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6 In re: )

7 Private Investigators Licensing )

8 Board Meeting. )

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14 REPORTER'S TRANSCRIPT OF BOARD MEETING

15 Taken on Thursday, December 14, 2023

16 At 9:01 a.m.

17 At 555 East Washington Avenue

18 Las Vegas, Nevada

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24 Job No. 55432, Firm No. 116F

25 Reported by: Tracy A. Manning, CCR 785

1 APPEARANCES:

2

3 Board Counsel: Chricy E. Harris, Esq.

4 Executive Director: Vincent Saladino

5 Madam Chair: Tammy A. Nixon

6 Board Member: Rick Brown (Via Zoom)

7 Board Member: Robert Gronauer

8 Board Member: Katherine Cortez

9 Board Member: Timothy Bezick (Via Zoom)

10 Investigator: Enrique Diaz (Via Zoom)

11 Investigator: Adriana Cuevas Manzo

12 Investigator: Zachary Swarthout

13 Investigator: Cassandra Blackmore

14 Investigator: Jessie Dumas (Via Zoom)

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1 THURSDAY, DECEMBER 14, 2023

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3 MADAM CHAIR NIXON: We're going to call  
4 this meeting back into session. The final meeting  
5 of the year for the PILB. We'll go ahead and start  
6 with roll call.

7 EXECUTIVE DIRECTOR SALADINO: Good  
8 morning. Executive Director Saladino, for the  
9 record.

10 We'll start with Chair Nixon.

11 MADAM CHAIR NIXON: Here.

12 EXECUTIVE DIRECTOR SALADINO: Board Member  
13 Gronauer.

14 BOARD MEMBER GRONAUER: Here.

15 EXECUTIVE DIRECTOR SALADINO: Board Member  
16 Cortez.

17 BOARD MEMBER CORTEZ: Here.

18 EXECUTIVE DIRECTOR SALADINO: Board Member  
19 Brown.

20 BOARD MEMBER BROWN: Here.

21 EXECUTIVE DIRECTOR SALADINO: Board Member  
22 Bezick.

23 BOARD MEMBER BEZICK: Here.

24 EXECUTIVE DIRECTOR SALADINO: Again, we  
25 have a quorum.

1                   MADAM CHAIR NIXON: This is the section  
2     for public comment. I don't know -- we don't have  
3     any public down south. Do you have any public up  
4     north.

5                   BOARD MEMBER BROWN: No, ma'am, we do not.

6                   MADAM CHAIR NIXON: Do I need to read that  
7     if there's no one here?

8                   DAG HARRIS: You can just confirm that we  
9     don't have one in the south, which you already did.

10                  MADAM CHAIR NIXON: Okay. Since we have  
11     no one up north and no one down south, we're going  
12     to go ahead and move forward through that agenda  
13     item.

14                  And then the next agenda item is No. 92.  
15     Derek Anthony/K9 Protection Services, has been  
16     issued two unlicensed activity citations, I-036-18  
17     and I-0066-23 pursuant to Nevada Revised Statute  
18     648.165 (1)(2)(3)(4). Mr. Anthony is appealing his  
19     citation, I-0066-23, NRS 648.165(5).

20                  However, I do not see Mr. Anthony in the  
21     audience. I think, just as a matter of procedure,  
22     DAG Harris will go ahead and go through the evidence  
23     that she has. And with him not here, then we will  
24     move forward with a decision.

25                  DAG HARRIS: Good morning, Board.

1 BOARD MEMBER BROWN: Madam Chair, this is  
2 Board Member Brown.

3 I just wanted to make a correction for the  
4 record. The one citation number that you read off.  
5 The actual citation number is I, as in Ida, 032,  
6 rather than 36-18.

7 MADAM CHAIR NIXON: I'm sorry, could you  
8 say that again?

9 BOARD MEMBER BROWN: The -- on the  
10 memorandum from DAG Harris, and also looking at the  
11 copy of the citation in the packet that we have, the  
12 correct number of the one citation is I, as in Ida,  
13 -032-18. You said 36.

14 MADAM CHAIR NIXON: Thank you. You're  
15 correct. I'm reading the agenda item, so it's a  
16 misprint in the agenda item. It is 32, not 36.  
17 Thank you.

