BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: PARENT ON BEHALF OF STUDENT, v. AVESON GLOBAL LEADERSHIP ACADEMY,	OAH Case No. 2018110119
AVESON GLOBAL LEADERSHIP ACADEMY, v. PARENT ON BEHALF OF STUDENT.	OAH Case No. 2019010133 ORDER GRANTING REQUEST FOR CONTINUANCE AND SETTING HEARING

On April 11, 2019, the parties filed a joint request to continue the dates in this matter with the Office of Administrative Hearings, because Student's counsel is currently engaged in a hearing of another matter before OAH.

A due process hearing must be conducted and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted for good cause. (34 C.F.R. § 300.515(a) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3); Cal. Code Regs., tit. 1, § 1020.) Good cause may include counsel's unavailability due to excusable circumstances. (See Cal. Rules of Court, rule 3.1332(c).) OAH considers all relevant facts and circumstances including whether trial counsel is engaged in another trial. (See Cal. Rules of Court, rule 3.1332(d).) OAH has reviewed the request for good cause. The request is granted.

The hearing is continued to May 14, 15 and 16, 2019, beginning at 9:30 a.m. the first day and at 9:00 a.m. all other days unless otherwise ordered and continue day to day as determined by the ALJ.

The parties shall notify all potential witnesses of the hearing dates, and shall subpoena witnesses if necessary, to ensure that the witnesses will be available to testify. A witness will not be regarded as unavailable for purposes of showing "good cause" to continue the hearing

if the witness is not properly notified of the hearing date or properly subpoenaed, as applicable.

IT IS SO ORDERED.

DATE: April 11, 2019

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Marian H. Tully
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MARIAN H. TULLY
Presiding Administrative Law Judge
Office of Administrative Hearings