

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

ETIWANDA SCHOOL DISTRICT & SAN
BERNARDINO COUNTY
SUPERINTENDENT OF SCHOOLS.

OAH CASE NO. 2010100803

ORDER GRANTING STUDENT'S
REQUEST FOR EXTENSION OF TIME
TO FILE OPPOSITION TO MOTION
TO DISMISS

Student filed a due process hearing request (complaint) on October 15, 2010. The complaint made allegations beyond the two year statute of limitations period, and alleged violations of the IDEA and various civil rights statutes. On October 28, 2010, respondents filed a motion to dismiss issues on the grounds of jurisdiction, statute of limitations, and that the issues are barred by prior settlement agreements. On November 1, 2010, Student filed a request for an extension of time to file an opposition no later than 5:00 p.m. on November 5, 2010. Student's counsel contends that an extension is warranted given the complexity of the issues and his schedule.

Here, an extension of time is justified because the three grounds for dismissal raised by respondents will require a detailed, factual response. Accordingly, Student's request for an extension to file an opposition to the motion to dismiss is granted. Student shall file any opposition no later than 5:00 p.m. on November 5, 2010.

IT IS SO ORDERED.

Dated: November 2, 2010

/s/

RICHARD T. BREEN
Administrative Law Judge
Office of Administrative Hearings