18 BOARD MEMBER BROWN: Sorry, DAG Harris.

19 DAG HARRIS: No problem, thank you.

20 DAG Harris for the record.

21 So, before I begin I just wanted to  
22 confirm if all the Board members received a copy of  
23 the memorandum, as well as the supporting exhibits?  
24 Okay.

25 And I also wanted to confirm if the Board

1 members had an opportunity to review prior to the  
2 presentation. Because if not, I can make the  
3 presentation, give you guys additional time to  
4 review, and that will also see -- we can also see,  
5 then, if Mr. Anthony will show up.

6 As a reminder of what we discussed  
7 yesterday, the idea was to give Mr. Anthony at least  
8 until 10:00 to appear, as the notice that he  
9 received listed December 14th as when this matter  
10 will take place.

11 So I can make the presentation now and  
12 then we can wait to see if Mr. Anthony appears and  
13 then move forward with the deliberation and action  
14 phase. Or we can wait to give you guys time to  
15 review.

16 I'm at the pleasure of the Board.

17 MADAM CHAIR NIXON: I've reviewed the  
18 information. Anybody else need time to review or  
19 want to wait until maybe 9:30 to see if he shows up?  
20 Maybe half an hour?

21 BOARD MEMBER BROWN: This is Brown. We're  
22 both good up here. We both have done the review.

23 BOARD MEMBER GRONAUER: Gronauer's good.

24 DAG HARRIS: Perfect. So what I'll do is  
25 I'll go ahead and I'll make my presentation, and

1       then we'll see if he shows up. I think a good time  
2       frame is at least by 9:45. If he hasn't shown up,  
3       then the Board should resume its deliberation and  
4       action phase.

5                   MADAM CHAIR NIXON: Understood, thank you.

6                   DAG HARRIS: So, what I would like to do  
7       is just read the memorandum into the record.

8                   So, on or about March 5th, 2018, K9  
9       Protection Services, LLC, owned and operated by  
10      Derek Anthony, became subject to an investigation  
11      involving unlicensed dog handler activity.

12                  Investigator Zach Swarthout conducted the  
13      investigation.

14                  Also on March 5th, 2018, Mr. Swarthout  
15      reviewed the K9 Protection, LLC website. While  
16      reviewing the website, Mr. Swarthout took special  
17      note of the "about us" section.

18                  In this section, K9 Protection, LLC made  
19      representations including, but not limited to: One,  
20      that it had provided services to Las Vegas Metro,  
21      Caesars, FEMA, the Iraq government, DEA, U.S.  
22      Attorneys office and other private companies and  
23      private citizens. And two, that it offers training,  
24      detention services, the sale of imported police K9s,  
25      detection dogs and protection K9. And that's



1 included -- that's included in the record as  
2 Exhibit B.

3 At all times material to this appeal, K9  
4 Protection, LLC is not licensed by this Board to  
5 provide any services governed by this Board,  
6 including dog handler services.

7 Additionally, K9 Protection, LLC has never  
8 previously held any license governed by this Board.

9 Accordingly, any dog handler services  
10 provided by K9 Protection Services, LLC in the State  
11 of Nevada is in violation of NRS 648.060 and NAC  
12 648.570.

13 As Mr. Anthony, by and through K9  
14 Protection Services, LLC, was engaged in unlicensed  
15 activity, Mr. Swarthout concluded that a citation  
16 was warranted.

17 During Mr. Swarthout's investigation, he  
18 reviewed the Nevada Secretary of State website and  
19 found that Mr. Derek Anthony was the listed officer  
20 for K9 Protection Services. That's included on the  
21 record as Exhibit C.

22 Additionally, the address of 5130 South  
23 Fort Apache Road, Las Vegas, Nevada 89148 was  
24 listed.

25 Mr. Swarthout also pulled K9 Protection

1 Services J link, and the address 8445 Rico Hills  
2 Court, Las Vegas, Nevada also was listed.

3 Now at the time, back then in 2018, our  
4 Board had access to J-Link, which was a much more  
5 expansive database than SCOPE, which is what we  
6 currently do now. And that's how Mr. Swarthout was  
7 able to retrieve the second address associated with  
8 Mr. Anthony.

