

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. 2018090140

ORDER FOLLOWING PREHEARING
CONFERENCE AND GRANTING
JOINT REQUEST FOR MEDIATION
AND CONTINUANCE

On October 19, 2018, Administrative Law Judge Adrienne L. Krikorian, Office of Administrative Hearings held a telephonic prehearing conference. Attorney Soo Yun appeared on Student's behalf. Attorney Donald Erwin appeared on behalf of LAUSD. The PHC was recorded. Based upon discussion with the parties, the ALJ makes the following orders.

1. Joint Request for Continuance. The parties filed a joint motion for mediation and a continuance of the due process hearing on October 18, 2018, one day before the prehearing conference. Both parties filed prehearing conference statements on October 19, 2018. The parties explained they filed their request for continuance late because they were negotiating available dates. The ALJ discussed the importance of complying with timelines and the consequences for not doing so.

The Individuals with Disabilities Education Act mandates speedy resolution of these due process matters. Here, the parties established good cause for a continuance of the due process hearing to allow them to mediate the matter. The request is granted. However, OAH does not contemplate granting any further continuances absent a showing by declaration under penalty of perjury of extraordinary good cause.

All dates are vacated. The new dates are:

Mediation: November 21, 2018, 1:30 p.m. Mediation will take place at LAUSD, 333.S. Beaudry Avenue, Los Angeles, California 90017.

Prehearing conference: January 11, 2019, 1:00 p.m. The parties are not required to file new PHC statements unless circumstances change. All other PHC matters will be discussed at the continued PHC.

Due Process Hearing: January 23 and 24, 2019, and continuing day to day, Monday through Thursday, at the discretion of the ALJ. The hearing shall take place at the Office of

Administrative Hearings, 15350 Sherman Way, Suite 300, Van Nuys, California 91406..
The hearing shall begin at 9:30 a.m. the first day of the hearing and at 9:00 a.m. all other days, unless otherwise ordered.

2. Settlement. The parties are encouraged to continue working together to reach an agreement before the rescheduled PHC. The parties shall inform OAH in writing immediately should they reach a settlement or otherwise resolve the dispute before the scheduled PHC. In addition, if a settlement is reached within 24 hours of the scheduled start of the PHC, 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 the PHC, 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 EMAIL THE SIGNATURE PAGE OF THE SIGNED AGREEMENT OR A LETTER WITHDRAWING THE CASE TO THE OAH AT <https://www.applications.dgsapps.dgs.ca.gov/oah/oahsftweb> .

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.

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

IT IS SO ORDERED.

DATE: October 19, 2018

DocuSigned by:
Adrienne L. Krikorian
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ADRIENNE L. KRIKORIAN
Administrative Law Judge
Office of Administrative Hearings