

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Consolidated Matters of:  PARENTS ON BEHALF OF STUDENT,  v.  LOS ANGELES UNIFIED SCHOOL DISTRICT,	OAH Case No. 2015110033
LOS ANGELES UNIFIED SCHOOL DISTRICT,  v.  PARENTS ON BEHALF OF STUDENT.	OAH Case No. 2015100740  ORDER GRANTING MOTION TO CONSOLIDATE

On October 20, 2015, the Los Angeles Unified School filed a Request for Due Process Hearing in Office of Administrative Hearing case number 2015100740 (District's Case), naming Parents on behalf of Student. District alleges that it appropriately assessed Student in the area of speech and language and is not obligated to fund an independent educational evaluation in this area, as requested by Student.

On November 2, 2015, Student filed a Request for Due Process Hearing in OAH case number 2015110033 (Student's Case), naming District. Amongst other issues, Student alleges that District failed to appropriately assess him in the area of speech and language.

Also on November 2, 2015, Student filed a motion to consolidate Student's Case with District's Case. District has not submitted an opposition.

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].)

Here, Student's Case and District's Case involve a common question of law or fact, including a similar question related to Student's education needs and program. Consolidation furthers the interests of judicial economy because of the commonality of legal and factual issues, documentary evidence and witnesses. Accordingly, consolidation is granted.

#### ORDER

1. Student's motion to consolidate is granted.
2. All dates previously set in OAH Case Number 2015100740 (District's Case) are vacated.
3. The consolidated matters shall proceed on the dates currently set in OAH Case Number 2015110033 (Student's Case), which shall be designated as the primary case.
4. 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 2015110033 (Student's Case).

DATE: December 03, 2015

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PAUL H. KAMOROFF  
Administrative Law Judge  
Office of Administrative Hearings