

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2015100856

ORDER DENYING MOTION TO
CONSOLIDATE AS MOOT

On September 15, 2015, Gabriella Charter School filed a Request for Due Process Hearing in Office of Administrative Hearings case number 2015090582 (First Case), naming Student.

On October 16, 2015, Student filed a Request for Due Process Hearing in OAH Case Number 2015100856 (Second Case), naming Gabriella Charter School. Also on October 16, 2015, Student filed a Motion to Consolidate the First Case with the Second Case.

On October 27, 2015, Gabriella Charter School filed a Request for Dismissal of its matter, OAH Case Number 2015080582.

APPLICABLE LAW AND DISCUSSION

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].)

As Gabriella Charter School has dismissed its matter in OAH Case Number 2015090582, the issue of consolidation is moot. Accordingly, consolidation is denied.

ORDER

1. Student's Motion to Consolidate is denied.

2. Mediation and hearing dates remain as scheduled in OAH Case Number 2015110856.

DATE: November 5, 2015

/s/

JUDITH PASEWARK
Administrative Law Judge
Office of Administrative Hearings