

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENTS on behalf of STUDENT,

v.

SHORELINE UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2009030733

ORDER GRANTING DISTRICT'S
REQUEST TO FILE OPPOSITION TO
STUDENT'S MOTION FOR
CLARIFICATION

On August 25, 2009, Student filed a motion seeking clarification of the August 3, 2009, Decision as it relates to the requirement that the District conduct an evaluation of Student by an audiology specialist. On September 1, 2009, the District, by its counsel, Joseph C. Kinkade, filed a letter request for leave to file an opposition to Student's motion. Student filed a motion to strike the opposition on September 1, 2009. The motion to strike is hereby deemed an opposition to the District's request.

District cites as its reason for seeking leave to file a late opposition that District's counsel at the Due Process hearing has left the firm and a new attorney from the law firm has been assigned. New counsel needed time to review the lengthy file and consult with the District superintendent. In his opposition to District's request, Student only avers that the District opposition is untimely. Student fails to allege that he is prejudiced if the District is permitted to file a late opposition to the Student's motion for clarification.

Good cause being demonstrated and there being no prejudice to Student, the District's request for leave to file its opposition to Student's motion for clarification is hereby GRANTED.

Dated: September 2, 2009

ROBERT F. HELFAND
Administrative Law Judge
Office of Administrative Hearings