

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

G.D. & R.D. obo G.D.,
Plaintiffs,

v.

Case No. 20-12864

UTICA COMMUNITY
SCHOOLS,

Honorable Nancy G. Edmunds

Defendant.

_____ /

UTICA COMMUNITY
SCHOOLS,

Plaintiff,

v.

R.D, G.D., G.D., a minor child,
and JASON DANIEL WINE,

Defendants.

_____ /

**ORDER MODIFYING SCHEDULING ORDER AND
REQUIRING FILING OF CERTIFIED ADMINISTRATIVE RECORD**

In this consolidated case, Utica Community Schools (“the school district”) appeals the decision issued by an administrative law judge (“ALJ”) following a due process hearing conducted under the Individuals with Disabilities Education Act, and both the school district and the parents of G.D. seek an award of attorney’s fees and costs. Because the school district has appealed the ALJ’s decision, it must file the certified administrative record with the Court. And because the appeal of the ALJ’s decision is a threshold issue, the Court finds a bifurcated briefing schedule is appropriate. The parties will first brief the

appeal of the ALJ's decision and once the Court rules upon the propriety of that decision, the parties may brief the issue of the attorney's fees and costs. Accordingly, the Court modifies the scheduling order entered in this case as follows:

IT IS HEREBY ORDERED that the school district shall file the certified administrative record with the Court by October 18, 2021.

IT IS FURTHER ORDERED that the discovery deadline in this matter is extended to November 15, 2021.

FINALLY, IT IS ORDERED that the school district shall file its dispositive motion addressing the appeal of the ALJ's decision ONLY by December 30, 2021.

Additional dates will be set by the Court in a future order.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: October 5, 2021

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 5, 2021, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager