BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LONG BEACH UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2024110578

ORDER DENYING REQUEST FOR RECONSIDERATION

JANUARY 15, 2025

On January 10, 2025, the undersigned Administrative Law Judge issued an order denying Student's request to change the mediation start time from 1:30PM to 2:00PM in this case. Student's counsel is scheduled for a prehearing conference before OAH at 1:00PM. Student's counsel filed motions in both cases seeking the currently scheduled dates and times. Those requests were granted, thus creating the potential conflict counsel now seeks to avoid. As noted in the original order, the Office of Administrative Hearings has standard times for mediations and prehearing conferences and maintaining the schedule, absent good cause to deviate from the schedule, is necessary for operational need, particularly the efficient use of public resources.

On January 13, 2025, Student filed a Second Request to Change Start Time for Mediation. Although filed as a new motion, it is a request for reconsideration of the

original order. Student offers that the potential conflict became apparent when counsel reviewed the calendar and that moving the time is a slight inconvenience but does not appear insurmountable. Counsel indicates that if the mediation time is not adjusted, she "awaits an order from OAH as to what it it [sic] wishes Petitioner to do in this matter."

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.)

DISCUSSION

Student offers no new facts, circumstances, or law to support reconsideration. A potential conflict, particularly one like this, is not good cause to delay the mediation. Mediation start times have been adjusted when good cause is established, such as a mandatory conflicting court appearance or a specialist medical appointment. Such cause was not provided in the original or motion for reconsideration. Additionally, OAH does not advise parties or attorneys how to manage their calendars and declines the invitation to advise counsel how to proceed.

ORDER

Student has not established the January 10, 2025, Order should be reconsidered. The motion for reconsideration is denied. All dates set in this matter are confirmed.

IT IS SO ORDERED.

Joy Redmon

Joy Redmon
Presiding Administrative Law Judge
Office of Administrative Hearings