

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENTS ON BEHALF OF STUDENT,

v.

SPENCER VALLEY ELEMENTARY
SCHOOL DISTRICT,

OAH Case No. 2014030842

SPENCER VALLEY ELEMENTARY
SCHOOL DISTRICT,

v.

PARENTS ON BEHALF OF STUDENT.

OAH Case No. 2014030046

ORDER GRANTING STUDENT'S
REQUEST TO INCREASE PAGE LIMIT
FOR OPENING CLOSING BRIEFS;
DENYING REQUEST TO INCREASE
PAGE LIMIT FOR REPLY BRIEFS;
ORDER MODIFYING DUE DATES FOR
OPENING AND REPLY BRIEFS

The due process hearing in these consolidated matters finished on July 11, 2014. At the close of the hearing, the Administrative Law Judge set a schedule for the submission of written closing briefs and reply briefs in lieu of oral closing arguments, and a limit on the pages permitted for each brief. Opening briefs are presently due by close of business on July 25, 2014, with a limit of 30 pages. Reply briefs are presently due by close of business on August 8, 2014, with a limit of 20 pages.

On July 14, 2014, Student filed a request (styled as a motion for reconsideration) to increase the page limitations for both opening and reply briefs, based upon the quantity and complexity of the issues presented in the case. On July 17, 2014, Spencer Valley Elementary School District filed a statement of non-opposition to Student's request.

Student's request to increase the page limit for opening briefs is granted. The page limit is increased to 45 pages as requested by Student. Given the 50 percent increase in page limit, the opening briefs are now due in the Office of Administrative Hearings in Sacramento no later than 12:00 p.m. on Wednesday, July 30, 2014.

However, Student's request to increase the page limit for reply briefs is denied. The issues in the case should be addressed by the parties in their opening briefs. Reply briefs are intended to clarify points, not to present new argument. Twenty pages are sufficient to do so.

Given the modification in due date for opening briefs, the parties' reply briefs are now due no later than 12:00 p.m. on Wednesday, August 13, 2014.

ORDER

1. Student's request to increase the page limit for opening briefs is GRANTED.
2. Student's request to increase the page limit for reply briefs is DENIED.
3. Written opening briefs are now due no later than 12:00 p.m. on Wednesday, July 30, 2014.
4. Reply briefs are now due no later than 12:00 p.m. on Wednesday, August 13, 2014.

DATE: June 18, 2014

DARRELL LEPKOWSKY
Administrative Law Judge
Office of Administrative Hearings