

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

TORRANCE UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2013090293

ORDER GRANTING MOTION TO
FILE SECOND AMENDED
COMPLAINT

On October 3, 2013, Student, through counsel, filed with the Office of Administrative Hearings (OAH) an Amended Due Process Request that named the Torrance Unified School District (District). On November 22, 2013, Student filed with OAH a Motion to File a Second Amended Due Process Request, together with a proposed second amended pleading. The District has not filed with OAH a response to this request.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. § 1415(c)(2)(E)(i).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. § 1415(c)(2)(E)(ii).) Here, the motion to amend is timely and is granted. The Second Amended Due Process Request shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Dated: December 02, 2013

/s/

TIMOTHY L. NEWLOVE
Presiding Administrative Law Judge
Office of Administrative Hearings