

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

PARAMOUNT UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2011120956

ORDER GRANTING MOTION TO  
CONSOLIDATE

On November 29, 2011, District filed a Request for Due Process Hearing in OAH case number 201110998 (First Case), naming Student.

On December 29, 2011, Student filed a Request for Due Process Hearing in OAH case number 2011120956 (Second Case), naming District.

On December 29, 2011, Student also filed a Motion to Consolidate the First Case with the Second Case.

On January 4, 2012, District opposed consolidation but filed an amended response on January 5, 2012 stating District did not oppose consolidation of the complaints.

Although no statute or regulation specifically provides a standard to be applied in deciding a motion to consolidate special education cases, OAH will generally consolidate matters that involve: a common question of law and/or fact; the same parties; and when consolidation of the matters furthers the interests of judicial economy by saving time or preventing inconsistent rulings. (See Gov. Code, § 11507.3, subd. (a) [administrative proceedings may be consolidated if they involve a common question of law or fact]; Code of Civ. Proc., § 1048, subd. (a) [same applies to civil cases].)

Here, the First Case and Second Case involve a common question of law or fact, specifically; both complaints involve issues of placement and related services. District does not oppose the motion. In addition, consolidation furthers the interests of judicial economy because both complaints require the same documentary evidence and witness testimony. Accordingly, consolidation is granted.

## ORDER

1. Student's Motion to Consolidate is granted.
2. All dates previously set in OAH Case Number 201110998 [First Case] are vacated.
3. The 45-day timeline for issuance of the decision in the consolidated cases shall be based on the date of the filing of the complaint in OAH Case Number 2011120956 [Second Case].

Dated: January 09, 2012

/s/

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STELLA OWENS-MURRELL  
Administrative Law Judge  
Office of Administrative Hearings