BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: PARENT ON BEHALF OF STUDENT, v. TEMECULA VALLEY UNIFIED SCHOOL DISTRICT,	OAH Case No. 2016100111
TEMECULA VALLEY UNIFIED SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT.	OAH Case No. 2016120478 ORDER FOLLOWING PREHEARING CONFERENCE AND GRANTING DISTRICT AND STUDENT MOTIONS FOR LEAVE TO FILE AMENDED COMPLAINTS

On February 6, 2017, a telephonic prehearing conference was held in these consolidated matters before Administrative Law Judge Robert G. Martin, Office of Administrative Hearings. Attorney Rhonda Krietemeyer appeared on behalf of Student. Attorney Jack Clarke appeared on behalf of Temecula Valley Unified School District. The PHC was recorded.

Based on discussion of the parties, the ALJ issues the following order:

1. District and Student Motions for Leave to File Amended Due Process Hearing Requests . On February 3, 2017, District filed a Motion to Amend District's Due Process Hearing Request (District's amended complaint). Student filed a notice of non-opposition to District's motion on February 3, 2017.

On February 6, 2017, Student filed a Motion to Amend Student's Due Process Hearing Request (Student's amended complaint). District filed a notice of non-opposition to Student's motion on February 3, 2017.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such

permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

Each party's motion to amend is timely, and consented-to in writing by the other party. Both motions are granted.

1. District's amended complaint and Student's amended complaint are each deemed to be filed on February 6, 2017.

2. All dates in the consolidated actions are vacated.

3. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

4. Student's case number 2016100111 shall remain the primary case in these consolidated actions.

5. The 45-day timeline for issuance of the decision in the consolidated cases shall be calculated based on the filing of Student's amended complaint.

IT IS SO ORDERED.

DATE: February 6, 2017

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June Lehrman
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ROBERT MARTIN
Administrative Law Judge
Office of Administrative Hearings