

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2014051110

ORDER FOLLOWING PREHEARING
CONFERENCE AND GRANTING
CONTINUANCE

On July 7, 2014, a telephonic prehearing conference (PHC) was held before Administrative Law Judge (ALJ) Kara Hatfield, Office of Administrative Hearings (OAH). Christian Pineda, Parent, appeared on behalf of Student. Illio Constanza, interpreter from Global Interpreting Network, provided Spanish language interpretation. Patrick Balucan, Attorney at Law, appeared on behalf of Los Angeles Unified School District (District). The PHC was recorded.

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

1. Continuance of Prehearing Conference and Due Process Hearing Dates. Both parties requested and stipulated to a continuance of the matter. OAH has reviewed the request for good cause and considered all relevant facts and circumstances. The request is granted. Accordingly, all dates are continued and this matter is calendared as follows:

Mediation:	The parties shall meet and confer about mutually agreeable dates and contact OAH to request mediation
Prehearing Conference:	September 12, 2014 at 1:00 PM
Due Process Hearing:	September 23-25, 2014, and continuing day to day, Monday through Thursday as needed at the discretion of the ALJ. The hearing shall begin each day at 9:00 a.m. and end at 4:30 p.m. with the exception of the first day, on which day the hearing shall begin at 9:30 a.m., unless otherwise ordered.

2. Requirement of Prehearing Conference Statement. Each party is required to submit a PREHEARING CONFERENCE STATEMENT which shall be filed no later than September 9, 2014, with the Office of Administrative Hearings, Special Education Division, 2349 Gateway Oaks Drive, Suite 200, Sacramento, CA 95833, and served upon the other party. The Prehearing Conference Statement may be filed and served by facsimile transmission at (916) 376-6319. The parties need not mail a hard copy of any document sent by facsimile transmission. The parties shall not send by mail or facsimile transmission copies of documentary evidence intended for the due process hearing to OAH. The Prehearing Conference Statement shall include the following:

- a. Each party's estimate of the time necessary to complete the Due Process Hearing;
- b. A concise statement of the issues that remain to be decided at the Due Process Hearing and the proposed resolution of such issues, based upon those issues raised in the due process hearing request;
- c. The name of each witness the party may call at the Due Process Hearing, a brief summary of the subject of the expected testimony of the witness, and a description of the issue to which the testimony of the witness relates;
- d. The name and address of each expert witness the party intends to call at the Due Process Hearing, a brief summary of the opinion that the expert is expected to give, and a description of the issue to which the testimony of the expert relates;
- e. A list of documentary evidence that the party intends to present, and a description of any physical or demonstrative evidence; and
- f. The need for an interpreter or special accommodation at the due process hearing.

3. Motions. Student intends to file an amended complaint. Student must file an amended complaint and motion for permission to file that amended complaint. Any amended complaint must contain a statement of all issues, including any issues stated in the original complaint, that Student desires to pursue. Upon receipt of an amended complaint and motion for permission to file an amended complaint, OAH will rule on the motion and may grant or deny permission to file the amendment. If permission to file an amended complaint is granted, the dates for mediation, a prehearing conference, and the due process hearing will be reset to allow the parties time to participate in a resolution session.

4. 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.

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.

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

IT IS SO ORDERED.

DATE: July 7, 2014

/s/

KARA HATFIELD
Administrative Law Judge
Office of Administrative Hearings