

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

WHITTIER CITY SCHOOL DISTRICT.

OAH CASE NO. 2012060474

ORDER FOLLOWING PREHEARING
CONFERENCE AND CONTINUING
PREHEARING CONFERENCE AND
DUE PROCESS HEARING DATES

On January 23, 2013, a telephonic prehearing conference (PHC) was held before Administrative Law Judge (ALJ) Elsa H. Jones, Office of Administrative Hearings (OAH). Bruce Bothwell, Attorney at Law, of the Law Offices of Bruce Bothwell, appeared on behalf of Student and Parent (collectively, Student). Jeremy J. Rytky, Attorney at Law, appeared on behalf of the Whittier City School District (District). The PHC was recorded.

Based on discussion with the parties, the ALJ issues the following Order:

1. Hearing Dates, Times, and Location. The hearing is continued on joint motion of the parties, for good cause shown, as the matter had only been set for one day of hearing when additional hearing days were required, and since no party had requested any prior continuance of the hearing on the operative first amended complaint. Accordingly, the hearing shall take place on **March 12, 2013, through March 14, 2013**, and shall continue day to day, Monday through Thursday as needed, at the discretion of the ALJ. The hearing shall begin each day at **9:30 a.m.**, unless otherwise ordered. The hearing shall take place at the District offices, located at the Sierra Education Center, 9401 Painter Avenue, Whittier, California 90605.

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 has not been properly notified of the hearing date or properly subpoenaed, as applicable.

2. Continued PHC. The telephonic PHC is continued to **March 6, 2013, at 1:30 p.m.** OAH will initiate the conference call. The parties have already filed PHC Statements, and they need not file any additional or supplemental PHC statements unless circumstances warrant such filing.

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

IT IS SO ORDERED.

Dated: February 1, 2013

/s/

ELSA H. JONES

Administrative Law Judge

Office of Administrative Hearings