

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. Westport Board of Education

Appearing on behalf of the Parents: Attorney Jennifer D. Laviano, P.C.
77 Danbury Road – Suite C-6
Ridgefield, CT 06877

Appearing on behalf of the Board: Attorney Michelle C. Laubin
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460

Appearing before: Attorney Patricia M. Strong, Hearing Officer

FINAL DECISION AND ORDER

PROCEDURAL HISTORY:

This hearing was requested on March 3, 2003. This hearing officer was assigned to the case on March 4. A prehearing conference was held on March 27. The Parent requested that the hearing be delayed for 30 days so that a mediation or settlement discussions could take place. The Board consented to the Parents' request to extend the April 18 decision deadline until May 18. The request was granted and a hearing was scheduled on May 16. Exhibits and witness lists were to be filed by May 9. On May 2 the Parents' attorney sent a letter stating that the parties were in on-going settlement discussions and were confident that a settlement would be reached. She requested that the hearing be cancelled without a new date. On May 7 the Hearing Officer granted the request to cancel the hearing and ordered that if the case was not withdrawn on or before May 16, it would be dismissed without prejudice.

The Board filed its list of witnesses and exhibits in a timely manner. The Parents did not file any. As of this date, the case has not been withdrawn as settled.

FINAL DECISION AND ORDER:

The Parent has failed to withdraw the case as settled or to prosecute the case, and, therefore, it is ordered that this case shall be dismissed without prejudice.