BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:	
GARVEY SCHOOL DISTRICT,	OAH Case No. 2016110339
v.	ORDER FOLLOWING PREHEARING CONFERENCE AND GRANTING REQUEST FOR CONTINUANCE
PARENT ON BEHALF OF STUDENT.	

On November 28, 2016, a telephonic prehearing conference was held before Administrative Law Judge Alexa J. Hohensee, Office of Administrative Hearings. Geoffrey Winterowd, Attorney at Law, appeared on behalf of Garvey School District. Parent did not appear on behalf of Student.[1] The PHC was recorded.

Based on discussion with District's attorney, the ALJ issues the following order:

1. Hearing Dates, Times, and Location. The hearing is continued on the unopposed oral motion of District, and shall take place on February 28, March 1, and March 2, 2017, and continuing day to day thereafter, Monday through Thursday as needed, at the discretion of the ALJ. Unless otherwise ordered, the hearing shall begin at 9:30 a.m. the first day, and all other hearing days shall begin at 9:00 a.m.

The hearing shall take place at the District's offices located at 2730 North Del Mar Avenue, Rosemead, California 91770. The parties shall immediately 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 was not properly notified of the hearing date or properly subpoenaed, as applicable.

2. Continued PHC. The telephonic PHC is continued to February 17, 2017 at 1:00 p.m. OAH will initiate the conference call. As District has already filed its PHC statement, District need not file an additional PHC statement unless changed circumstances so require.

3. Settlement. The parties are encouraged to continue working together

[1] Voicemail messages were left at the home and mobile telephone numbers for Parents listed in the complaint, and at a telephone number provided by Father's work telephone answering message.

to reach an agreement before the due process hearing. The parties shall inform OAH in writing immediately should they reach a settlement or otherwise resolve the dispute before the scheduled hearing. In addition, if a settlement is reached within five days of the scheduled start of the due process hearing, the parties shall also inform OAH of the settlement by telephone at (916) 263-0880.

IF A FULL AND FINAL WRITTEN SETTLEMENT AGREEMENT IS REACHED AFTER 5:00 P.M. THE DAY PRIOR TO HEARING, THE PARTIES SHALL LEAVE A VOICEMAIL MESSAGE REGARDING THE SETTLEMENT AT (916) 274-6035. THE PARTIES SHOULD ALSO LEAVE CONTACT INFORMATION SUCH AS CELLULAR PHONE NUMBERS OF EACH PARTY OR COUNSEL FOR EACH PARTY. THE PARTIES SHOULD SIMULTANEOUSLY FAX THE SIGNATURE PAGE OF THE SIGNED AGREEMENT OR A LETTER WITHDRAWING THE CASE TO THE OAH AT THE FAXINATION LINE at 916-376-6319.

Dates for hearing will not be cancelled until the letter of withdrawal or signature page of the signed agreement has been received by OAH. If an agreement in principle is reached, the parties should plan to attend the scheduled hearing unless different arrangements have been agreed upon by the assigned ALJ. The assigned ALJ will check for messages the evening prior to the hearing or the morning of the hearing.

4. Failure to comply with this order may result in the exclusion of evidence or other sanctions.

IT IS SO ORDERED.

DATE: November 30, 2016

DocuSigned by:
Alexa Hohensee
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ALEXA J. HOHENSEE
Administrative Law Judge
Office of Administrative Hearings