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Attorneys for Petitioner/Plaintiff  
ORANGE COUNTY DEPARTMENT OF  
EDUCATION

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

ORANGE COUNTY DEPARTMENT  
OF EDUCATION,

Petitioner/Plaintiff,

v.

A.S., a minor, CALIFORNIA  
DEPARTMENT OF EDUCATION,  
LOS ANGELES UNIFIED SCHOOL  
DISTRICT, CHARTER OAK  
UNIFIED SCHOOL DISTRICT,  
CALIFORNIA OFFICE OF  
ADMINISTRATIVE HEARINGS,  
and DOES 1 through 10, inclusive,

Respondents/Defendants.

Case No. SACV 08-00077 JVS  
(MLGx)

**JUDGMENT**

The Honorable James V. Selna,  
United States District Judge

1 This action was heard by the Court on June 15, 2009, on the following motions:

- 2 • Plaintiff Orange County Department of Education's ("OCDE") Motion  
3 for Summary Judgment.
- 4 • Defendant California Department of Education's ("CDE") Motion for  
5 Summary Judgment, or in the Alternative, for Summary Adjudication.
- 6 • Defendant Los Angeles Unified School District's ("LAUSD") Motion  
7 for Summary Judgment, or in the Alternative, for Summary  
8 Adjudication.
- 9 • Defendant Charter Oak Unified School District's ("COUSD") Motion for  
10 Summary Judgment.

11 All parties appeared through counsel, as reflected by the record. The Court  
12 issued an order on June 18, 2009 GRANTING OCDE's Motion, DENYING  
13 CDE'S Motion, GRANTING LAUSD's Motion, and GRANTING COUSD's  
14 Motion.

15  
16 In accordance with the Court's June 18, 2009 Order, the Court hereby ENTERS  
17 JUDGMENT as follows:

18  
19 On OCDE's Claims Against A.S. And The Office Of Administrative Hearings:

20 1) The Decision rendered by the hearing officer at the October 31, 2007  
21 hearing of the Office of Administrative Hearings ("OAH"), in Case No.  
22 N2006100050, is hereby reversed.

23 2) As of June 8, 2006, OCDE did not have, and OCDE does not now  
24 have, any obligation to implement or fund any portion of the Individualized  
25 Educational Program ("IEP") for the student known in this proceeding as  
26 "A.S.," including his out-of-state placement at the residential treatment  
27 facility at Cinnamon Hills, Utah.

28 ///

1           3) CDE is the entity entirely responsible for implementing and funding  
2 A.S.' educational program for the period between July 28, 2006 and April 19,  
3 2009. This responsibility includes the out-of-state placement of A.S. at the  
4 residential treatment facility at Cinnamon Hills, Utah.

5           4) Judgment is entered in favor of OCDE.

6           5) OCDE is the prevailing party for purposes of the underlying OAH  
7 hearing from which OCDE appeals.

8           6) OCDE is the prevailing party for purposes of its claims against A.S.  
9 and OAH in this Action.

10  
11 On OCDE's Claims Against CDE:

12           1) Judgment is entered in favor of OCDE and against CDE.

13           2) As of June 8, 2006 OCDE did not have, and OCDE does not now  
14 have, any obligation to implement or fund any portion of A.S.' educational  
15 program, including his out-of-state placement at the residential treatment  
16 facility at Cinnamon Hills, Utah.

17           3) CDE is the entity entirely responsible for implementing and funding  
18 A.S.' educational program for the period between July 28, 2006 and April 19,  
19 2009. This responsibility includes A.S.' out-of-state placement at the  
20 residential treatment facility at Cinnamon Hills, Utah.

21           4) OCDE is the prevailing party for purposes of its claims against CDE in  
22 this Action.

23           5) OCDE shall recover its reasonable costs of suit herein as against CDE.

24           6) OCDE shall recover reimbursement for the all costs it incurred for  
25 funding A.S.' educational program for the period between July 28, 2006 and  
26 April 19, 2009. This reimbursement includes A.S.' out-of-state placement at  
27 the residential treatment facility at Cinnamon Hills.

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1           7) This Court retains jurisdiction over the parties to the extent necessary  
2 to allow OCDE to obtain reimbursement from CDE as described herein.

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4 On OCDE's Claims Against LAUSD:

5           1) Judgment is entered in favor of LAUSD.

6           2) As of July 28, 2006, LAUSD did not have, and LAUSD does not now  
7 have, any obligation to implement or fund any portion of A.S.' educational  
8 program, including his out-of-state placement at the residential treatment  
9 facility at Cinnamon Hills, Utah.

10          3) LAUSD is a prevailing party for purposes of this appeal.

11  
12 On OCDE's Claims Against COUSD

13          1) Judgment is entered in favor of COUSD.

14          2) As of July 28, 2006, COUSD did not have, and COUSD does not now  
15 have, any obligation to implement or fund any portion of A.S.' educational  
16 program, including his out-of-state placement at the residential treatment  
17 facility at Cinnamon Hills, Utah.

18          3) COUSD is a prevailing party for purposes of this appeal.

19  
20 Dated: July 9, 2009

21  
22 By: 

23 HON. JAMES V. SELNA  
24 UNITED STATES DISTRICT JUDGE  
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