9 On March 20, 2018, Mr. Swarthout issued an  
10 unlicensed activity citation noted as -- for the  
11 record, as I03218 in the first offense in the amount  
12 of \$2,500 to K9 Protection Services. And that's  
13 included in the record as Exhibit D.

14 The citation was served to Mr. Anthony  
15 both via regular mail and certified mailing to the  
16 above-mentioned addresses.

17 On September 14, 2023, Sergeant Mark  
18 Menzie with the Las Vegas Metro Summerlin Area  
19 Command, the former SIS sergeant, contacted the  
20 Board inquiring about Mr. Anthony. He spoke with  
21 Investigator Swarthout.

22 During this call, with Mr. Swarthout  
23 inquiring about whether Mr. Anthony and K9  
24 Protection Services are licensed by the Board,  
25 Mr. Swarthout confirmed that neither Mr. Anthony nor

1 K9 Protection Services are licensed by this Board.

2 On September 15, 2023, following his call  
3 with Mr. -- with Sergeant Menzie, Mr. Swarthout  
4 reviewed websites associated with K9 Protection  
5 Services. That's included in the record as --  
6 attached as Exhibit F and Exhibit G.

7 Additionally, Mr. Swarthout reviewed the  
8 K9 Protection Services Facebook page and noted that  
9 the section list that it provides services to Reno,  
10 Las Vegas, and Henderson, Nevada. And those  
11 excerpts are attached to the record as Exhibit H.

12 Accordingly, Mr. Swarthout concluded that  
13 a second violation was warranted, as Mr. Anthony, by  
14 and through K9 Protection Services, did not cease  
15 the unlicensed dog handler activity.

16 That same day, after confirming the  
17 current addresses, Mr. Swarthout issued the second  
18 citation in the amount of \$5,000 to K9 Protection  
19 Services. The citations were served via regular  
20 mail and certified mailing to 8445 Rico Hills Court,  
21 as well as 8345 Ruby Heights Avenue, Las Vegas. And  
22 that's attached as Exhibit I.

23 For the record, any time a new citation is  
24 issued, investigations does a re-run of the address  
25 listed with the individual to make sure that the

1 addresses are current.

2 On September 19, 2023, Mr. Swarthout and  
3 Director Saladino both received voicemail messages  
4 from Mr. Anthony. On the voicemail to  
5 Mr. Swarthout, Mr. Anthony accused Mr. Swarthout of  
6 harassing him and threatened to file a restraining  
7 order.

8 On September 20, 2023, the Board received  
9 the return receipt green card confirming  
10 Mr. Anthony's receipt of the second citation. And  
11 that's included on the record as Exhibit J.

12 On October 12, 2023, the Board received  
13 Mr. Anthony's appeal of the first and second  
14 citations. That's included in the record as  
15 Exhibit K.

16 In reference to the first citation,  
17 I-032-18, Mr. Anthony disputes having received  
18 notice. He argues that neither he nor K9 Protection  
19 used the 8445 Rico Hills Court location.

20 Moreover NRS 648.16(5) provides the  
21 process for issuing citations by this Board. And  
22 we've listed out the pertinent -- not only the  
23 pertinent statutory authorities, but as well as the  
24 regulatory authorities.

25 And here, service of citations from what

1 we can pull of NRS 648.165, NAC 648.433 and NAC  
2 648.439, what we deduce is service of citations must  
3 be done either, one, personally; two, certified  
4 mailing; and noticeably, return receipt is not  
5 required, but certified mailing would be if done in  
6 that method; and three, registered mailing.

7 The first citation was issued via  
8 certified mailing. And what we can note is that we  
9 did not receive a return receipt for the first  
10 citation, but we did receive a return receipt for  
11 the second citation. But nonetheless, the first  
12 citation was submitted via certified mailing.

13 Accordingly, Mr. Anthony's additional  
14 arguments that the citation must be issued via  
15 certified mail, return receipt, and that the  
16 investigating officer must have made contact with  
17 the individual, ID'd the individual, and had the  
18 individual sign the citation are all incorrect.

19 Furthermore, Mr. Anthony's argument that  
20 this citation is too old to enforce is also  
21 incorrect. As this Board is already aware, failure  
22 to issue payment for an outstanding citation could  
23 result in forwarding the citation to the Nevada  
24 Controllers Office for collections.

