BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

PALO ALTO UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2024070468

# ORDER REGARDING CONTINUANCE OF DUE PROCESS HEARING AND SETTING FILING SCHEDULE

DECEMBER 24, 2024

On July 12, 2024, Student filed a request for due process hearing naming Palo Alto Unified School District, called Palo Alto. The due process hearing in this matter began on November 26, 2024, and is ongoing.

On December 16, 2024, the undersigned Administrative Law Judge ordered the Palo Alto Unified School District, called Palo Alto, to produce subpoenaed documents to Student no later than December 27, 2024. Student has reserved the right to recall witnesses after reviewing the delayed production, which will be permitted contingent upon a satisfactory offer of proof.

As part of the production, Palo Alto indicated it would withhold privileged documents, and on December 16, 2024, was also ordered to provide Student with a privilege log of any withheld documents by December 27, 2024.

Accordingly, good cause was shown for a continuance of the hearing through January 22, 2025, for Student to review the delayed production, which is anticipated to be in excess of several thousand pages, and privilege log. The continuance also allows the parties time to file motions and opposition related to the privilege log or the recalling of witnesses, if any, for consideration and ruling prior to the continued hearing date.

Accordingly, on the record at the due process hearing on December 20, 2024, the hearing was continued and a filing schedule set on dates mutually agreed upon between the parties as follows:

MEET AND CONFER: The parties must meet and confer on the delayed production, privilege log, and witnesses sought to be recalled, if any, no later than 5:00 PM on January 10, 2025.

PRODUCTION OR WITNESS MOTIONS: Any motions by Student regarding Palo Alto's production or privilege log must be filed with OAH no later than 5:00 PM on January 15, 2025. Written offers of proof as to any witnesses Student seeks to recall are also due by 5:00 PM on January 15, 2025. Opposition, if any, to Student's motions or offers of proof must be filed with OAH no later than 5:00 PM on January 17, 2025.

DUE PROCESS HEARING: The due process hearing in this matter is continued to 9:30 AM on January 22, 2025.

WRITTEN CLOSING BRIEFS: Written closing briefs in this matter are due on February 14, 2025.

If the parties agree that no further documents will be offered into evidence and no further witnesses will be called, the parties may file a written stipulation to that effect with OAH. In response, OAH will vacate the January 22, 2025 hearing date and order closing briefs to be submitted by 5:00 PM on January 29, 2025. Closing briefs must be no longer than 40 pages with 1.5 line spacing, excluding the title page and tables of contents and authorities.

OAH will set a different due date for closing briefs if the parties stipulate to a due date for written closing briefs between January 29 and February 14, 2025.

IT IS SO ORDERED

*Alexa Hohensee*

Alexa Hohensee
Administrative Law Judge
Office of Administrative Hearings