BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

GARVEY SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NUMBER 2019110294

ORDER REGARDING CLOSING BRIEFS

MAY 19, 2020

On April 28, 29, and 30, 2020, Administrative Law Judge Linda Johnson held a due process hearing by video conference. The Administrative Law Judge is referred to as the ALJ. Attorney Sharon Watt represented Garvey School District. Alma Ulloa, Garvey's Special Education Director, attended on Garvey's behalf. Attorneys Valerie Vanaman and Sophia Bliziotis represented Student. Parents attended on Student's behalf.

At the beginning of the hearing Garvey represented it submitted a written opening statement to the Office of Administrative Hearings, referred to as OAH. Student's attorneys had not received a copy of the opening statement nor had OAH. Garvey represented that it mailed the opening statement to OAH. The undersigned ALJ informed Garvey that it could read its opening statement into the record but the written opening statement would not be considered.

At the conclusion of the hearing the undersigned ALJ continued the hearing at Garvey's request to May 15, 2020, for closing briefs. In Garvey's closing brief it purported to incorporate by reference its written opening statement rather than repeat the information. OAH did not receive a written opening statement from Garvey. Garvey was aware of this on the first day of hearing and chose not to supplement the record by providing the written opening statement. Furthermore, the undersigned ALJ ordered the parties to submit a closing brief of no more than 20 pages, not inclusive of tables of contents or tables of authorities. The undersigned ALJ did not authorize multiple documents for closing briefs. Therefore, only Garvey's closing brief will be considered, not its written opening statement.

IT IS SO ORDERED.

DocuSigned by:
Linda Johnson
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Linda Johnson

Administrative Law Judge

Office of Administrative Hearings