25 In reference to the second citation,

1 I-0066-23, Mr. Anthony disputes that this notice was  
2 delivered via certified mail or U.S. mail. He also  
3 asserts no U.S. mail carrier came to their doors.

4 Again, he incorrectly argues that the  
5 citation must be issued via certified mail and  
6 return receipt, and that the investigating officer  
7 made contact with the individual, ID'd the  
8 individual, and have the individual sign the  
9 citation.

10 Moreover, we already received the green  
11 card confirming that he did receive the second  
12 citation via certified mailing. And the USPS  
13 tracking number for the second citation listed out  
14 there confirms that the second citation was left  
15 with an individual on September 19, 2020 --  
16 September 19, 2023 at the 8345 Ruby Heights  
17 location. And again, that's included in the record  
18 attached as Exhibit J.

19 Furthermore, K9 Protection Services'  
20 website, which is more troubling, is still  
21 accessible to the public. And as part of its  
22 continued unlicensed activity, it still maintains  
23 that it offers -- that it offers working dog  
24 training, detection services, and the sale of  
25 domestic and imported green dogs, police K9s,

1 detection dogs, and protection K9s in the United  
2 States and, of course, here in Nevada. So it has  
3 not, from the view of investigation, ceased its  
4 unlicensed dog handler activity.

5 Of additional concern, K9 Protection  
6 asserts on its website that it's exempt from state  
7 laws and is protected under 18 UCS 43 animal  
8 enterprise and terrorism act. I believe that those  
9 references are also incorrect.

10 So long as you are in the State of Nevada  
11 and you're providing dog handler services, it is  
12 unlicensed activity, and therefore, said unlicensed  
13 activity is subject to discipline by this Board,  
14 including a citation.

15 So accordingly as issuance of the first  
16 and second citation of work were completed via  
17 certified mailing, it is requested that this Board  
18 upholds the citations.

19 And additionally, at least we know he's  
20 still engaged in unlicensed activities. So the  
21 grounds for issuing those citations are still  
22 warranted.

23 I'm available for any questions. Of  
24 course, Investigator Swarthout is also available for  
25 any questions pertaining to the investigation.

1                   With that, if there are none, the best  
2     that we can do is just wait to see if he does  
3     appear. And if not by 9:45, move on to the motion  
4     phase.

5                   MADAM CHAIR NIXON: Are we allowed to --  
6     are we able to ask questions of you, as far as,  
7     like, legally? What are we deciding during the  
8     decision?

9                   DAG HARRIS: Sure. The only thing that  
10    needs to be decided is whether or not to uphold the  
11    citations.

12                  MADAM CHAIR NIXON: Okay.

13                  DAG HARRIS: That's all.

14                  MADAM CHAIR NIXON: And then you just --  
15    procedurally, what's next? I mean, if he doesn't  
16    show and he hasn't paid his citations and he still  
17    continues to do -- or still continues to do  
18    business, what's next?

19                  DAG HARRIS: Well, as far as what we would  
20    consider as far as any progressive discipline, I'd  
21    rather not put that on the record to not compromise  
22    that. But it will be recommended for additional  
23    review on any progressive discipline.

24                  MADAM CHAIR NIXON: Okay, all right.  
25    Thank you. Appreciate it.



1 Are there any questions?

2 BOARD MEMBER GRONAUER: This is Gronauer.

3 BOARD MEMBER BROWN: Yes -- go ahead,  
4 Mr. Gronauer.

5 BOARD MEMBER GRONAUER: Okay. I  
6 understand that the certified notices have been  
7 returned, properly returned, saying that they were  
8 notified.

9 DAG HARRIS: The second one, not the  
10 first.

11 BOARD MEMBER GRONAUER: Additionally, we  
12 have a sworn affidavit of service from  
13 November 28th.

14 DAG HARRIS: That's one affidavit of  
15 service on -- I believe that's in reference to him  
16 being notified that he is to appear. That doesn't  
17 mean that he -- that's not an affidavit that he  
18 received service of the citations. It was an  
19 affidavit that he received service of the agenda and  
20 to appear for this hearing. So that's a separate  
21 aspect.

