

DEA: Marijuana has no medical value

By Rob Hotakainen, McClatchy News Service

Delivering a big blow to backers of pot legalization, the Obama administration said Thursday that it would keep marijuana classified as one of the nation's most dangerous drugs, similar to heroin and LSD.

The long-awaited decision by the U.S. Drug Enforcement Administration keeps intact a 1970 law that lists marijuana as Schedule 1 drug, one defined as having no medical value. That runs counter to decisions made by 26 states that have already approved use of the drug as medicine.

The DEA's ruling shocked legalization supporters, many of whom had considered Obama an ally after the Justice Department decided in 2013 to allow Washington state and Colorado to sell recreational marijuana.

Read the whole story

Nutting files lawsuit against ex-EDC colleagues

By Kathryn Reed

Former El Dorado County Supervisor Ray Nutting is suing past colleagues and staff because he believes his constitutional rights were violated.

“The reason why I filed a claim is so they cannot do it ever, ever again to someone else,” Nutting told *Lake Tahoe News*. “If they did it to me, they can do it to other people. Someone has to stand up to them.”



Ray Nutting

Named in the lawsuit that was filed in U.S. District Court in Sacramento are: Ron Briggs and Norma Santiago, former supervisors; Ron Mikulaco and Brian Veerkamp, current supervisors; Pam Knorr, human resources director; and Ed Knapp, former county counsel.

The lawsuit says, “To date plaintiff still believes he is the duly elected county supervisor ousted from office, denied the enjoyment of his office without any due process.”

Nutting’s problems came to a head in 2014. That May he was convicted on six misdemeanor counts relating to obtaining illegal loans from a county employee. A Superior Court judge found Nutting’s misconduct in office warranted his removal. The Third District Court of Appeal then upheld that. The California Supreme Court that August denied Nutting’s request to stop the September special election and block his removal from office.

The lawsuit pertains to the Fifth, Eighth and Fourteenth amendments of the U.S. Constitution – mostly due process issues. Nutting contends his colleagues on the Board of Supervisors did not give him a hearing and that the judge never had the jurisdiction to remove him from office.

The suit says, "These unenumerated right to serve and hold office lodged with the United States Constitution can not be abrogated or abridged by a letter from a judge, or by an exparte hearing, motion of resolution, by the defendants acting as the El Dorado County Board of Supervisors. These arbitrary and capricious actions by defendants and each of them show the complete disregard for the Constitution and plaintiff's rights."

The court documents paint a picture of the 56-year-old not being treated fairly while in office, including being targeted by District Attorney Vern Pierson because they were "political enemies."

In this civil suit Nutting wants the judge to consider punitive damages of \$100,000 against each defendant.

Education savings account challenge costs Nev. \$545K

By Neal Morton, Las Vegas Review-Journal

Nevada taxpayers will spend more than half a million dollars to defend the state's contested education savings account program.

The total price tag reached \$545,000 on Tuesday as the state Board of Examiners voted 2-0 to approve a \$125,000 extension to a contract with the out-of-state law firm Bancroft PLLC, led by former U.S. Solicitor General Paul Clement.

Since October, Clement has assisted the state attorney general's office in crafting its defense of Senate Bill 302,

which authorizes a voucher-style program for parents to spend per-pupil state funds on private school tuition.

Read the whole story

Noncompete ruling favors Nev. casino worker

By Daniel Rothberg, Las Vegas Sun

In 2012, after several years working as an executive casino host for the Atlantis Casino Resort Spa in Reno and at Harrah's before that, Sumona Islam took a job with the Grand Sierra Resort three miles away. One problem: Islam had signed a noncompete agreement preventing her from taking the job.

Not long after Islam defected to the Grand Sierra, Atlantis sued. Its lawyers alleged a violation of the agreement and said Islam had copied and altered the casino's proprietary customer information. The case went to trial and was appealed to the Supreme Court of Nevada, which ruled last month that the noncompete was unreasonable, a ruling that could have broad implications for businesses in Nevada.

The court's order in late July, which has flown largely under the radar, represents a "paradigm shift," argued Howard Cole, a Lewis Roca Rothgerber Christie partner who has drafted several noncompetes.

In question before the court was whether Atlantis could enforce a noncompete agreement prohibiting Islam from employment at a gaming business within 150 miles of Atlantis for more than one year after working at the casino. In a

narrow 4-3 ruling, the court found the clause “overbroad.” Favoring employee interests, the court majority refused to modify the contract and said the entire agreement was invalid.

