

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENT ON BEHALF OF STUDENT,

v.

CAPISTRANO UNIFIED SCHOOL
DISTRICT,

OAH Case No. 2014100989

CAPISTRANO UNIFIED SCHOOL
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH Case No. 2014100052

ORDER FOLLOWING PRE-HEARING
CONFERENCE, VACATING HEARING
DATE AND ORDERING ISSUANCE OF
NEW SCHEDULING ORDER

On March 2, 2015, a telephonic prehearing conference was held before Administrative Law Judge Robert Helfand, Office of Administrative Hearings. Phillip VanAllsburg and Monika Jones, Attorneys at Law, appeared on behalf of Parent on behalf of Student. Tracy Johnson, Attorney at Law, appeared on behalf of Capistrano Unified School District. The PHC was recorded.

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

On March 5, 2015, Student filed with OAH a request to withdraw all claims which accrued prior to October 22, 2012. The scheduled Due Process Hearing which was the subject of this Prehearing Conference was to determine whether the two limitation period bars Student's claims which accrued prior to October 22, 2012.

Because the March 5, 2015 withdrawal of issues renders whether the statute of limitations applies to those claims made prior to October 22, 2012, the issue is now moot.

Accordingly, the Due Process Hearing scheduled for March 9, 10, and 11, 2015 is VACATED.

OAH will issue a scheduling order as to the February 23, 2015 filing of Student's amended complaint.

DATE: March 3, 2015

/s/

ROBERT HELFAND
Administrative Law Judge
Office of Administrative Hearings