22 The only -- the only service issues that's  
23 in question was whether or not he received the  
24 certified mailing of both the first and second  
25 citations. He disputes having received notice of

1 both. But we have a record as attached to the  
2 exhibits that both citations went out via certified  
3 mailing. But we only received the return receipt  
4 for one, which was the second notice.

5 MADAM CHAIR NIXON: Why would we -- I know  
6 this may be a post office question, but is there a  
7 specific reasons why we wouldn't receive notice of  
8 the second one? Was it not delivered? Usually you  
9 can track those.

10 DAG HARRIS: We received notice of the  
11 second one. We didn't receive any confirmation of  
12 the first one. I don't know what happened with that  
13 one.

14 MADAM CHAIR NIXON: Can we track those,  
15 though?

16 DAG HARRIS: Well, when I did -- when I  
17 researched the certified mailing numbers, at least  
18 for the first one, it did not have any information  
19 as to what happened with the file.

20 So normally, let's say you submit  
21 something out via certified mailing. Let's say if  
22 they had issues of delivering, normally they would  
23 at least send it right back to the sender. That  
24 didn't happen here.

25 But what we do know is, at least for the

1 second notice, that went through and we were able to  
2 get the green card back.

3 BOARD MEMBER GRONAUER: This is Gronauer.

4 Just to get my head correct here. All our  
5 records show is properly noticed.

6 DAG HARRIS: Our records show that the --  
7 our records show, as far as Board staff is  
8 concerned, on issuing notice, he was submitted  
9 proper notice via certified mailing.

10 BOARD MEMBER GRONAUER: Okay, thank you.

11 BOARD MEMBER BROWN: This is Board Member  
12 Brown.

13 One of my first points in reading this is,  
14 how did he know to call and complain about  
15 harassment or to appeal the citation if he didn't  
16 read them -- or receive them?

17 But a couple of quick questions. Does he  
18 currently have a Secretary of State business  
19 license?

20 DAG HARRIS: Yes.

21 BOARD MEMBER BROWN: He does, okay. So  
22 he's current with them.

23 DAG HARRIS: Yes. At the time -- the  
24 license that he had back in 2018, I believe if  
25 I'm -- and Investigator Swarthout, feel free to jump

1 in if I'm incorrect. But I believe that that  
2 license was revoked. But when I also reviewed  
3 the -- recently the Nevada State Secretary of State  
4 website, he does still have a current business  
5 license that's active.

6 BOARD MEMBER BROWN: Okay. Next question.  
7 Is it possible for someone, for a business to be  
8 exempt through some U.S. code or U.S. law?

9 DAG HARRIS: I'm not -- to my knowledge,  
10 I'm not aware of that, at least pertaining to dog  
11 handler services. I think he -- I think he's making  
12 references that the services that he's providing are  
13 sole government written.

14 Either way, even if you -- even if, let's  
15 say, for some strange, odd reason he believed that  
16 he was entitled to some exemption. Once you receive  
17 notices you are engaged in unlicensed activity, as  
18 that person, you have to come to the Board, or you  
19 have to see or even file a -- it could be a petition  
20 for a declaratory order or an advisory thing and  
21 seeing, like, if I'm rendering these services to  
22 this particular individual, isn't there a  
23 recognized -- isn't there a recognizable exception.  
24 That's something that you have to bring to the Board  
25 and flush those issues out with the Board.

1                   What you don't get to do, receiving  
2    notices of the unlicensed activity, is disregard  
3    those notices. So long as he's doing dog handler  
4    services in the state, by virtue of those services,  
5    he's subject to any action by this Board because  
6    they govern those services, as you already know.

7                   BOARD MEMBER BROWN: Okay. And have we,  
8    as a Board, ever exempted a business for any -- any  
9    type of business for anything?

10                  DAG HARRIS: To my knowledge, no. Also,  
11    I'll defer that question to Director Saladino to  
12    confirm as well.

13                  EXECUTIVE DIRECTOR SALADINO: Executive  
14    Director Saladino, for the record.

15                  I reviewed past Attorney General opinions  
16    and old records that I had access to, and I haven't  
17    seen an exemption that we made.

18                  The only exemptions that I currently are  
19    aware of is in regards to federal contracts. And  
20    the federal contracts, as long as the federal  
21    government has sole oversight over the company or  
22    individuals providing security services, then they  
23    would be exempt from any additional state licensing.

