

**BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF OREGON
for the
OREGON DEPARTMENT OF EDUCATION**

IN THE MATTER OF) FINAL ORDER OF DISMISSAL
)
STUDENT AND EAGLE POINT) OAH Case No. 2025-ABC-06974
SCHOOL DISTRICT 9) Agency Case No. DP 25-103
)
)

FINDINGS OF FACT

(1) On March 10, 2025, Parent filed a request for due process hearing with the Oregon Department of Education (Department) on behalf of Student alleging a denial of a free and appropriate public education (FAPE) under the Individuals with Disabilities in Education Improvement Act (IDEA) by the Eagle Point School District (District).

(2) On March 10, 2025, the Department referred the hearing request to the Office of Administrative Hearings (OAH). The OAH assigned Administrative Law Judge (ALJ) Alison G. Webster to preside over the hearing in this matter.

(3) On April 14, 2025, ALJ Webster conducted a prehearing conference. Attorney Joel Hungerford represented the District. Attorney Anna Moritz represented Parent. The parties jointly requested to postpone the conference pending mediation, set for May 5, 2025. The ALJ granted the request.

(4) On May 9, 2025, ALJ Webster convened a second prehearing conference. Counsel for the parties jointly requested to continue the prehearing conference for a few weeks to allow the parties additional time to discuss settlement. ALJ Webster granted the continuance request.

(5) On May 30, 2025, ALJ Webster convened the continued prehearing conference. Counsel for the parties again jointly requested a continuance pending settlement discussions. The ALJ granted the continuance request.

(6) On June 25, 2025, Parent's counsel filed with the OAH a Motion to Dismiss With Prejudice. Counsel advised that Parents had executed a written settlement agreement with the District resolving all issues in the due process complaint.

ORDER

Parent's March 10, 2025 request for a due process hearing has been withdrawn. The case DP 25-103 is dismissed with prejudice.

Alison G. Webster
Senior 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.**

SERVICEMEMBERS' CIVIL RELIEF ACT

Unless otherwise stated in this order, the Office of Administrative Hearings (OAH) has no reason to believe that a party to this proceeding is subject to the Servicemembers' Civil Relief Act (SCRA). If a party to this proceeding is a servicemember who did not appear for the hearing, within the servicemember's period of service, or 90 days after their termination of service, that party should immediately contact the agency to address any rights they may have under the SCRA.

CERTIFICATE OF MAILING

On June 26, 2025 I mailed the foregoing FINAL ORDER OF DISMISSAL in OAH Case No. 2025-ABC-06974 to the following parties.

By: Electronic and Certified Mail

[REDACTED]

Anna Moritz, Attorney at Law
Cedar Law PLLC
600 1st Ave., Ste 330, PMB 96563
Seattle WA 98104
Email: anna@cedarlawpllc.com

Sydney Arizona Bay, Attorney at Law
600 1st Ave., Ste 330, PMB 96563
Seattle WA 98104
Email: sydney@cedarlawpllc.com

Andy Kovach, Superintendent
PO Box 548
11 N Royal Ave
Eagle Point OR 97524
Email: kovacha@eaglepnt.k12.or.us

Joel Hungerford, Attorney at Law
The Hungerford Law Firm, L.L.P.
P.o. Box 3010
Oregon City OR 97045
Email: joel@hungerfordlaw.com

Taylor Kinch, Attorney at Law
The Hungerford Law Firm, L.L.P.
P.O. Box 3010
Oregon City OR 97045
Email: taylor@hungerfordlaw.com

BY ELECTRONIC MAIL:

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

Anesia N Valihov
Hearings Coordinator
Office of Administrative Hearings