



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Robert Sweetin**, Former City Attorney,
City of Mesquite, State of Nevada,

Ethics Complaint
Case No. 20-048C

Subject. /

REVIEW PANEL DETERMINATION
NRS 281A.730; NAC 281A.440

The Nevada Commission on Ethics ("Commission") received this Ethics Complaint ("Complaint") on May 18, 2020, regarding the alleged conduct of Subject Robert Sweetin ("Sweetin"). On July 2, 2020, the Commission instructed the Executive Director to investigate alleged violations of NRS 281A.400(1), (2), (7), and (10), NRS 281A.420(1) and (3), and NRS 281A.430. A Notice of Additional Issues and Facts was served on Sweetin on September 22, 2021 concerning alleged violations of NRS 281A.420(1) and (3).

On November 17, 2021, a Review Panel consisting of Commissioner Gruenwald (Presiding Officer) and Commissioners Lowry¹ reviewed the following: (1) the Complaint; (2) Order on Jurisdiction and Investigation; (3) Sweetin's Response to the Complaint; (4) A Notice of Additional Issues and Facts; (5) Sweetin's Response to the Notice of Additional Issues and Facts; (6) Executive Director's Recommendation to the Review Panel with Summary of Investigatory Findings; and (7) Relevant Evidentiary Exhibits.²

IT IS HEREBY ORDERED:

Under NAC 281A.430, the Review Panel unanimously finds and concludes that NRS 281A.400(1), (2), (7) and (10), and NRS 281A.430 are dismissed as they are barred by the two-year statute of limitations.

The Review Panel determines there is sufficient cause for the Commission to render an opinion on whether Sweetin violated NRS 281A.420(1) and (3). However, the Review Panel reasonably believes that Sweetin's conduct may be appropriately addressed through corrective action under the terms and conditions of a deferral agreement instead of referring these allegations to the Commission for further proceedings. See NRS 281A.785.

¹ Commissioner Yen was originally assigned but did not serve on the Review Panel. Commissioner Yen is a partner at the law firm of McDonald Carano and the law firm represents the City of Mesquite. Pursuant to NRS 281A.065(4) and (5), Commissioner Yen has a commitment in a private capacity to the law firm as her employer and the City of Mesquite based upon the law firm's continuing business relationship with this client. Consequently, the independence of judgment of a reasonable person in Commissioner Yen's situation could be materially affected in voting upon items related to the Subject. In order to avoid conflicts of interest and any appearance of impropriety and comply with the Ethics Law and Judicial Canons applicable to the Commission, Commissioner Yen disclosed these relationships and abstained from participation in this matter.

²All materials provided to the Review Panel, except the Ethics Complaint and the Order on Jurisdiction and Investigation, represent portions of the investigatory file and remain confidential pursuant to NRS 281A.750.

The Deferral Agreement must confirm Sweetin's acknowledgement of the following:

1. Compliance with the Ethics Law for a specified period of two years from the Review Panel's approval of the deferral agreement without being the subject of another complaint arising from an alleged violation of the Ethics Law and for which a review panel determines there is just and sufficient cause for the Commission to render an opinion in the matter.
2. Compliance with filing the required 2018 and 2020 Acknowledgement Forms within 30 days of approval of the deferral agreement
3. Attendance and completion of Ethics in Government Law Training available on the Commission's website within ninety days after approval of the deferral agreement.
4. The deferral agreement will serve as the Review Panel's public reprimand of Sweetin's conduct, and since deferral agreements are published will serve to educate other public officers in similar situations on navigation of such matters in compliance with the requirements of the Ethics Law.

Unless an extension of time is authorized or directed by the Commission Counsel on behalf of the Review Panel, the Executive Director and Subject shall provide a proposed deferral agreement to the Review Panel through its Commission Counsel on or before December 15, 2021, which deadline may be extended by Commission Counsel for good cause. If the Review Panel does not approve the deferral agreement or if the Subject declines to enter into a deferral agreement, the Review Panel will issue an order referring this matter to the Commission for further proceedings.

Dated this 17th day of November, 2021.

REVIEW PANEL OF THE NEVADA COMMISSION ON ETHICS

By: /s/ Barbara Gruenewald
Barbara Gruenewald, Esq.
Commissioner/Presiding Officer

By: ABSTAINED
Amanda Yen, Esq.
Commissioner

By: /s/ Teresa Lowry
Teresa Lowry, Esq.
Commissioner

CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I transmitted a true and correct copy of the foregoing **REVIEW PANEL DETERMINATION** via U.S. Certified Mail and electronic mail addressed as follows:

Robert Sweetin
c/o Josh Reid, Esq.
Fennemore.
300 S. Fourth Street, Ste. 1400
Las Vegas, NV 89101

Email: jreid@fennemorelaw.com

Certified Mail No.: 9171 9690 0935 0037 6364 91

Dated: 11/18/21



Employee, Nevada Commission on Ethics