BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:	
PARENT ON BEHALF OF STUDENT,	OAH CASE NO. 2013101124
v.	ORDER FOLLOWING PREHEARING CONFERENCE AND CONTINUING PREHEARING CONFERENCE AND DUE PROCESS HEARING
LOS ANGELES UNIFIED SCHOOL DISTRICT.	

On February 14, 2014, a telephonic prehearing conference (PHC) was held before Administrative Law Judge (ALJ) Elsa H. Jones, Office of Administrative Hearings (OAH). Student's Parents appeared on behalf of themselves and Student (collectively, Student). Miguel Rojas, a Spanish language interpreter, interpreted the proceeding for Parents. Donald A. Erwin, Attorney at Law, Assistant General Counsel for the Los Angeles Unified School District (District) appeared on behalf of District, along with Joanne Kim, legal assistant. The PHC was recorded.

Based on discussion with the parties, the ALJ issues the following Order:

1. Hearing Dates, Times, and Location. The hearing is continued on motion of Student, to allow Student to obtain counsel. District did not oppose a continuance of one week. Accordingly, the hearing shall take place on **March 4, 2014 through March 6, 2014**, and continuing day to day thereafter, Monday through Thursday as needed, at the discretion of the ALJ. Unless otherwise ordered**, the first day of hearing shall begin at 9:30 a.m., and subsequent hearing days shall begin at 9:00 a.m.**

The hearing shall take place at the offices of OAH, located at 15350 Sherman Way, Suite 300, Van Nuys, California 91406.

The parties shall immediately notify all potential witnesses of the hearing dates, and shall subpoena witnesses if necessary, to ensure that the witnesses will be available to testify. A witness will not be regarded as unavailable for purposes of showing "good cause" to continue the hearing if the witness was not properly notified of the hearing date or properly subpoenaed, as applicable.

Given the age of this matter, the parties should not anticipate that any further continuances will be granted, and all parties and counsel should be prepared to proceed with the hearing on the dates stated above. In particular, should Student obtain counsel, the parties should not anticipate that any further continuances will be granted based upon such new counsel's availability.

2. Continued PHC. The telephonic PHC is continued to February 21, 2014, at 10:00 a.m. OAH will initiate the conference call.

District has filed its PHC Statement and need not file any additional PHC Statement unless circumstances change requiring that another PHC Statement be filed.

Despite previous orders, Student has not yet filed a PHC Statement. In lieu of a PHC statement, Student is ordered to file a list of witnesses whom he intends to call to testify at hearing, and a list of documents which he intends to offer into evidence at hearing. The list of witnesses and documents must be filed with OAH and served on the District **by no later than noon on February 20, 2014.**

Student is encouraged to review the District's Amended PHC Statement to determine which witnesses and documents listed there Student might wish to include on his list of witnesses and documents, and also to use as an example of the type of information that should be included in the list of witnesses and documents that Student is ordered to file.

3. Settlement. The parties are encouraged to continue working together to reach an agreement before the due process hearing. The parties shall inform OAH in writing immediately should they reach a settlement or otherwise resolve the dispute before the scheduled hearing. In addition, if a settlement is reached within five days of the scheduled start of the due process hearing, the parties shall also inform OAH of the settlement by telephone at (916) 263-0880.

IT IS SO ORDERED.

DATE: February 14, 2014

ELSA H. JONES
Administrative Law Judge
Office of Administrative Hearings