

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2012030130

ORDER GRANTING REQUEST TO
AMEND COMPLAINT

On March 5, 2012, attorney Abraham A. Labbad filed a Due Process Hearing Request (complaint), naming District and giving notice that the Law Offices of Attorney Ronald Faulk was Student's attorney of record. The complaint was signed by Abraham A. Labbad, for the Law Office of Abraham A. Labbad. On March 15, 2012, Mr. Labbad filed an amended complaint, which OAH interprets as a motion to amend. Once again, the amended complaint gave notice that the Law Offices of Attorney Ronald Faulk was Student's attorney of record, and it was signed by Abraham A. Labbad, for the Law Office of Abraham A. Labbad. OAH did not receive a response from District.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

The request to amend is timely and is granted. The amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates. Because the pleadings are not clear as to whether the Law Office of Abraham A. Labbad or the Law Offices of Ronald Faulk represent Student in this matter, until such time as a signed Notice of Representation is filed with OAH and served on District by Ronald Faulk, OAH shall consider Mr. Labbad as Student's attorney of record and all communications from OAH will be directed to Mr. Labbad.

IT IS SO ORDERED.

Dated: March 26, 2012

/s/

ADRIENNE L. KRIKORIAN
Administrative Law Judge
Office of Administrative Hearings