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. 2015060450 ORDER DENYING STUDENT'S MOTION TO EXTEND CLOSING BRIEF PAGE LIMIT

At the conclusion of the hearing herein, on August 5, 2015, Administrative Law Judge Clifford H. Woosley discussed the preparation and filing of the parties' closing briefs with the attorneys. ALJ Woosley suggested Friday, August 14, 2015, as the due date for the briefs' filing. Attorney Meredith Reynolds for District noted that she was leaving on August 14, 2015, for a long planned family reunion and would be thereafter unavailable until her return; therefore, the due date was acceptable. Attorney Carolyn Olson for Student did not object. Accordingly, ALJ Woosley ordered that the closing briefs be filed by close of business (5:00 p.m.), Friday, August 14, 2015.

Considering the brevity of the hearing and the relatively few admitted exhibits, ALJ Woosley set a 15-page limit for the closing briefs, not including any tables of authority, utilizing 12-point type.

At 3:00 p.m., August 14, 2015, Student faxed to the Office of Administrative Hearings, a Motion to Extend the Closing Brief Page Limit, supported by the Declaration of Ms. Olson. Ms. Reynolds telephoned OAH in Sacramento and informed the case manager assigned to this matter that the District opposes Student's request. At 3:45 p.m., ALJ Woosley was in the OAH Van Nuys offices and received notice of Student's motion.

Student's counsel asserts that the complexity of the issues requires additional pages to fully analyze and argue the Student's case. The request is not unreasonable and would likely have been granted if made in a timely manner. However, the motion was not made until late in the afternoon of the due date, with no good cause showing as to why Student delayed in making the request. Further, District's attorney Ms. Reynolds had prepared the District's closing brief, mindful of the 15-page limit. To allow Student additional pages to present closing argument, less than an hour before the briefs' are due, would be inequitable and prejudicial to District.

Student's motion to extend the page limit of the closing briefs is denied because Student has failed to demonstrate good cause and because the granting of the last-minute request would be prejudicial to District.

IT IS SO ORDERED.

DATE: August 17, 2015

/s/
CLIFFORD H. WOOSLEY
Administrative Law Judge
Office of Administrative Hearings