

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

HACIENDA LA PUENTE UNIFIED
SCHOOL DISTRICT.

OAH CASE NO. 2011040849

ORDER DENYING REQUEST TO
HOLD CONSECUTIVE MEDIATIONS
IN UNRELATED MATTERS AND
SETTING MEDIATION

On May 18, 2011, the parties filed a request to alter the mediation schedule in this matter and to have the mediation shortened to a half-day, so that the Hacienda La Puente Unified School District may mediate another matter on the same day with the same mediator. Mediation is currently set for May 26, 2011. Mediation in an unrelated matter, *Student v. Hacienda La Puente Unified School District*, Office of Administrative Hearings (OAH) Case No. 2011040790 is also set for May 26, 2011.

The alleged commonality between the two cases rests upon the facts that the mediations are assigned to the same OAH mediator, are set on the same day and involve the same local education agency. The differences are that the cases involve two different students, who are not related and therefore, two different families, and one student is represented by legal counsel, while the other is not. While the attorneys in this matter have conferred with one another and agree to limiting each mediation to a half-day, there is no evidence that the family in Case No. 2011040790 was consulted, is informed of the intent of the parties in this case to limit that student's mediation time, or has agreed to such an alteration of the mediation.

Accordingly, the parties request to have half-day mediations in two unrelated matters, with the same mediator on May 26, 2011, is denied. The parties request in the alternative that the mediation in this matter be continued to another date. The parties request to continue the mediation is granted as follows:

1. The mediation date of May 26, 2011, in this case is vacated.
2. The mediation in this case is continued to June 2, 2011.

3. Nothing in this order affects the dates calendared in OAH Case No. 2011040790.

IT IS SO ORDERED.

Dated: May 20, 2011

/s/

BOB VARMA
Administrative Law Judge
Office of Administrative Hearings