

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

IN THE MATTER OF THE EDUCATION OF) **FINAL ORDER OF DISMISSAL**
Student and Gresham-Barlow School District) Case No. DP 10-124

FINDINGS OF FACT

(1) On December 27, 2010, Parents of Student, through counsel Lana Traynor, Attorney at Law, filed a request for a due process hearing with the State Superintendent of Public Instruction. The matter was referred to the Office of Administrative Hearings (OAH) on December 28, 2010, to be set for hearing and was assigned to Senior Administrative Law Judge (ALJ) A. Bernadette House. A pre-hearing teleconference was set for January 31, 2011.

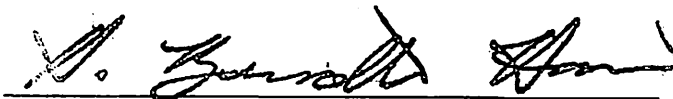
(2) At the January 31, 2011, teleconference, Lana Traynor and Paul Dakopolos, counsel for Gresham-Barlow School District (District) informed ALJ House that the parties were working towards resolving the issues. ALJ House granted the parties' joint request to extend the 45-day deadline to a date certain to allow continued towards resolution. The date for the hearing and relevant deadlines were set accordingly. Subsequent to a March 9, 2011, status conference, the matter remained set for hearing.

(3) On March 27, 2011, Parents' attorney requested that the December 27, 2010, hearing request be dismissed with prejudice because Parents and the District had reached agreement on all issues raised in the hearing request.

(4) Accordingly, the matter having been settled by agreement between Parents and the District regarding issues raised in the December 27, 2010, due process hearing request, a contested case proceeding is no longer required regarding these parties, based on the withdrawal of the hearing request by the requesting party and a mutual settlement of the issues raised by Parents' hearing request.

ORDER

The hearing request of December 27, 2010, regarding issues raised by Parents on behalf of Student against Gresham-Barlow School District, having been withdrawn, is **DISMISSED** with prejudice.



A. Bernadette House, 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.**

ENTERED at Salem, Oregon this 2nd day of May, 2011 with copies mailed to:

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

CERTIFICATE OF SERVICE

On this 2nd day of May, 2011, I served a copy of the Final Order of Dismissal for Case No. DP 10-124

FIRST CLASS MAIL:

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BY SHUTTLE MAIL:

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