BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

AND

ETIWANDA SCHOOL DISTRICT,

OAH CASE NUMBER 2022030482

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ORDER DENYING MOTION TO STRIKE

JUNE 30, 2022

On June 28, 2022, Student filed a motion to dismiss with the Office of Administrative Hearings on the grounds that Etiwanda Unified School District filed their written closing brief on June 27, 2022 at 2:14 PM and did not serve it on Student's counsel until 2:57 PM which was after the 2:00 PM deadline ordered by the ALJ on the last day of hearing. Student argues that the late filing gave Etiwanda an unfair

advantage because Etiwanda had an extra 14-minute opportunity to revise its written closing argument before filing it. OAH received no opposition from Etiwanda.

Student has demonstrated no prejudice by Etiwanda's 14-minute late filing. The fact that Etiwanda served its brief an hour late is inconsequential because it already been filed. Student's motion to strike is denied.

IT IS SO ORDERED.

Laurie Gorsline

Laurie Gorsline
Administrative Law Judge
Office of Administrative Hearings