

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARCUS D. MCANALLY, JR.,
Appellant,
vs.
CLARK COUNTY,
Respondent.

No. 52253

FILED

NOV 13 2009

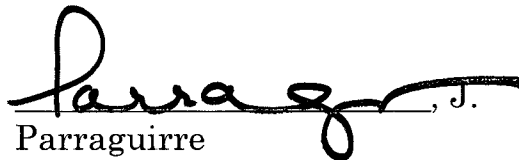
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK


ORDER OF AFFIRMANCE

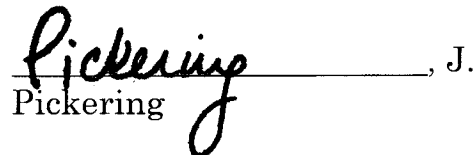
This is an appeal from a district court summary judgment in an employment action. Eighth Judicial District Court, Clark County; Elissa F. Cadish, Judge.

On appeal, appellant challenges the district court's summary judgment on his claim for breach of the covenant of good faith and fair dealing related to respondent's application of a new collective bargaining agreement provision that changed how seniority was calculated for shift-bidding purposes. Having considered the briefs and the record on appeal, we conclude that appellant's arguments lack merit and that the district court properly granted summary judgment in favor of respondent. Wood v. Safeway, Inc., 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005). Accordingly, we

ORDER the judgment of the district court AFFIRMED.¹


Parraguirre, J.


Douglas, J.


Pickering, J.

¹Pursuant to NRAP 34(f)(1), we have determined that oral argument is not warranted in this appeal.

cc: Hon. Elissa F. Cadish, District Judge
Janet Trost, Settlement Judge
Kirk T. Kennedy
Clark County District Attorney David J. Roger/Civil Division
Eighth District Court Clerk