

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENT on behalf of STUDENT,

vs.

TEMECULA VALLEY UNIFIED SCHOOL
DISTRICT,

OAH CASE NO. 2009040514

TEMECULA VALLEY UNIFIED SCHOOL
DISTRICT,

vs.

PARENT on behalf of STUDENT.

OAH CASE NOS. 20090315335 AND
2009050048

ORDER GRANTING STUDENT'S
REQUEST FOR ONE WEEK
CONTINUANCE TO FILE CLOSING
BRIEF

The hearing in this matter concluded on October 14, 2009. The Administrative Law Judge granted the parties' request to file post-hearing closing briefs and set a due date of Monday, October 26, 2009, at 9:00 a.m. for the briefs.

On October 22, 2009, Ralph Lewis, counsel for Student, filed a request for a one-week continuance to file his brief based upon his having become ill with the flu. Mr. Lewis filed an amended request later the same afternoon. In his accompanying declaration accompanying his original motion,¹ Mr. Lewis states that he had contacted counsel for the District, who had indicated to him that he could not agree to the continuance at this time.

Mr. Lewis's illness presents good cause for a one-week continuance in the briefing schedule. No prejudice will be suffered by the District as the continuance will apply to it as well. The due date of the ALJ's decision in this matter will continue to be November 23, 2009.

¹ Mr. Lewis apparently has a hearing beginning on October 26, 2009, and has mixed up the captions for that case with the caption for the instant case. However, it is clear from his motion and accompanying declaration that Mr. Lewis is requesting a continuance of the briefing schedule in this case.

ORDER

Student's request for a one-week continuance to file post-hearing closing briefs is granted. Both parties' closing briefs are now due no later than 9:00 a.m. on Monday, November 2, 2009. Briefs may either be mailed to be received by that date or faxed by that date to the Sacramento office of OAH.

IT IS SO ORDERED.

Dated: October 23, 2009

/s/

DARRELL LEPKOWSKY
Administrative Law Judge
Office of Administrative Hearings