

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

WILLIAM S. HART UNION HIGH  
SCHOOL DISTRICT.

OAH CASE NO. 2010120997

ORDER CONTINUING PREHEARING  
CONFERENCE

On February 16, 2010, Administrative Law Judge (ALJ) Elsa H. Jones, Office of Administrative Hearings, called the parties at the time of the duly scheduled and noticed telephonic prehearing conference (PHC) in this matter. The ALJ called Parents at their home and cell phone numbers, but nobody answered the phones. The ALJ left a voicemail message on the Parents' cell phone. The ALJ also contacted the William S. Hart Union High School District, (District), and spoke to Marty Lieberman, the District's Director of Special Education. The conversation was not recorded. No party filed a PHC statement.

Mr. Lieberman advised the ALJ to the effect that the parties have settled the matter and he was awaiting the Parents' signatures on the settlement agreement. Later in the afternoon of February 16, 2010, Father called OAH and left a voicemail stating that he had signed the settlement agreement and returned it to the District. He further stated that he believed that the settlement was subject to school board approval.

Based on the foregoing, the ALJ issues the following Order:

1. **Continued PHC and Hearing Date:** The telephonic PHC is continued to **February 22, 2010, at 1:30 p.m.** OAH will initiate the conference call. Additionally, good cause exists to continue the hearing as follows: (1) The matter is currently set for a one-day hearing on February 22, 2010, at 9:30 a.m., and the hearing will take more than one day; (2) There have been no prior continuances, and (3) A settlement is pending. A date or dates certain for the hearing will be set at the continued telephonic PHC, or a status conference will be set if the settlement documents have been fully executed but the settlement requires board approval. At the discretion of the ALJ, PHC statements may be ordered to be filed and another PHC set.

2. If the Parents do not appear at the PHC on **February 22, 2010, at 1:30 p.m.**, the ALJ shall consider issuing an Order to Show Cause re: Dismissal of the matter.

3. The PHC will not be held on February 22, 2010, at 1:30 p.m., and the Parents need not appear at the PHC if, by that time, the matter has been properly withdrawn or

dismissed, or, if the settlement is subject to board approval, the parties have so notified OAH and obtained a status conference date.

IT IS SO ORDERED.

Dated: February 16, 2011

/s/

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ELSA H. JONES  
Administrative Law Judge  
Office of Administrative Hearings