BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT

v.

VISTA OAKS CHARTER SCHOOL

OAH CASE NUMBER 2026050648

ORDER DENYING MOTION TO QUASH SUBPOENA

JUNE 26, 2026

On May 15, 2024, Parents on behalf of Student filed with the Office of Administrative Hearings, called OAH, a request for due process naming Vista Oaks Charter School. OAH issued a scheduling order on May 15, 2026, setting the prehearing conference for June 19, 2026. Student filed a prehearing conference statement on May 29, 2026. Vista Oaks filed a motion for continuance on June 12, 2026, and filed its prehearing conference statement on June 15, 2026. Student opposed the motion for continuance on June 15, 2026.

Vista Oaks moved for a continuance because it wished to try a different case filed by Parents on behalf of Student's sibling before this one. The motion was taken up at the prehearing conference, called PHC, and the Administrative Law Judge, or ALJ, denied

the request, noting that no law supported Vista Oak's request to prioritize the other case over this one.

Vista Oaks reported at the PHC that it intended to file two motions following the PHC. The ALJ reminded the parties that any motion made after the June 16, 2026 motion cut-off would have to be supported by good cause why the motion was not timely made. Counsel for Vista Oaks explained that it had not moved before the motion cut-off because it expected that the motion to continue the case would be granted. The ALJ informed Vista Oaks it would have to make its case in its moving papers and show good cause for not meeting the deadline.

On June 23, 2026, Vista Oaks filed a motion to quash eight subpoenas sent by Parents via email to Vista Oaks' counsel. The motion included a supporting declaration by counsel intended to demonstrate good cause for the late motion. In full, the supporting paragraph reads:

> The motion was not filed three days prior to the prehearing conference because there was a pending motion to continue the hearing that if granted, would have rendered the issue of faulty service moot.

This does not demonstrate good cause. As an initial matter, the hope or expectation that another motion will be granted does not justify the failure to meet case deadlines, and does not in any way show why the motion could not have been timely made. More than one motion may be made prior to a prehearing conference. Further, no explanation is provided as to how Vista Oaks' proposed three-week continuance would moot the issue of "faulty service." Vista Oaks has failed to demonstrate good cause for not filing before the motion cut-off, and the motion will be denied on that basis.

Viewed on its merits, the motion to quash also fails. Vista Oaks cites an OAH decision in case 2024050391 in support of its view that the subpoenas should be quashed because its counsel only agreed to "accept" subpoenas for its staff and service providers that were properly filled out and served. OAH decisions are not precedential, although their reasoning may be persuasive. The cited decision is not persuasive, as the decision does not stand for the proposition advanced. The ALJ did not quash a subpoena, but instead declined to compel witnesses to appear. The district's notice of representation did not agree to accept subpoenas, and during the prehearing conference the district advised the student that subpoenas would be necessary and provided physical addresses for all witnesses. Student then subpoenaed witnesses on June 24, 2026, to appear on June 26, 2026. The ALJ declined to compel attendance at hearing because the witnesses were not given reasonable notice before their attendance was required. The decision in that case did not endorse interpreting "acceptance" of subpoenas in the manner suggested by Vista Oaks.

Vista Oaks does not explain what it intended by its June 1, 2026 email to Parents agreeing to "accept" subpoenas on behalf of its employees and contractors. Although it did not explicitly agree to 'accept service of process" for the subpoenas, there is no other reasonable interpretation. If it meant that copies of subpoenas properly served on its employees and third parties should be forwarded to its counsel, it would have been phrased as a request. Agreeing to accept subpoenas has no meaningful limitation, and adding that the subpoenas should be properly filled out and served reserves the right to object to deficient or undelivered subpoenas. In any event, the matter is raised largely for arguments sake, as Vista Oaks has stated that it has itself subpoenaed six of the witnesses for testimony at hearing and that only two unsubpoenaed contracted service providers are at issue. If the witnesses do not appear for testimony at hearing, Student may move to compel their attendance and a ruling will be made.

ORDER

Vista Oaks' motion to quash all of Student's subpoenas is denied. Vista Oaks shall secure the attendance at hearing of all persons subpoenaed. The parties are directed to meet and confer by 5:00 PM on Monday, June 29, 2026, to prepare a joint witness schedule for the hearing and shall upload it to Case Center prior to the start of hearing at 9:30 AM on Tuesday, June 30, 2026.

Chris Butchko

Chris Butchko
Administrative Law Judge
Office of Administrative Hearings