BEFORE THE STATE OF NEVADA TAXICAB AUTHORITY

In the Matter of:
Complaint filed by Neil J. Beller, Esq. on behalf of Déjà vu Showgirls of Las Vegas, LLC, and Little Darlings of Las Vegas, LLC.

At a general session of the State of Nevada Taxicab Authority held at the Taxicab Authority, 1785 E. Sahara Avenue, Ste. 200 Las Vegas, Nevada

ORDER

PRESENT: Susan Carrasco O'Brien, Vice Chairman
John G. Marushok, Member
Joshua C. Miller, Member
Gordon L. Walker, Administrator
Blake A. Doerr, Deputy Attorney General

The TAXICAB AUTHORITY makes the following findings of fact and conclusions of law:

1. On the 24th day of August, 2010, a public hearing was held in the above-entitled matter, in compliance with the provisions of the Nevada Open Meeting Law, the Nevada Administrative Procedure Act, and Chapter 706 of the Nevada Revised Statutes (NRS) and the Nevada Administrative Code (NAC).

2. At this duly noticed meeting, Agenda Item No. 10 was listed as captioned above.

3. Complainant, Neil J. Beller, Esq., on behalf of Déjà vu Showgirls of Las Vegas, LLC and Little Darlings of Las Vegas, LLC filed a written complaint with the Taxicab Authority. The complaint asserts allegations against A CAB, LLC, ACE CAB CO., UNION CAB CO., ANLV CAB CO., NEVADA CHECKER CAB CORPORATION, HENDERSON TAXI, LUCKY CAB CO., SUN CAB, INC., NEVADA STAR CAB CORPORATION, VEGAS-WESTERN CAB, INC.,
WHITTLESEA BLUE CAB CO., INC, and NEVADA YELLOW CAB CORPORATION, (collectively “the Certificate Holders”). Each of the Certificate Holders holds a certificate of public convenience and necessity issued by the Taxicab Authority.

5. The complaint also alleged violations of NRS 706.8846 and NAC 706.552 by a number of taxicab drivers. The complaints and any proceedings against the taxicab drivers were not part of Agenda Item 10, and are beyond the scope of this order and are not affected by this order.

6. The complaint asserts that the Certificate Holders should be held responsible for the actions of the drivers referred to above.

7. Pursuant to NAC 706.9226, staff shall investigate written complaints against certificate holders and upon completion of the investigation shall recommend to the parties any actions that the parties should take to resolve the complaint.

8. Staff has conducted an investigation into the written complaint and has provided recommendations to the parties to resolve the complaint.

9. Pursuant to NAC 706.9228, if the complainant is not satisfied with the staff recommendations, staff shall present the matter to the Taxicab Authority Board for review.

10. Complainants were not satisfied with staff recommendations and staff presented the matter before the Board as described above.

11. Pursuant to NRS 706.885(2)(b), a certificate holder may be subject to administrative fines and suspension or revocation of the certificate for the actions of its drivers, if the certificate holder requires or knowingly permits any employee to violate any provision of NRS 706.881 to 706.885, inclusive, or any regulation of the Taxicab Authority or Administrator.

12. The Board has considered the complaint, the responses filed by the certificate holders, the additional papers filed in this matter by complainants and respondents, the results of staff investigation, Staff’s recommendation to the parties, as well as the oral arguments presented by Staff, Complainants and Intervener/Respondents before the Board.
13. The Board does not find any probable cause that the Certificate Holders are requiring any of their employees to violate NRS 706.8846 or NAC 706.552 as alleged in the complaint.

14. The Board does not find any probable cause that the Certificate Holders are knowingly permitting any of their employees to violate NRS 706.8846 or NAC 706.552 as alleged in the complaint.

15. Pursuant to NAC 706.923, the Authority shall dismiss a written complaint against a certificate holder when the complaint is not supported by probable cause.

GOOD CAUSE APPEARING THEREFORE,

IT IS HEREBY ORDERED that pursuant to NAC 706.923, the complaint is dismissed as to the certificate holders: A CAB, LLC, ACE CAB CO., UNION CAB CO., A NLV CAB CO., NEVADA CHECKER CAB CORPORATION, HENDERSON TAXI, LUCKY CAB CO., SUN CAB, INC., NEVADA STAR CAB CORPORATION, VEGAS-WESTERN CAB, INC., WHITTLESEA BLUE CAB CO., INC, NEVADA YELLOW CAB CORPORATION, .

DATED this _____ day of ________________, 2010.

BY THE AUTHORITY:

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Susan Carrasco O'Brien, Vice Chairman

ATTEST:

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Gordon L. Walker, Administrator
Nevada Taxicab Authority