

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

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

and

SADDLEBACK VALLEY UNIFIED SCHOOL DISTRICT,
OAH CASE NUMBER 2024100114
OAH CASE NUMBER 2024080593

ORDER GRANTING MOTION TO CONSOLIDATE

OCTOBER 4, 2024

On August 14, 2024, Saddleback Valley Unified School District, called Saddleback Valley, filed with the Office of Administrative Hearings a Request for Due Process Hearing in OAH case number 2024080593, called Saddleback Valley's Case, naming Student. The Office of Administrative Hearings is called OAH.

On October 1, 2024, Student filed a Request for Due Process Hearing in OAH case number 2024100114, called Student's Case, naming Saddleback Valley. Also on October 1, 2024, Student filed a Motion to Consolidate the cases.

On October 4, 2024, Saddleback Valley filed a non-opposition to the motion.

Student's motion was discussed at the October 4, 2024 prehearing conference in Saddleback Valley's case. Following a discussion with the parties, the undersigned granted Student's motion, and indicated that OAH will issue a separate written order regarding the consolidation. The undersigned issues this written order following the ruling at the prehearing conference.

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, both cases involve the same parties, and a common question of law or fact, specifically, the content and findings of the May 30, 2024 multidisciplinary assessment. Additionally, Saddleback Valley does not oppose the motion. Finally, consolidation furthers the interests of judicial economy because consolidation will reduce the need for the parties to present, and possibly two separate administrative law judges to hear, testimony and evidence on substantially similar matters over two hearings. Accordingly, consolidation is granted.

ORDER

1. Student's Motion to Consolidate is granted.
2. Student's Case is designated as the primary case. All dates previously set in Saddleback Valley's Case, OAH case number 2024080593, are vacated.

3. The consolidated matter shall proceed on the dates assigned to Student's Case, OAH case number 2024100114.
4. 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 Primary Case, OAH case number 2024100114.

IT IS SO ORDERED.

Ashok Pathi

Ashok Pathi

Administrative Law Judge

Office of Administrative Hearings