BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

LARKSPUR-CORTE MADERA SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NUMBER 2019120184

ORDER DENYING MOTION TO QUASH SUBPOENA

MARCH 17, 2020

On December 4, 2019, Larkspur-Corte Madera School District filed a request for due process naming Student. On December 23, 2019, a continuance in this matter was granted scheduling the case for hearing on March 24, through March 26, 2020.

On March 9, 2020, Larkspur-Corte Madera issued a subpoenas duces tecum on North Bridge Academy and Dr. Dudley J. Wiest. A notice to consumer was sent to Student advising Student of the subpoenas directed to North Bridge Academy and Dr. Dudley J. Wiest. Copies of the subpoenas were sent to Student with the notice to consumer. The subpoena to North Bridge Academy and Dr. Dudley J. Wiest sought records related to Student's school-based services and psychological evaluation services respectively, and requested the records be produced on March 24, 2020 at the Larkspur-Corte Madera District Office.

On March 10, 2020, Student filed a motion to quash the subpoenas on the grounds that the documents are not reasonably necessary for production. On March 13, 2020, during the prehearing conference, a motion to consolidate was granted; therefore the March 24, 2020 due process hearing in this case was vacated and a new hearing date was scheduled for May 5, through May 7, 2020. Therefore, Student's motion to quash is moot.

ORDER

Student's motion to quash Larkspur-Corte Madera's subpoena to North Bridge Academy and Dr. Dudley J. Wiest is DENIED because the issue is moot.

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Marlo Nisperos
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Marlo Nisperos
Administrative Law Judge
Office of Administrative Hearings