BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENTS ON BEHALF OF STUDENT, v. IRVINE UNIFIED SCHOOL DISTRICT.	OAH Case No. 2014080596 ORDER GRANTING REQUEST FOR RECONSIDERATION

On September 9, 2014, the undersigned administrative law judge issued an order granting Irvine's partial motion to dismiss. On September 15, 2014, Student filed a motion for reconsideration on grounds that Student's counsel had been unavailable during the pendency of the partial motion to dismiss.

APPLICABLE LAW

The Office of Administrative Hearings will generally reconsider a ruling upon a showing of new or different facts, circumstances, or law justifying reconsideration, when the party seeks reconsideration within a reasonable period of time. (See, e.g., Gov. Code, § 11521; Code Civ. Proc., § 1008.) The party seeking reconsideration may also be required to provide an explanation for its failure to previously provide the different facts, circumstances or law. (See *Baldwin v. Home Savings of America* (1997) 59 Cal.App.4th 1192, 1199-1200.)

DISCUSSION AND ORDER

Student had filed a Notice of Unavailability stating that Student's counsel would be unavailable from August 25, 2014 to September 15, 2014. Student seeks to have OAH consider its opposition to the partial motion to dismiss. Good cause being demonstrated.

Accordingly, Student's request for reconsideration is Granted.

IT IS SO ORDERED.

DATE: September 15, 2014

/s/
ROBERT HELFAND
Administrative Law Judge
Office of Administrative Hearings