

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

POWAY UNIFIED SCHOOL DISTRICT.

OAH CASE NO. 2012110589

ORDER DENYING STUDENT'S
REQUEST TO PERMIT EXCHANGE
OF EXHIBITS ON AN ALTERNATE
ADDRESS OF DISTRICT'S COUNSEL

On January 24, 2013, Parent on behalf of Student filed a request to allow her to serve Student's exhibit binder on the San Diego offices of Atkinson, Andelson, Loya, Ruud and Romo, the law firm representing District in this due process proceeding.

Student objects to service upon the law firm's Cerritos offices, which is 12800 Center Court Drive South, Suite 300, Cerritos, CA 90703-9364, stating that she would have to post or mail the exhibit binder by January 25, 2013, in order to assure receipt by January 28, 2013.

Education Code section 56505, subdivision (e)(7), requires exchange of copies of all documents/exhibits and list of witnesses that a party intends to present at the hearing, at least five (5) business days prior to the hearing. The hearing is scheduled to begin on February 4, 2013. Therefore, the exchange must be completed (that is, received) by January 28, 2013.

On November 29, 2012, attorney Justin R. Shinnfield, of the law offices of Atkinson, Andelson, Loya, Ruud and Romo, filed and served upon Parent a notice of his representation of the District. This notice, as well as every other document filed and served by the District's counsel, provided the Cerritos address as the proper address of record for service.

Parent asserts that she should be able to utilize the address of the law firm's San Diego offices. However, Parent cites no authority for such a proposition. Many law firms have multiple offices, which are in different cities and which house different attorneys. Parties, courts, and judges cannot choose which law firm office to serve. Here, irrespective of whether the law firm has multiple offices in San Diego and Cerritos, the address of record for District's counsel is the Cerritos address.

Accordingly, Student's request to serve Student's exhibits and list of witnesses at the San Diego address is denied. In order to comply with Education Code section 56505, subdivision (e)(7), Student must provide District's counsel with the exhibits and list of

witnesses at the address of record, which is 12800 Center Court Drive South, Suite 300, Cerritos, CA 90703-9364.

IT IS SO ORDERED

Dated: January 24, 2013

/s/

CLIFFORD H. WOOSLEY
Administrative Law Judge
Office of Administrative Hearings