

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LONG BEACH UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2014040088  
(Primary)

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LONG BEACH UNIFIED SCHOOL  
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2014040296  
(Secondary)

ORDER GRANTING MOTION TO  
CONSOLIDATE

On March 27, 2014, Student filed a Request for Due Process Hearing in OAH case number 2014040088 (First Case), naming Long Beach Unified School District (District).

On April 4, 2014, District filed a Request for Due Process Hearing in OAH case number 2014040296 (Second Case), naming Student.

On April 11, 2014, District filed a Motion to Consolidate the First Case with the Second Case. Student filed no response.

*Consolidation*

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 common questions of law or fact, specifically, whether District's assessments were appropriate and whether Student is entitled to independent educational evaluations. Student filed no opposition. Accordingly, consolidation is granted.

#### ORDER

1. District's Motion to Consolidate is granted. Student's case, OAH Case Number 2014040088 is designated as the primary case.
2. All dates previously set in District's case, OAH Case Number 2014040296 are vacated.
3. The dates for mediation, the prehearing conference, and the due process hearing in the consolidated cases shall be those set forth in the Scheduling Order dated April 2, 2014 in Student's case, OAH case number 2014040088.
4. The timeline for issuance of the decision in the consolidated cases shall be based on the date of the filing of the complaint in Student's case, OAH Case Number 2014040088.

DATE: April 18, 2014

/s/

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LAURIE GORSLINE  
Administrative Law Judge  
Office of Administrative Hearings