

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

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|---------------------------------|---|---------------------------------|
| IN THE MATTER OF THE |) | FINAL ORDER OF DISMISSAL |
| EDUCATION OF |) | |
| |) | OAH Case No. 2017-ABC-01078 |
| R.H. AND YAMHILL CARLTON |) | Agency Case No. DP 17-132 |
| SCHOOL DISTRICT 1 |) | |

HISTORY OF THE CASE

(1) On November 3, 2017, Parent filed a request for a due process hearing. On November 6, 2017, the Oregon Department of Education referred the request to the Office of Administrative Hearings (OAH).

(2) A Pre-Hearing Conference was held on December 7, 2017. Sydney Fitzpatrick appeared on behalf of Student. Richard G. Cohn-Lee represented the Yamhill Carlton School District. The parties advised that the matter was scheduled for an upcoming mediation, and jointly requested that the 45-day deadline for convening a due process hearing be waived. ALJ McGorin granted that request.

(3) Ms. Fitzpatrick advised the OAH via electronic mail at 11:25 a.m. on February 3, 2018, that the matter had settled at mediation, and that Parent was requesting that the due process be dismissed with prejudice.

ORDER

Parent's request for a due process hearing has been withdrawn and the case is dismissed with prejudice.

D. McGorin

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 5th day of February, 2018, 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 February 5, 2018 I mailed the foregoing FINAL ORDER OF DISMISSAL in OAH Case No. 2017-ABC-01078 to the following parties.

By: First Class Mail

Parent(s) of Student
130 N 6th St
Carlton OR 97111

Sydney Fitzpatrick, Attorney at Law
West Coast Law PC
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Beaverton OR 97005

Charan Cline, Superintendent
Yamhill Carlton School District 1
120 N Larch Pl
Yamhill OR 97148

Rich Cohn-lee, Attorney at Law
The Hungerford Law Firm LLP
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BY ELECTRONIC MAIL:

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Ryan Clark for Lucy M Garcia
Hearing Coordinator
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