

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT AND
SACRAMENTO CITY UNIFIED SCHOOL DISTRICT SELPA.

OAH CASE NUMBER 2021090120

VACATING ORDER TO SHOW CAUSE

OCTOBER 07, 2021

On September 1, 2021, Student, through legal counsel, filed a request for due process hearing with the Office of Administrative Hearings, called OAH, naming Sacramento City Unified School District, Sacramento City Unified School District SELPA, and nine individuals in their official capacity related to Sacramento City Unified School District. The proof of service for the complaint only stated service on attorney Jennifer Baldassari, who filed a notice of representation on September 7, 2021, only as to Sacramento City Unified School District and Sacramento City Unified School District SELPA, and not to any of the individuals named in the complaint. On September 7, 2021, counsel for Student filed a proof of service listing the named individuals, but not indicating whether they were served by email or United States mail. On September 9,

2021, OAH issued a Notice of No Action regarding the individually named parties as Student did not provide proof that they had been properly served. In response, counsel for Student filed on September 10, 2021, another proof of service in which the boxes for service by email and United States mail were checked.

On September 13, 2021, OAH issued Order to Show Cause as to Why Individually Named Parties Should Be Included In This Matter, and set a briefing schedule of Student's response being due to OAH and September 20, 2021, and the response from Sacramento City Unified School District and Sacramento City Unified School District SELPA, collectively Sacramento City, due on September 23, 2021.

On September 15, 2021, the parties filed a request for extension of time so that Student's response would be due on October 4, 2021, and Sacramento City's response on October 7, 2021. OAH informed the parties by telephone on September 16, 2021, that the parties' request was granted. On September 20, 2021, Student submitted a request that OAH issue a written order granting the extension of time.

On September 20, 2021, OAH granted the request and ordered Student to file a written response to the September 13, 2021 Order to Show Cause with OAH by no later than 5:00 PM on October 4, 2021. A copy of the response shall be served upon the opposing party. Any response by Sacramento City shall be filed by noon on October 7, 2021.

On September 28, 2021, Student submitted a Notice of Settlement Pending Board approval, and OAH vacated the Prehearing Conference and Hearing dates. Accordingly, the September 13, 2021 Order to Show Cause is vacated.

IT IS SO ORDERED.

Peter Paul Castillo

Peter Paul Castillo

Presiding Administrative Law Judge

Office of Administrative Hearings