BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. PASADENA UNIFIED SCHOOL DISTRICT.	OAH Case No. 2017100570 ORDER FOLLOWING TELEPHONIC ORDER TO SHOW CAUSE FOR SANCTIONING STUDENT'S ATTORNEY'S FAILURE TO TIMELY FILE A PREHEARING CONFERENCE STATEMENT

On February 12, 2018, a telephonic conference for an order to show cause regarding sanctions was held before Administrative Law Judge Sabrina Kong, Office of Administrative Hearings. Hamlet Yarijanian appeared on Student's behalf. ALJ left two messages for Meredith Reynolds, Pasadena Unified District's attorney; Ms. Reynolds did not participate, or appear on District's behalf. The telephonic order to show cause conference was recorded.

During the January 29, 2018 telephonic prehearing conference ALJ set an order to show cause regarding sanctions because Student did not file any prehearing conference statement until minutes before the PHC. As a result, neither the ALJ, nor District's attorney, received the PHC statement before the PHC. Mr. Yarijanian's failure to timely file the PHC statement resulted in a waste of public resources.

The parties have settled the matter since the PHC. Student filed a Request for a Withdrawal of the Case, without prejudice, and District filed a request for OAH to grant Student's Notice of Withdrawal of the Case. District did not request fees for Student's failure to timely file a PHC statement. Mr. Yarijanian represented that the delay in obtaining the parents' signatures to the settlement agreement caused his delay in filing the PHC statement.

ALJ explained that PHC statements must be filed unless OAH orders otherwise, or the case is withdrawn; emphasized the importance of timely filings; and encouraged Mr. Yarijanian to familiarize himself with OAH calendaring deadlines. Although this was the firm's second order to show cause regarding sanctions within a one month time frame, it was Mr. Yarijanian's first time engaging in actions resulting in an order to show cause regarding sanctions before the ALJ. Upon Mr. Yarijanian's representation that he will institute procedures within the firm which will prevent late filings and comply with OAH deadlines in the future, ALJ did not sanction Mr. Yarijanian.

No sanctions shall issue.

IT IS SO ORDERED.

DATE: February 12, 2018

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Sabrina Kong
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SABRINA KONG
Administrative Law Judge
Office of Administrative Hearings