BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: CARLSBAD UNIFIED SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT,	OAH Case No. 2018020416
PARENT ON BEHALF OF STUDENT, v. CARLSBAD UNIFIED SCHOOL DISTRICT.	OAH Case No. 2018010287 ORDER SETTING ASIDE ORDER TO SHOW CAUSE

On March 7, 2018, the Office of Administrative Hearings issued an Order to Show Cause why Student's attorney, Paul Hefley, should not pay OAH's costs related to the cancelation of the scheduled March 7, 2018, 9:30 a.m., mediation. The Order to Show Cause called for Student's attorney to submit a response to OAH by March 14, 2018. OAH received the response on March 14, 2018.

The basis for the order to show cause was that on February 21, 2018, OAH issued a scheduling order, with the mediation date. On March 7, 2018, the assigned mediator traveled to the District's office. The District's attorney and representative and Student's Parent were present at 9:30 a.m., for the mediation. Mr. Hefley did not appear for the mediation. Mr. Hefley was contacted and stated that he did not realize that the mediation was scheduled for that day, and stated that he could make the mediation in a couple of hours. The mediation was subsequently cancelled.

In Mr. Hefley's response, he takes full responsibility for what transpired as his office failed to download and calendar OAH's order that granted the parties' joint request for a mediation date and continuance. Therefore, Mr. Hefley's failure to appear was through inadvertent oversight. However, it is also recommended that Mr. Hefley's office track documents submitted to OAH that require a response from OAH to see if OAH has

responded, and to contact OAH, if needed, to inquire about the status of the request. Accordingly, the order to show cause is set aside.

IT IS SO ORDERED.

DATE: March 20, 2018

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Peter Paul Castillo
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PETER PAUL CASTILLO
Presiding Administrative Law Judge
Office of Administrative Hearings