24                  We have a couple of licensees currently  
25    that do not fall under that exemption. We've heard

1 a few of them, I want to say within the last two  
2 years in regards to being that they were -- some of  
3 their duties would put them on to state roads,  
4 causing them, then, to have to be licensed by our  
5 Board. Other than that, I have not seen any other  
6 time that we issued an exemption.

7 BOARD MEMBER BROWN: Okay. So in the case  
8 of this particular business, if they were conducting  
9 business solely on federal facilities in Nevada,  
10 they would not have to be licensed; am I  
11 understanding that correct?

12 EXECUTIVE DIRECTOR SALADINO: That's the  
13 way I understand the way federal contracts work.

14 MADAM CHAIR NIXON: Would they still --

15 BOARD MEMBER BROWN: And then --

16 THE REPORTER: Would they still?

17 MADAM CHAIR NIXON: Would they still have  
18 to come and ask for that exemption?

19 EXECUTIVE DIRECTOR SALADINO: I believe  
20 there would have been conversations with their legal  
21 department, as well as our Board or our Board staff,  
22 to flesh out those conditions of the contract.

23 Most of the times, the feds have it  
24 written into the contract, that being that this is  
25 only on federal property, they would not have to be

1 licensed. Like the test site, for example. The  
2 test site, they only conduct security services on  
3 the test site. They are not on public roads,  
4 they're just at the test site. So that wouldn't  
5 be -- SOC Hawthorne that's out there by the Army  
6 depot. They have to drive on public roads, hence  
7 the reason they are licensed by our Board.

8 BOARD MEMBER BROWN: And I don't know if  
9 DAG Harris is prepared to answer my next question.

10 Do we have any other recourse, other than  
11 continued citations that we don't expect to be paid?  
12 I mean, is this something that we can eventually ask  
13 your office to issue a warrant or --

14 DAG HARRIS: Well, I would just say that  
15 it does not stop here. We do have additional  
16 recourse. But just in the abundance of caution, I  
17 could answer any additional questions, but I'd  
18 rather not make a public record.

19 BOARD MEMBER BROWN: That's fine. I'm  
20 good. Okay, thank you.

21 MADAM CHAIR NIXON: Can I ask a question?

22 DAG HARRIS: Sure.

23 MADAM CHAIR NIXON: In his paperwork here  
24 that was presented with his advertising, it has that  
25 he's provided services in other states.

1           Have we been able to identify if those  
2       states have licensing processes for K9s, and is he  
3       licensed in other states? If he's just kind of,  
4       lack of a better term, blowing us off?

5           DAG HARRIS: I have not -- I have not  
6       personally -- did you want to jump on that?

7           INVESTIGATOR SWARTHOUT: Investigator  
8       Swarthout.

9           So, most of the states, sadly to say,  
10      don't regulate K9. There's only a handful, I think  
11      about 15 or 16, that regulate it.

12          To my knowledge, he doesn't -- I didn't  
13      see any license in any other states. We mostly did  
14      searches to see where he operates, and it -- he  
15      lives out here, and it looks like this is his real  
16      base of operation. It looks like he originally  
17      filed his business license through Delaware, but  
18      that's about it. It doesn't look like he has any  
19      operations anyplace else that I can see.

20          MADAM CHAIR NIXON: Have we been able to  
21      confirm that he's worked for Las Vegas Monorail,  
22      Metro?

23          BOARD MEMBER CORTEZ: FEMA.

24          MADAM CHAIR NIXON: Any of these places  
25      here in Nevada?



1                   INVESTIGATOR SWARTHOUT: So, I did reach  
2 out to LVMPD and I talked to Sergeant Cord Overson  
3 with the K9 department. To his knowledge, they  
4 never bought K9s from him. Metro buys green dogs,  
5 which are untrained dogs, and then they train them  
6 themselves. The other agencies, I haven't heard  
7 anything from. But LVMPD was the biggest issue.

8                   I did reach out to Caesars. They were  
9 looking into it, but that was the last I heard from  
10 them, was them looking into it to see if they  
11 actually purchased dogs from him.

12                  MADAM CHAIR NIXON: So he's stating that  
13 they purchased dogs from him. Here it says that  
14 he -- I guess -- he's got a claim on the bottom of  
15 this thing from 2007 basically saying he's provided  
16 services, is what I understood, for these entities.  
17 Have we not been able to confirm whether or not he's  
18 done -- provided those services -- his dogs have  
19 provided those services?

