BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:	
PARENT ON BEHALF OF STUDENT,	OAH Case No. 2016100009
v.	ORDER CONTINUING MATTER FOR ADDITIONAL BRIEFING
OXNARD SCHOOL DISTRICT.	

The hearing in this matter concluded on March 28, 2017, and was continued to April 19, 2017, for the parties to file final written argument. The parties were ordered to file a preliminary brief due on April 5, 2017, specifically addressing only the issue of the applicable statute of limitations.

On March 30, 2017, a panel of the Ninth Circuit issued a decision in *Avila v. Spokane School Dist.* (Ninth Cir. 2017), --- F.3d ---, 2017 WL 1173700, 17 Cal. Daily Op. Serv. 3045, addressing the application of the two-year statute of limitations in 20 United States Code section 1415(f)(3)(C). Here, Student seeks a determination that he is entitled to relief beyond two years before the filing of his complaint. Therefore, the parties are entitled to additional briefing time to address the statute of limitations.

Accordingly, this matter is continued until May 3, 2017. The parties shall file their briefs addressing only the statute of limitations at or before 2:00 p.m. on April 19, 2017. The parties are directed to address the application of the statute of limitations, to the facts specific to this case, including discussion of the *Avila* decision, *M.M. v. Lafayette School Dist.* (2014) 767 F.3d 842, and any other law the parties wish to include.

The final written closing argument shall be filed at or before 2:00 p.m. on May 3, 2017. Final closing briefs shall address both *Endrew F. ex re el Joseph F. v. Douglas County School District RE-1* (2017) --- S.Ct. --- WL1066260, and *M.C. by and through his guardian ad litem M.N.; M.N.* (Ninth Cir. 2017) 2017 WL 1131821, to the extent those recent decisions are applicable to the facts and law in this case.

Upon filing of the final written briefs, the record will then be closed and the matter submitted for decision.

DATE: April 3, 2017

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Adrienne L. Krikorian
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ADRIENNE L. KRIKORIAN
Administrative Law Judge
Office of Administrative Hearings