

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENTS ON BEHALF OF STUDENT,

v.

FOUNTAIN VALLEY SCHOOL DISTRICT,

OAH CASE NO. 2014010608

FOUNTAIN VALLEY SCHOOL DISTRICT,

v.

PARENTS ON BEHALF OF STUDENT.

OAH CASE NO. 2014060170

ORDER FOLLOWING PREHEARING
CONFERENCE, GRANTING MOTION
FOR LEAVE TO AMEND, AND
GRANTING MOTION TO
CONSOLIDATE

On June 9, 2014, a telephonic prehearing conference (PHC) was held before Administrative Law Judge (ALJ) Susan Ruff, Office of Administrative Hearings (OAH). Phillip VanAllsburg, Attorney at Law, appeared on behalf of Student and Student's parents (Student). Karen Van Dijk, Attorney at Law, appeared on behalf of the Fountain Valley School District (District). The PHC was recorded.

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

1. Student's Motion for Leave to Amend the due process hearing request is granted. The document entitled Amended Due Process Complaint is deemed filed as of the date of this PHC order. That Amended Due Process Complaint supersedes Student's prior filing in this case.
2. Student's Motion to Consolidate this case with OAH case number 2014060170, entitled *Fountain Valley School District v. Parents on Behalf of Student* (District's case), is granted.
3. All dates previously set in District's case, OAH Case Number 2014060170 are vacated.
4. The instant case, OAH case number 2014010608 (Student's case), will be designated the Primary Case. The 45-day timeline for issuance of the decision in the

consolidated cases shall be based on the date of the filing of the complaint in Student's case, OAH Case Number 2014010608.

5. The filing of the Amended Complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. § 1415(c)(2)(E)(ii).) All applicable timelines for the consolidated cases shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

DATE: June 9, 2014

/s/

SUSAN RUFF
Administrative Law Judge
Office of Administrative Hearings