

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 2024070165

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ORDER GRANTING MOTION TO CONSOLIDATE

October 31, 2024

On July 5, 2024, Saddleback Valley Unified School District filed a Request for Due Process Hearing in OAH case number 2024070165, naming Student. This is referred to as Saddleback Valley's Case.

On October 29, 2024, Student filed with the Office of Administrative Hearings a Request for Due Process Hearing in OAH case number 2024101050, naming, Saddleback Valley Unified School District as respondent. This is referred to as Student's Case.

On October 29, 2024, Student filed a Motion to Consolidate Student's Case and Saddleback Valley's Case. On October 31, 2024, OAH received Saddleback Valley's notice of non-opposition to Student's motion to consolidate.

## 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].)

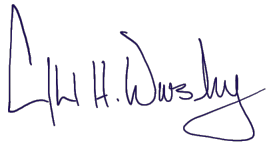
Here, both cases involve a common question of law or fact. Saddleback Valley's Case seeks a determination that its April 2024 multidisciplinary assessments, including psychoeducational, speech and language, and occupational therapy, were legally appropriate and that Saddleback Valley is not obligated to fund Student's request for independent educational evaluations. Student's Case asserts that Saddleback Valley denied Student a FAPE because the educational program it offered in the April 2024 IEP, which used the April 2024 multidisciplinary assessment, failed to meet Student's needs. The legal appropriateness of Saddleback Valley's assessments is an issue in both cases. Consolidation furthers the interests of judicial economy because both cases involve the same witnesses and documentary evidence. Accordingly, consolidation is granted.

## ORDER

1. Student's Motion to Consolidate is granted.
2. Student's Case, OAH Case No. 2024101050, is designated as the Primary Case.
3. All dates previously set in Saddleback Valley's Case, OAH case number 2024070165, are vacated.

4. The consolidated matters shall proceed on the dates set in the Student's Case, OAH Case No. 2024101050.
5. 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 No. 2024101050.

IT IS SO ORDERED.

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