BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS STATE OF OREGON for the SUPERINTENDENT OF PUBLIC INSTRUCTION

IN THE MATTER OF THE EDUCATION OF
STUDENT and Portland Public School District
Case No. DP 17-110
OAH Case No. 2017-ABC-00509

FINDINGS OF FACT

(1) On April 19, 2017, Parent filed a request for a due process hearing. On that same date, the Oregon Department of Education referred the request to the Office of Administrative Hearings ("OAH").

(2) On May 19, 2017, ALJ Denise M. McGorrin (ALJ McGorrin) held a prehearing conference. Kevin C. Brague and Suzanne M. Gall appeared as counsel for Student. Graham Hicks appeared as counsel for the Portland Public School District. The parties advised that they had an upcoming mediation, and that they hoped to resolve the matter.

(3) ALJ McGorrin held a second prehearing conference on June 19, 2017. The parties indicated that they did resolve the matter, and that they were finalizing settlement documents. On June 30, 2017, Kevin C. Brague notified ALJ McGorrin that Student was withdrawing the due process hearing request with prejudice.

ORDER

Student's request for a due process hearing has been withdrawn and the case is dismissed with prejudice.

Denise M. McGorrin

Administrative Law Judge Office of Administrative Hearings

APPEAL PROCEDURE

NOTICE TO ALL PARTIES: If you are dissatisfied with this Order you may, within 90 days after the mailing date on this Order, commence a nonjury civil action in any state court of competent jurisdiction, ORS 343.175, or in the United States District Court, 20 U.S.C. § 1415(i)(2). Failure to request review within the time allowed will result in LOSS OF YOUR RIGHT TO APPEAL FROM THIS ORDER.

ENTERED at Salem, Oregon this 6th day of July, 2017 with copies mailed to:

Jan Burgoyne, Oregon Department of Education, Public Services Building, 255 Capitol Street NE, Salem, OR 97310-0203.

CERTIFICATE OF MAILING

On July 6, 2017 I mailed the foregoing FINAL ORDER OF DISMISSAL in OAH Case No. 2017-ABC-00509 to the following parties.

By: First Class Mail

Parent(s) of Student 3910 SE 31st Ave Portland OR 97202

Kevin C Brague, Attorney at Law The Brague Law Firm LLC 1205 NW 25th Ave Portland OR 97210

Suzanne M Gall, Attorney at Law Suzanne M Gall LLC 205 SE Spokane St Ste 300 Portland OR 97202

Robert McKean Portland School District 1J PO Box 3107 Portland OR 97208

Graham Hicks, Attorney at Law Hicks Law Firm Murrayhill Professional Suites 14780 SW Osprey Dr, Ste 280 Beaverton OR 97007

BY ELECTRONIC MAIL:

Mike Franklin, Legal Specialist Department of Education 255 Capitol Street NE Salem, OR 97310-0203

Ryan Clark for Alesia K Vella Hearing Coordinator Office of Administrative Hearings

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