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FRESNO UNIFIED SCHOOL DISTRICT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

FRESNO UNIFIED SCHOOL DISTRICT,

Plaintiff,

v.

K.U. ET AL.,

Defendant.

Case No. CV F 12-1699 MJS

**JOINT STIPULATION DESIGNATING
AND LODGING ADMINISTRATIVE
RECORD**

AND RELATED COUNTER-CLAIMS

**TO THE COURT, ALL PARTIES HEREIN AND TO THEIR ATTORNEYS OF
RECORD:**

Pursuant to Local Rules 143 and 138(b), Defendant and Counterclaimant A.D.U., in her individual capacity as parent (herein, "A.D.U." individually), and Defendant and Counterclaimant K.U., by and through her education rights holder, A.D.U. (herein, "K.U."), by and through their attorney of record, Roger Greenbaum, Esq. of Roger A. Greenbaum Equity Law and Mediation, and Plaintiff and Counterclaim Defendant Fresno Unified School District (herein, "District"), by and through its attorneys of record, Sang-Jin Nam, Esq. and Melody A. Hawkins, Esq. of McCormick, Barstow, Sheppard, Wayte & Carruth, hereby stipulate and agree as follows:

1. The Parties jointly designate and lodge the Administrative Record in the above-entitled action. The Administrative Record consists of pages AR000001 through AR002102, and is filed

concurrently herewith. The following documents are included in the Administrative Record:

AR 000002- AR 000028	Parent's Request for Mediation and Due Process Hearing faxed to OAH on January 23, 2012
AR 000029- AR 000035	OAH Scheduling Order and Notice of Due Process Hearing and Mediation dated January 26, 2012
AR 000036- AR 000040	Respondent FUSD's Notice of Representation dated January 27, 2012
AR 000041- AR 000165	Respondent FUSD's Brief and Opposition to Motion for Stay Put dated January 30, 2012
AR 000166- AR 000170	OAH Order Granting Motion for Stay Put dated February 2, 2012
AR 000171- AR 000173	Parent's Response to FUSD Brief and Opposition to Motion for Stay Put dated February 3, 2012
AR 000174- AR 000341	FUSD 's Answer to Special Education Due Process Complaint including Declaration of Sang-Jin Nam in Support of in Support of Fresno Unified School District's Answer to Special Education Due Process Complaint dated February 3, 2012
AR 000342- AR 000345	FUSD's Notice of Change of Law Firm, Address and Telephone and Facsimile Numbers dated February 8, 2012
AR 000346- AR 000348	Parent's Request for Continuance of Telephonic Pre-hearing Conference dated March 6, 2012
AR 000349- AR 000350	OAH Notice of Rescheduled Mediation dated March 7, 2012
AR 000351- AR 000363	Respondent FUSD's Pre-Hearing Conference Statement dated March 7, 2012
AR 000364- AR 000370	Respondent FUSD's Opposition to Motion for Continuance dated March 8, 2012

AR 000371 - AR 000385	Exhibit "1" to Fresno Unified School District's Opposition to Motion for Continuance
AR 000386- AR 000388	OAH Order Granting Request for Continuance and Setting Prehearing Conference and Due Process Hearing dated March 9, 2012
AR 000389	Notice of Resolution Session Outcome
AR 000390- AR 000403	FUSD's Pre-Hearing Conference Statement dated March 18, 2012
AR 000404- AR 000408	OAH Order Following Prehearing Conference dated April 4, 2012
AR 000409- AR 000410	Parent's Request for Continuance of Due Process Hearing dated April 9, 2012
AR 000411	Parent's Request for Transcript or Administrative Record dated April 27, 2012
AR 000412- AR 000413	OAH Order Setting Status Conference dated May 4, 2012
AR 000414- AR 000416	OAH Order Following Status Conference, Granting Continuance and Extending Time for Issuance of Decision dated May 7, 2012
AR 000417- AR 000418	Parent's Request to Allow Private Attorney to Read Petitioner's Closing Brief dated May 15, 2012
AR 000419- AR 000420	OAH Order Regarding Student's Request for Review of Closing Brief by Private Attorney dated May 21, 2012
AR 000421- AR 000445	Respondent FUSD's Closing Brief dated May 29, 2012
AR 000446- AR 000477	Parent's Closing Brief dated May 29, 2012
AR 000478- AR 000480	OAH Order Following Status Conference, Granting Continuance and Extending Time For Issuance of Decision dated June 6, 2012

AR 000481- AR 000482	OAH Notice of Telephonic Status Conference dated July 2, 2012
AR 000483- AR 000486	OAH Order Denying Continuance and Reassigning Matter for Decision dated July 3, 2012
AR 000487- AR 000488	Parent Preemptory Challenge Regarding ALJ Deidre Johnson dated July 9, 2012
AR 000489- AR 000490	OAH Order Granting Student's Preemptory Challenge dated July 10, 2012
AR 000491- AR 000518	OAH Decision dated August 3, 2012
AR 000519- AR 000520	Parent Requests for Corrections and Clarification dated August 14, 2012
AR 000521- AR 000523	OAH Order Denying Request for Reconsideration dated August 27, 2012
AR 000524- AR 000525	FUSD's Exhibit Binder Index
AR 000526- AR 000695	FUSD's Exhibit List and Exhibits dated April 4, 2012
AR 000696- AR 001025	Student's Exhibit List and Exhibits dated April 4, 2012
AR 001026- AR 001076	Transcript of April 2, 2012 Prehearing Conference
AR 001077- AR 002102	Transcript of Due Process Hearing April 10, 11, 12, 13, 24, 2012

2. It is further stipulated by the Parties that each Party reserves the right to make any corrections, additions or subtractions to the jointly-designated Administrative Record, as filed concurrently herewith, if necessary to render such Designation correct in all material respects. Any

Party exercising said right shall provide Notice to the Court and all Parties regarding any such changes. The Party making any corrections, additions or subtractions will be responsible for preparing and lodging an amended Designation of Administrative Record, including any and all costs related thereto.

3. It is stipulated by the parties that the Court may issue the Stipulated Order, as set forth above, jointly designating and lodging the Administrative Record, as filed concurrently herewith.

IT IS SO STIPULATED

Dated: September 23, 2013

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

By: /s/ Sang-Jin Nam
Sang-Jin Nam
Melody A. Hawkins
Attorneys for Plaintiff and Counterdefendant
FRESNO UNIFIED SCHOOL DISTRICT

Dated: September 23, 2013

ROGER GREENBAUM EQUITY LAW &
MEDIATION

By: /s/ Roger A. Greenbaum
Roger A. Greenbaum
Attorneys for Defendants and Counterclaimants
K.U. and A.D.U.

ORDER

Good cause appearing, the Stipulation is approved.

IT IS SO ORDERED.

Dated: September 25, 2013

 /s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE