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8 UNITED STATES DISTRICT COURT
 9 CENTRAL DISTRICT OF CALIFORNIA

12 ORANGE COUNTY DEPARTMENT OF
 13 EDUCATION,

14 Plaintiff,

15 v.

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

19 Respondents/Defendants.
 20

) Case No. SACV 08-00077 JVS (MLGx)
)
) AMENDED JUDGMENT
)
) The Honorable James V. Selna,
) United States District Judge

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

- 22 • Plaintiff Orange County Department of Education’s (“OCDE”) Motion for Summary
 23 Judgment.
- 24 • Defendant California Department of Education’s (“CDE”) Motion for Summary
 25 Judgment, or in the Alternative, for Summary Adjudication.
- 26 • Defendant Los Angeles Unified School District’s (“LAUSD”) Motion for Summary
 27 Judgment, or in the Alternative, for Summary Adjudication.

- 1 • Defendant Charter Oak Unified School District’s (“COUSD”) Motion for Summary
2 Judgment.

3 All parties appeared through counsel, as reflected by the record. The Court issued an order on
4 June 18, 2009 GRANTING THE OCDE’s Motion, DENYING THE CDE’S Motion, GRANTING
5 THE LAUSD’s Motion, and GRANTING THE COUSD’s Motion (“Order”).

6 The CDE subsequently appealed the Order to the Ninth Circuit Court of Appeals. On
7 December 28, 2011, the Ninth Circuit issued its decision (“Decision”), reversing and remanding, in
8 part, the Court’s June 18, 2009 Order.

9 In accordance with the Court’s June 18, 2009 Order and the Ninth Circuit’s December 28, 2011
10 Decision, the Court hereby ENTERS ITS AMENDED JUDGMENT as follows:

11 On The OCDE’s Claims Against A.S. And The Office Of Administrative Hearings:

- 12 1) The Decision rendered by the hearing officer at the October 31, 2007 hearing of the
13 Office of Administrative Hearings (“OAH”), in Case No. N2006100050, is hereby
14 reversed.
- 15 2) As of June 8, 2006, the OCDE did not have, and the OCDE does not now have, any
16 obligation to implement or fund any portion of the Individualized Educational Program
17 (“IEP”) for the student known in this proceeding as “A.S.,” including his out-of-state
18 placement at the residential treatment facility at Cinnamon Hills, Utah.
- 19 3) The CDE is the entity entirely responsible for implementing and funding A.S.’
20 educational program for the period between July 28, 2006 and October 10, 2007. This
21 responsibility includes the out-of-state placement of A.S. at the residential treatment
22 facility at Cinnamon Hills, Utah.
- 23 4) On October 10, 2007, the Orange Unified School District (OUSD) became the
24 educational agency responsible for implementing and funding A.S.’ educational
25 program. This responsibility includes the out-of-state placement of A.S. at the
26 residential treatment facility at Cinnamon Hills, Utah.
- 27 5) Judgment is entered in favor of the OCDE.
- 28

1 6) The OCDE is the prevailing party for purposes of the underlying OAH hearing from
2 which the OCDE appeals.

3 7) The OCDE is the prevailing party for purposes of its claims against A.S. and the
4 OAH in this Action.

5 On The OCDE's Claims Against The CDE:

6 1) Judgment is entered partially in favor of the OCDE and against the CDE and
7 partially in favor of the CDE and against the OCDE.

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

11 3) The CDE is the entity entirely responsible for implementing and funding A.S.'
12 educational program for the period between July 28, 2006 and October 10, 2007. This
13 responsibility includes A.S.' out-of-state placement at the residential treatment facility at
14 Cinnamon Hills, Utah.

15 4) On October 10, 2007, the OUSD became the educational agency responsible for
16 implementing and funding A.S.' educational program. This responsibility includes the
17 out-of-state placement of A.S. at the residential treatment facility at Cinnamon Hills,
18 Utah.

19 5) The OCDE is a partially prevailing party for purposes of its claims against the CDE
20 in this Action, and the CDE is a partially prevailing party for purposes of the OCDE's
21 claims against the CDE in this Action.

22 6) The OCDE shall recover its reasonable costs of suit herein as against the CDE in the
23 amount of \$438.55.

24 7) The OCDE shall recover reimbursement for all costs it incurred for funding A.S.'
25 educational program for the period between July 28, 2006 and October 10, 2007 in the
26 amount of \$44,298.75. This reimbursement includes A.S.' out-of-state placement at the
27 residential treatment facility at Cinnamon Hills.

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


3 On The OCDE's Claims Against The LAUSD:

- 4 1) Judgment is entered in favor of the LAUSD.
5 2) As of July 28, 2006, the LAUSD did not have, and the LAUSD does not now have,
6 any obligation to implement or fund any portion of A.S.' educational program, including
7 his out-of-state placement at the residential treatment facility at Cinnamon Hills, Utah.
8 3) The LAUSD is a prevailing party for purposes of this appeal.

9 On The OCDE's Claims Against The COUSD

- 10 1) Judgment is entered in favor of the COUSD.
11 2) As of July 28, 2006, the COUSD did not have, and the COUSD does not now have,
12 any obligation to implement or fund any portion of A.S.' educational program, including
13 his out-of-state placement at the residential treatment facility at Cinnamon Hills, Utah.
14 3) The COUSD is a prevailing party for purposes of this appeal.

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17 Dated: March 06, 2012

18 By: 
19 HON. JAMES V. SELNA
20 UNITED STATES DISTRICT JUDGE
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