

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LONG BEACH UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2010090556

ORDER CONTINUING DUE PROCESS
HEARING AND SETTING DATE OF
EXCHANGE OF EXHIBITS

On May 31, 2010, the Long Beach Unified School District (District), through its attorneys Hans A. Gillinger and Karen J. Manabo, of Gibeaut, Mahan & Briscoe, personally appeared at the time and place scheduled for the due process hearing in this matter before Administrative Law Judge (ALJ) Elsa H. Jones, of the Office of Administrative Hearings (OAH). Student's guardian, Andrea Smith, did not personally appear, however, the ALJ was able to contact her by telephone, and the ALJ conducted a telephonic conference between Mr. Gillinger and Ms. Smith. The telephonic conference was not recorded.

Based on discussion with the parties, the ALJ issues the following Order:

Ms. Smith requested a continuance of the hearing, so that she could have additional time to obtain an assignment of the Student's educational rights. District did not oppose this request for a continuance. Furthermore, neither party had exchanged their exhibits in accordance with California Education Code section 56505, subdivision (e)(7), and they required additional time in which to do so.

Accordingly, for good cause shown, the due process hearing in this matter is continued to **June 7-9, 2011**. Each day of hearing shall begin at **9:30 a.m.** The hearing shall take place at the offices of the District, located at 4310 Long Beach Boulevard, Long Beach, California 90807.

The parties shall exchange their exhibits by no later than **June 2, 2011, at 5:00 p.m.**

The parties shall immediately notify all potential witnesses of the hearing dates to ensure their availability to testify on the scheduled dates. A witness is not "unavailable" for purposes of a continuance if the witness has not been properly notified of the hearing dates.

The parties shall continue to confer and cooperate with each other to: (1) facilitate the exchange of evidence and the scheduling of witnesses; (2) reach stipulations of fact, law, and the admissibility of evidence to promote the efficient conduct of the hearing; and (3) promote productive settlement discussions.

IT IS SO ORDERED.

Dated: June 1, 2011

/s/

ELSA H. JONES
Administrative Law Judge
Office of Administrative Hearings