Read the whole story

Heller: ‘Still a lot of work to be done’ on economy

By Jose Olivares, Reno Gazette-Journal

While things are looking up for Nevada’s economy, many Nevadans are still reeling from the effects of the recession and Congress must do more to help people get back on their feet, Sen. Dean Heller, R-Nev., said Tuesday.

Heller made the comments at the Nevada Museum of Art during a talk on Nevada’s economy.



Dean Heller

“Back in 2008 during the Great Recession, there was no other state that was hit harder than the state of Nevada,” Heller said. “Our economy was wrecked, unemployment was one of the highest in the country, our percentage of homes underwater was the highest in the country and businesses were closing.”

Heller said Congress could do things to help Nevadans, such as repealing specific provisions in the Affordable Care Act like the “Cadillac tax” on high-cost health insurance plans. He also said Interstate 11, which would connect the Phoenix area, Las Vegas and Northern Nevada, would dramatically help the state.

Read the whole story

Man dies while cycling on TRT

By Associated Press

Authorities say a Bay Area man has died after collapsing while biking on the Tahoe Rim Trail.

Charles Brust, 64, of Pacifica collapsed the morning of Aug. 8. He had started from the Spooner Lake area.

Douglas County Sheriff’s Office says a retired paramedic began CPR and continued until Tahoe Douglas firefighters and Douglas County deputies arrived.

Cole leaving SLT council after 20 years



One duty as mayor in 2011 was for Hal Cole to welcome Amgen cyclists to the start line. Photo Copyright 2016 Lisa J. Tolda

By Kathryn Reed

Planning – it's what got Hal Cole interested in local politics and it's the reason he is getting out.

The South Lake Tahoe city councilman is not seeking another term. When he leaves at the end of the year he will have been on the council for five four-year terms that started in 1994. He was off the council between 2006-08.

Norm Woods is the longest serving member at 21 years – 1965-70 and 1976-92. By the time Tom Davis finishes his term in 2018 he will be tied with Cole at 20 years.

During his tenure Cole was mayor six times, each being a one-year term. (From 1965-68, mayors served six months.)



Hal Cole, right, speaks with Sen. Dean Heller, R-Nev., at the 2015 Lake Tahoe Environmental Summit. Photo/LTN

Near the end of each four-year term Cole would reassess if he wanted to stay. The passion for the job, the belief he was making a difference and the desire to keep learning kept him in the game. Now, he feels a bit like he's paddling upstream. He's tired – tired of trying to do what's right and have roadblocks thrown at him; tired of the pettiness on the council; tired of change coming so slowly.

"After the (California Tahoe) Conservancy and TRPA went sideways, I said, 'What is the use?'" Cole said in reference to the **Knights Inn project**. "These organizations are policy-based and not outcome-based. We played totally by the rules and they wanted us to change it at the eleventh-hour."

He's referencing the hotel project that could become a Whole

Foods as the anchor. What the city and developer wanted was a project that would have had significant environmental gains and would have been a showcase for the basin. The agencies are accused of meddling and potentially derailing the project; and if it is a-go, it won't be what it could have been. (Contracts still have not been signed.)



TAMBA's Ben Fish and Hal Cole at the Bijou Bike Park dedication. Photo/LTN

The 67-year-old reflected back to previous councils where it seemed more like a team, with a vision even when there were disagreements. He liked the discussions, the respect they had for one another.

"This time with one councilmember suing us and putting things in the paper and on Facebook ... you go to the meeting and the tension, it is so thick. To the public we must look petty. I

don't think I want to be part of it anymore," Cole told *Lake Tahoe News*. "I don't want to sound bitter. I probably would have retired anyway. But the level of discourse isn't as rewarding as it used to be."

Still, Cole has a slew of accomplishments. Redevelopment is what he is most proud of – in particular Heavenly Village. That was a game changer for South Lake Tahoe. It took vision, it took more money than first budgeted, and it took courage.

While locals were slow to embrace the change and ever set foot there, that isn't the case now. It's a success in every sense – economically, visually, environmentally and socially.

Cole says the welcome sign by the airport is something that still brings a smile to his face. He'll even stop when he sees tourists taking pictures and take it for them. It's a project he started during his one year on the Planning Commission, which was then completed when he was on the council.



Hal Cole congratulates snowboarding Olympic gold medalist Jamie Anderson. Photo/Denise Haerr

Being on council was like getting a second or third college degree, he said. Becoming immersed in finance, learning the science of the lake, the advances of technology – the council afforded him (as it does all members) the opportunity to delve into topics he might not otherwise have been exposed to.

