

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Consolidated Matters of:  PARENTS ON BEHALF OF STUDENT,  v.  GARDEN GROVE UNIFIED SCHOOL DISTRICT ,	OAH Case No. 2016010039
<hr/> GARDEN GROVE UNIFIED SCHOOL DISTRICT ,  v.  PARENTS ON BEHALF OF STUDENT.	OAH Case No. 2016031090  ORDER GRANTING MOTION TO CONSOLIDATE

On December 24, 2016, Parents on behalf of Student (Student) filed with the Office of Administrative Hearings a Request for Due Process Hearing in OAH case number 2016010039 (Student’s Case), naming Garden Grove Unified School District.

On March 21, 2016, District filed a Request for Due Process Hearing in OAH case number 2016031090 (District’s Case), naming Student.

On March 21, 2016, District filed a Motion to Consolidate Student’s Case with District’s Case. District also requested that the hearing dates in Student’s Case remain on calendar.

Student did not file a response to the motion.

*Consolidation and Discussion*

Although no statute or regulation specifically provides a standard to be applied in deciding a motion to consolidate special education cases, OAH will generally consolidate matters that involve: a common question of law and/or fact; the same parties; and when consolidation of the matters furthers the interests of judicial economy by saving time or preventing inconsistent rulings. (See Gov. Code, § 11507.3, subd. (a) [administrative

proceedings may be consolidated if they involve a common question of law or fact]; Code of Civ. Proc., § 1048, subd. (a) [same applies to civil cases].)

Here, Student's Case and District's Case involve a common question of law or fact, specifically, the appropriateness of District transportation services. Student does not oppose the motion. In addition, consolidation furthers the interests of judicial economy because both cases involve the same witnesses. Accordingly, consolidation is granted.

#### ORDER

1. District's Motion to Consolidate is granted. OAH Case Number 2016010039 (Student's case) shall be designated the primary case.
2. All dates previously set in OAH Case Number 2016031090 (District's Case) are vacated. The consolidated matter shall proceed pursuant to the March 18, 2016 Order Granting Request for Continuance in OAH Case Number 2016010039 (Student's case).
3. The 45-day timeline for issuance of the decision in the consolidated cases shall be based on the date of the filing of the complaint in OAH Case Number 2016010039 (Student's Case).

IT IS SO ORDERED.

DATE: April 04, 2016

/s/

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ROBERT HELFAND  
Administrative Law Judge  
Office of Administrative Hearings