BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

COTATI-RHONERT PARK UNIFIED SCHOOL DISTRICT, SANTA ROSA CITY SCHOOLS, AND PETALUMA CITY SCHOOLS.

OAH CASE NUMBER 2019100461

ORDER GRANTING REQUEST FOR RECONSIDERATION

On January 3, 2020, the undersigned Administrative Law Judge issued an order denying Petaluma and Student's joint request to schedule a mediation on January 10, 2020. A mediation was then currently set with Student and all respondents for January 9, 2020, and the motion sought only to mediate with Petaluma on the 10, 2020, which constituted a request for a second mediation. On January 6, 2020, Petaluma filed a motion for reconsideration. The basis for reconsideration was that following the initial order, Student cancelled mediation for January 9, 2020, which made this a request for a single mediation.

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, generally within ten days. (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

Petaluma offers new facts, circumstances or law. to support reconsideration. Specifically, that the January 9, 2020, mediation is now canceled. Petaluma's motion also stated that its counsel was unavailable on January 9, 2020, due to a conflicting expedited due process hearings. Counsel is on notice, however, that should the hearing not conclude, this mediation would not constitute good cause to continue a due process hearing. The motion for reconsideration is GRANTED.

ORDER

On reconsideration, the request to set mediation for January 10, 2020, is GRANTED. Mediation will be held at Petaluma's district offices located at 200 Douglas Street, Petaluma, CA 94952. All dates set in this matter are confirmed.

IT IS SO ORDERED.

DocuSigned by:
Joy Redmon
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DATED: January 6, 2020

Joy Redmon
Presiding Administrative Law Judge
Office of Administrative Hearings