

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

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

and

MURRIETA VALLEY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026050218

OAH CASE NUMBER 2026080144

ORDER FOLLOWING PREHEARING CONFERENCE
GRANTING MOTION TO CONSOLIDATE

AUGUST 10, 2026

On August 10, 2026, Administrative Law Judge Rommel P. Cruz, Office of Administrative Hearings, held a prehearing conference by videoconference. The Administrative Law Judge is called an ALJ. The Office of Administrative Hearings is called OAH. The prehearing conference is called a PHC.

Attorney Damian Fragoso appeared on behalf of Student. Attorney Peter Sansom appeared on behalf of Murrieta Valley Unified School District. The PHC was recorded. Based upon discussion with the parties, the ALJ issues the following order:

CONSOLIDATION

On May 4, 2026, Parents on behalf of Student filed a due process hearing request with OAH naming Murrieta Valley Unified in OAH case number 2026050218. OAH case number 2026050218 is referred to as Student's Case. A due process hearing request is called a complaint.

On August 5, 2026, Murrieta Valley Unified filed a complaint naming Student, in OAH case number 2026080144. OAH case number 2026080144 is referred to as Murrieta Valley Unified's Case. Murrieta Valley Unified also filed a motion to consolidate the cases on August 5, 2026, and requested the hearing for the consolidated cases occur on the dates in Murrieta Valley Unified's Case. At the PHC, Student did not oppose consolidation of the cases, nor Murrieta Valley Unified's request to schedule the hearing on the dates in Murrieta Valley Unified's Case.

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, specifically, whether the individual education program, called IEP, developed on February 12 and March 5, 2026, offered Student a free appropriate public education. In addition, consolidation furthers the interests of judicial economy because the same evidence and witnesses will

be presented in both cases on whether the IEP in question in both cases is appropriate. Accordingly, consolidation is granted.

ORDER

1. Murrieta Valley Unified's Motion to Consolidate is granted.
2. Student's Case, OAH case number 2026050218, is designated as the primary case.
3. Murrieta Valley Unified's request for the consolidated cases to proceed on the dates set in Murrieta Valley Unified's Case, OAH case number 2026080144 is granted. All dates in Murrieta Valley Unified's Case are vacated, the dates in Student's Case are continued, and the consolidated case shall proceed as follows: PHC will occur on August 24, 2026, at 1:00 PM, and the due process hearing will be held on September 1, 2, and 3, 2026, continuing day to day as needed at the discretion of the ALJ.
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 Student's Case, OAH case number 2026050218.

5. This Order includes all rulings made at the PHC. Any discussion and conversation not referenced in this Order is not binding on the ALJ conducting the hearing and may not be relied upon by the parties. The parties should be aware that, at hearing, the ALJ conducting the hearing has discretion to reconsider any part of this Order.

Rommel P. Cruz

Rommel P. Cruz

Administrative Law Judge

Office of Administrative Hearings