BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

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| In the Matter of:<br><br>PARENT ON BEHALF OF STUDENT,<br><br>v.<br><br>TORRANCE UNIFIED SCHOOL DISTRICT. | OAH CASE NO. 2014010254<br><br>ORDER DENYING REQUEST FOR RECONSIDERATION |

On February 11, 2014, the Office of Administrative Hearings issued an order granting District's Motion to Continue, but not to the dates District had proposed (Order). On February 12, 2014, District filed another Motion to Continue, which is treated as a Motion for Reconsideration (Motion). On February 19, 2014, Student opposed. As discussed below the Motion is denied. The matter will proceed on the currently scheduled dates.

## 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. (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 AND ORDER

District states no newly-discovered facts, circumstances, or law in support of the request for reconsideration. As before, District bases its request for a continuance on the unavailability of its counsel. However, the Order already rejected counsel's "exclusive relationship to represent District" as not constituting good cause for a continuance. District's Motion also states that its Director of Special Education will be unavailable on the currently scheduled dates; however no reason is given for District's failure to previously provide this information, which was known at the time of District's original Motion to Continue. Thus,

the Motion is denied. The matter will proceed on the currently scheduled dates.

IT IS SO ORDERED.

DATE: February 20, 2014

JUNE R. LEHRMAN
Administrative Law Judge
Office of Administrative Hearings