

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. 2011050424

ORDER GRANTING JOINT REQUEST  
FOR CONTINUANCE OF  
PREHEARING CONFERENCE AND  
EXTENSION OF TIMELINE FOR  
FILING PHC STATEMENTS

On September 8, 2011, the parties filed a joint request to continue the Prehearing Conference (PHC) and extend time for filing of Prehearing Conference Statements. This request is based upon the settlement discussions between the parties. Further, the parties are not requesting to continue to dates scheduled for the due process hearing.

A due process hearing must be conducted and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3).) Speedy resolution of the due process hearing is mandated by law and continuance of the hearing may be granted only upon a showing of good cause. (Ed. Code, § 56505, subd. (f)(3).) In ruling upon a motion for continuance, OAH is guided by the provisions found within the Administrative Procedure Act and the California Rules of Court that concern motions to continue. (Cal. Code Regs., tit. 1, § 1020; Cal. Rules of Court, rule 3.1332.) Generally, continuances of matters are disfavored. (Cal. Rules of Court, rule 3.1332(c).)

OAH has reviewed the request for good cause and the request is:

Granted. The PHC is continued as requested. The Due Process hearing dates shall remain as scheduled. Additionally, the timeline for filing PHC Statements shall be extended to noon on September 16, 2011. This matter will be set as follows:

Mediation:	NA
Trial Setting Conference:	NA
Prehearing Conference:	September 19, 2011 at 10:00 AM
Due Process Hearing:	September 26 through 29, 2011

IT IS SO ORDERED.

Dated: September 09, 2011

/s/

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JUDITH PASEWARK  
Acting Presiding Administrative Law Judge  
Office of Administrative Hearings