BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. LOS ANGELES UNIFIED SCHOOL DISTRICT.	OAH Case No. 2016050828 ORDER SETTING ASIDE ORDER TO SHOW CAUSE

On July 6, 2016, the Office of Administrative Hearings issued an Order to Show Cause why Student's counsel should not pay the costs related to cancelation of the scheduled July 6, 2016 mediation. The Order to Show Cause called for Student's counsel, Soo Yun, to submit a response to OAH by July 13, 2016. OAH received the response on July 12, 2016.

From the response, it appeared that Student and Los Angeles Unified School District reached an agreement on July 5, 2016, which Parents signed and Ms. Yun sent to District in the early evening. District sent Ms. Yun a fully executed copy of the agreement at 7:00 a.m., and Ms. Yun expected District to contact OAH to cancel the mediation, which District did at 8:00 a.m. on the day of the mediation.

Because Ms. Yun knew that the parties had an agreement as of the evening of July 5, 2016, as Parents had signed the agreement District had sent her, she knew that the mediation scheduled for the next day would not occur and presumably told Parents that they need not go the District office on July 6, 2016. While Ms. Yun expected from past practice that District typically called OAH to cancel the mediation, nothing prevented her from contacting OAH to ensure that a mediator would not make a needless trip to the mediation. However, Ms. Yun set forth sufficient facts to set aside the Order to Show Cause based on her belief that District would timely notify OAH.

IT IS SO ORDERED.

DATE: July 13, 2016

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Peter Paul Castillo
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PETER PAUL CASTILLO
Presiding Administrative Law Judge
Office of Administrative Hearings