BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

COVINA-VALLEY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2019070878

ORDER SETTING ASIDE ORDER TO SHOW CAUSE

On October 18, 2019, the Office of Administrative Hearings, referred to as OAH, issued an Order to Show Cause Why Student's attorney, Amanda Selogie, and Covina Valley Unified School District's attorney, Constance M. Taylor, should not pay OAH's costs related to the cancelation of the scheduled October 15, 2019, 9:30 AM, mediation. The Order to Show Cause called for Student's and Covina Valley's attorneys to submit a response to OAH by October 25, 2019. OAH received Student's response on October 22, 2019, and Covina Valley's on October 24, 2019.

The basis for the order to show cause was that on August 8, 2019, OAH issued a scheduling order, with the mediation date. On October 15, 2019, the assigned mediator traveled to the Covina Valley's office. Upon the mediator's arrival for the mediation, the mediator was informed that the parties had settled the case and the mediation was not required as to party or their attorney was present to mediate. The mediation was subsequently cancelled.

In Ms. Selogie's response, she states that Student and Covina Valley reached an agreement on August 29, 2019, which the Board of Covina Valley was to consider on September 23, 2019, and that a member of her office contacted OAH that day to cancel the mediation, and staff member identified the OAH Case Manager she believed that she spoke to. Ms. Taylor states that she relied on assurances from Ms. Selogie that her office had contacted OAH to cancel the mediation. While OAH has no record of receiving a phone call to cancel the mediation, OAH accepts the explanation from Ms. Selogie and Ms. Taylor that they took appropriate steps to ensure the mediation was cancelled. Accordingly, the order to show cause is set aside.

IT IS SO ORDERED.

DocuSigned by:
Peter Paul Castillo
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DATED: October 29, 2019

Peter Paul Castillo
Presiding Administrative Law Judge
Office of Administrative Hearings