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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JOSHUA A., A minor, By and )  
Through JORGE A., Guardian )  
Ad Litem, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
ROCKLIN UNIFIED SCHOOL )  
DISTRICT and DOES 1-25, )  
 )  
Defendants. )

NO. 2:07-CV-01057 LEW  
  
**ORDER DENYING  
PLAINTIFF'S MOTION FOR  
ATTORNEYS' FEES PURSUANT  
TO STATUTE [20 U.S.C. §  
1415(i)(3)(B)] [77]**

Plaintiff's Motion for Attorneys' Fees Pursuant to Statute [20 U.S.C. § 1415(i)(3)(B)] [77] was set for hearing on September 9, 2009. Having taken the matter under submission on August 27, 2009, and having reviewed all papers submitted pertaining to this motion, the Court **NOW FINDS AND RULES AS FOLLOWS:**

Plaintiff does not qualify as a "prevailing party" under Section 1415(i)(3)(B) of the Individuals with Disabilities Education Act (IDEA). Plaintiff's success on the stay put issue only provided Plaintiff temporary

1 relief during the pendency of the dispute and, thus,  
2 did not alter the legal relationship of the parties as  
3 is required to grant Plaintiff "prevailing party"  
4 status. Accordingly, Plaintiff's Motion for Attorneys'  
5 Fees is **DENIED**.

6  
7 **IT IS SO ORDERED.**

8  
9 DATED: September 11, 2009

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11 / s /  
12 HONORABLE RONALD S.W. LEW  
13 Senior, U.S. District Court Judge  
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