BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

SAN DIEGO UNIFIED SCHOOL DISTRICT,

and

PARENT ON BEHALF OF STUDENT,

OAH CASE NUMBER 2024090140

OAH CASE NUMBER 2024060965

ORDER DENYING REQUEST FOR RECONSIDERATION

DECEMBER 16, 2024

At a prehearing conference on December 6, 2024, the undersigned Administrative Law Judge denied Student's motion to disqualify San Diego's counsel for alleged ethical violations. The denial was based on OAH's lack of jurisdiction, and was confirmed in the Order Following Prehearing Conference issued on December 9, 2024.

On December 11, 2024, Student filed a motion for reconsideration. On December 12, 2024, San Diego filed an opposition.

APPLICABLE LAW

The Office of Administrative Hearings will generally reconsider a ruling upon a showing of new or different facts, circumstances, or law justifying reconsideration, when the party seeks reconsideration within a reasonable period of time, generally within ten days. (See, e.g., Gov. Code, § 11521; Code Civ. Proc., § 1008.) The party seeking reconsideration may also be required to provide an explanation for its failure to previously provide the different facts, circumstances or law. (See *Baldwin v. Home Savings of America* (1997) 59 Cal.App.4th 1192, 1199-1200.)

Student offers no new facts, circumstances or law. to support reconsideration. She claims that she "has discovered additional and clarifying law" which "sheds new light" on the order described above. However, Student does not present any new law. Instead, her moving papers show that she has recently discovered law that existed at the time and was readily available to counsel when her original motion was filed. In the exercise of due diligence, counsel could and should have presented the newly discovered law on the original motion. Counsel's incomplete legal research does not justify reconsideration.

ORDER

Student has not established that the Order of December 6, 2024, denying her motion to disqualify opposing counsel, should be reconsidered. The motion for reconsideration is denied. All dates set in this matter are confirmed.

IT IS SO ORDERED.

Charles Marson

Charles Marson
Administrative Law Judge
Office of Administrative Hearings