

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT on behalf of STUDENT,

v.

ELK GROVE UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2009080348

ORDER GRANTING REQUEST FOR
ONE-DAY EXTENSION OF TIME [TO
FILE RESPONSE TO STUDENT'S
MOTION FOR STAY PUT

On August 12, 2009, attorney Christian Knox filed with the Office of Administrative Hearings (OAH), on behalf of Student, a Request for Due Process Hearing (complaint), naming the Elk Grove Unified School District (District). On the same date, Student filed a Motion for Stay Put.

On August 17, 2009, attorney Cathy S. Holmes filed on behalf of District a request for extension of time, until August 18, 2009, at 5:00 p.m., to file a response to Student's Motion for Stay Put.

DISCUSSION

District's request for extension of time is based on Ms. Holmes' representation that she spoke with her client for the first time on the afternoon August 17, 2009, and is still in the process of receiving information that is required for a response. District's statement is not supported by sworn declaration and does not state a reason explaining why counsel did not speak with her client until August 17, 2009. However, because District has requested only one additional business day beyond the three days given by OAH to respond, and because this additional day will not affect scheduled hearing dates, the request is granted.

ORDER

GOOD CAUSE APPEARING, the request for extension of time August 18, 2009, at 5:00 p.m. to file a response to Student's Motion for Stay Put is granted.

Dated: August 17, 2009

/s/

DEBRA HUSTON
Presiding Administrative Law Judge
Office of Administrative Hearings