20                  DAG HARRIS: And either way, regardless of  
21 whether or not, if he did or did not have a history  
22 of providing those services to those agencies  
23 listed, there isn't any recognizable statutory  
24 authority that would exempt him from still being  
25 licensed by our Board to be able to do so.

1 MADAM CHAIR NIXON: No. I'm just more  
2 worried about the danger of him providing those  
3 services without having some sort of oversight,  
4 whether or not that puts these entities at risk and  
5 what that means.

6                   Because, I mean, the Las Vegas Monorail.  
7       He's truly doing explosive detection on the monorail  
8       and doesn't have a certified dog with all the  
9       qualifications, what type of risk is the monorail  
10      taking? So that was my concern with that. I'm  
11      good.

12                Now we just wait until about 9:45 before  
13       we do a discussion?

14 DAG HARRIS: I would recommend that, yes.

15 MADAM CHAIR NIXON: We are recessed until  
16 9:45.

17 (Off record.)

18 MADAM CHAIR NIXON: We're a little bit  
19 past 9:45 here, so I guess next steps, Counsel  
20 Harris, is to deliberate or make a decision?

21           DAG HARRIS: Yeah. So. It's already  
22    9:48. Mr. Anthony is still not present. So at this  
23    junction, it is requested that the Board move in in  
24    his absence and review and decide the -- review and  
25    decide the agenda item. Particularly, it would just

1 be a motion addressing whether or not to uphold both  
2 citations.

3 Thank you.

4 MADAM CHAIR NIXON: Are there any  
5 questions from the Board concerning this matter?

6 Hearing there are no questions, I'll  
7 entertain a motion.

8 BOARD MEMBER GRONAUER: This is Gronauer.

9 BOARD MEMBER BROWN: This is Board Member  
10 Brown.

11 I move that we uphold the two citations.

12 I don't know --

13 MADAM CHAIR NIXON: We have a motion. Do  
14 we have a second?

15 BOARD MEMBER GRONAUER: Gronauer, second.

16 MADAM CHAIR NIXON: I have a motion, we  
17 have a second. All in favor say aye.

18 (All present Board members voted aye.)

19 MADAM CHAIR NIXON: Motion passes. We  
20 will uphold the citations --

21 DAG HARRIS: Thank you.

22 MADAM CHAIR NIXON: -- that were issued.

23 With that being said, the next agenda item  
24 would be public comment.

25 I will note that there is no public in the

1 south.

2 BOARD MEMBER BROWN: We have no public in  
3 the north.

4 MADAM CHAIR NIXON: There's no public up  
5 north.

6 DAG HARRIS: With that we can adjourn.

7 MADAM CHAIR NIXON: We can adjourn.

8 Thank you, everyone. If I don't see you  
9 before, or talk to you before, happy holidays. Be  
10 safe, everyone.

11 (Proceedings concluded at 9:50 a.m.)

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1 REPORTER'S CERTIFICATE.

2

3 STATE OF NEVADA)  
4 ) ss  
5 COUNTY OF CLARK)

6

7 I, Tracy A. Manning, a duly commissioned  
8 Certified Court Reporter, Clark County, State of  
9 Nevada, do hereby certify:

10

11

12 That I reported the taking of the proceedings,  
13 at the time and place aforesaid;

14

15 That I thereafter transcribed my said shorthand  
16 notes into typewriting and that the typewritten  
17 transcript of said proceeding is a complete, true  
18 and accurate record of statements provided by the  
19 parties at said time to the best of my ability.

20

21 I further certify that I am not a relative,  
22 employee, or independent contractor of counsel of  
23 any of the parties involved in said action; nor a  
24 person financially interested in the action; nor do  
25 I have any other relationship with any of the  
parties or with counsel of any of the parties  
involved in the action that may reasonably cause my  
impartiality to be questioned.

26

27

28 IN WITNESS WHEREOF, I have hereunto set my hand  
29 in the County of Clark, State of Nevada, this 31st  
30 day of December 2023.

31

32

33

34

*Tracy A Manning*

Tracy A. Manning, CCR 785

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