As a builder, Cole had a natural affinity to be interested in planning matters. That is what led him to the Planning Commission, then the council and now retirement from politics.

“I wish I was on the City Council in 2007 when they let (developer) Randy Lane pull permits to pour the foundation when he didn’t have site control,” Cole said of the failed Chateau project that went into bankruptcy and ended up being known as The Hole. “It irks me to this day. He didn’t own the lots. It’s the biggest mistake this council ever made.”

He’s had a few of his own regretful votes. One was when Tony O’Rourke was city manager and he brought forth a spending mechanism for roads where the city borrowed \$5 million. That, Cole said, was an ill conceived, expensive plan.

Now he’s advocating for the sales tax initiative that will be on the November ballot be spent on roads.



Hal Cole addresses the crowd at the city's 50th anniversary party. Photo/LTN

And if he could, Cole would like a do-over with the paid parking fiasco. While he still supports the concept, he admits the city didn't approach it correctly.

Other high points include approving City Manager Nancy Kerry's plan to overhaul the health care system, saving the city millions of dollars, as well a refinancing bonds at various times.

Being mayor last year during the city's 50th anniversary festivities is high on his list of good memories. It was a time to celebrate all of the accomplishments of the past five decades and dream about the future.

Cole's future is a little uncertain. Once he has his Tuesdays free from council, no more Tahoe Regional Planning Agency board meeting or other city commitments, he is likely to be spending more time on the tennis court and enjoying life in South Lake Tahoe, the town he grew up in, and he'll still be building houses.

Note:

So far eight people have taken out papers to be on the City Council. The four who have qualified are Patrick Jarrett, Ted Long, JoAnn Conner and Robert Topel. With Cole not running, the filing deadline is now Aug. 17 at 5pm.

SLT man arrested in hit-and-run accident

A South Lake Tahoe man is accused of hitting a pedestrian near Highway 50 and Sierra Boulevard and then fleeing the scene.

The victim, whose name has not been released, sustained non-life threatening injuries, and was treated and released from Barton Memorial Hospital after the Aug. 6 incident.

Taken into custody was Gary J. Stanton, 66. He faces charges of causing bodily injury, driving under the influence of alcohol causing injury, and abuse of an elder.

The latter charge stems from Stanton allegedly dropping his father, who is in his 90s, on the corner of Ruth Avenue and Dunlap Drive. This, according to officers, was done so Stanton could hide his vehicle.

The scheme did not work. Witnesses were able to describe the vehicle, which was found on Eloise Avenue. Stanton was apprehended when he went to get his dad who was talking to officers.

– Lake Tahoe News staff report

Nev. a leader in shielding wealth of 1 percent

By Patricia Cohen, New York Times

Steven Oshins, a Las Vegas lawyer who specializes in estate planning, has never met the wealthy software entrepreneur Dan Kloiber, but he is nonetheless intensely interested in Kloiber's contentious divorce.

"I have had a Google news alert on that for a couple years," Oshins said as he discussed the case from his office in a squat pink complex about a 20-minute drive from the Las Vegas Strip. What animates Oshins is not the juicy marital feud, but the legal arcana governing a trust in Delaware where the Kloiber family parked assets worth hundreds of million of dollars, sheltered from estate taxes.

Oshins, with a gleeful grin spreading across his face, relished the thought of the no-longer-beloved wife of Dan Kloiber busting through the trust and exposing a potential chink in the formidable trust protection armor promised by Delaware — which just happens to fiercely compete with Nevada for the lucrative business of shielding assets owned by the superrich.

Although most out-of-town visitors are drawn to the city's roulette wheels and slot machines, Oshins and a battalion of tax lawyers, accountants, advisers, trust administrators and bankers cater to an elite clientele that insists on a much more reliable way to build a fortune.

With their backing, Nevada has stoked an aggressive rivalry among a smattering of states to baby-sit the wealth of the

nation's top 1 percent, pressing public officials to pass laws, streamline regulations, lower fees and replace DMV-level service with concierge treatment.

Read the whole story

Getting initiatives on Nev. ballot full of obstacles

By Sean Whaley, Las Vegas Review-Journal

CARSON CITY – The Nevada Constitution gives citizens the right to weigh in on public policy issues through the use of ballot initiatives and referendums.

The petition process, which dates nationally to the populist era of the early 20th century, lets the public put measures to the voters directly, bypassing the legislative and executive branches of government.

But having the right to petition is a far cry from successfully navigating the many hurdles to limit ballot access.

Many people try to put measures on the ballot, and many fail.

Read the whole story