

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS OF:
PARENT ON BEHALF OF STUDENT,

AND

SADDLEBACK VALLEY UNIFIED SCHOOL DISTRICT,
OAH CASE NUMBER 2021090374
OAH CASE NUMBER 2021070197

ORDER GRANTING SADDLEBACK VALLEY UNIFIED
SCHOOL DISTRICT'S MOTION TO CONSOLIDATE

SEPTEMBER 22, 2021

On July 7, 2021, Saddleback Valley School District filed with the Office of Administrative Hearings a Request for Due Process Hearing in OAH case number 2021070197, called Saddleback's Case, naming Parents on behalf of Student.

On September 22, 2021, Student filed a Request for Due Process Hearing in OAH case number 2021090374, called the Student's Case, naming Saddleback Valley Unified School District. On September 20, 2021, Saddleback filed a Motion to Consolidate Student's Case with Saddleback's Case. Student filed a Notice of Non-Opposition to Saddleback's Motion, on September 21, 2021.

CONSOLIDATION

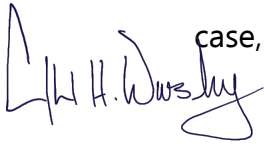
No statute or regulation specifically provides a standard to be applied in deciding a motion to consolidate special education cases. However, OAH will generally consolidate matters that involve the same parties, a common question of law and/or fact, and when consolidation of the matters furthers the interests of judicial economy by saving time or preventing inconsistent rulings. (See Gov. Code, § 11507.3, subd. (a) [administrative proceedings may be consolidated if they involve a common question of law or fact]; Code of Civ. Proc., § 1048, subd. (a) [same applies to civil cases].)

Here, Student's Case and Saddleback's Case involve common questions of law and fact. Student's Case and the Saddleback's Case pertain to the same initial assessment and involve the same time period, witnesses, and documents. Consolidation will promote judicial economy and preclude a duplication of the participants' time and efforts. Student does not oppose the motion. Therefore, consolidation is granted.

ORDER

1. Saddleback's Motion to Consolidate is granted.
2. Student's Case, OAH case number 2021090374, is designated as the primary case. All dates previously set in Saddleback's Case, OAH case number 2021070197, are vacated.

3. 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 the primary case, OAH case number 2021090374.

A handwritten signature in blue ink, appearing to read "Clifford H. Woosley". The signature is stylized with a large initial "C" and a long, sweeping underline.

Clifford H. Woosley

Administrative Law Judge

Office of Administrative Hearings