

STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION

Student v. Westport Board of Education

Appearing on behalf of the Parent:

Attorney Gerry McMahon  
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9 Grove Street, Suite C  
Ridgefield, CT 06877

Appearing on behalf of the Board:

Attorney Marsha Belman Moses  
Berchem Moses & Devlin, P.C.  
75 Broad Street  
Milford, CT 06460

Appearing before:

Attorney Janis C. Jerman, Hearing Officer

**FINAL DECISION AND ORDER**

A special education hearing in the above-captioned matter was requested by the Student via letter dated August 31, 2009. The 30-day resolution period ran through September 30, 2009 and the original deadline for mailing the final decision and order was November 14, 2009.

A pre-hearing conference was scheduled for September 30, 2009. Via motion dated September 24, 2009, the Student requested that the pre-hearing conference be postponed and that the mailing date be extended 30 days *to permit the parties to pursue mediation*. The request for a 30-day extension was granted after full consideration of the positions of the parties and the deadline for mailing the final decision and order was extended until December 14, 2009. The September 30, 2009 pre-hearing conference was postponed until November 2, 2009.

Via motion dated October 14, 2009, the Student requested that the November 2, 2009 pre-hearing conference be postponed and an extension granted through November 30, 2009, the date on which the parties were scheduled for mediation. After full consideration of the positions of the parties, the request was granted and the deadline for mailing the final decision was extended until January 13, 2010. The November 2, 2009 pre-hearing conference was postponed until December 2, 2009.

Via letter dated December 1, 2009, the Student indicated that the parties had reached a settlement agreement and that the Student withdrew the request for due process.

**FINAL DECISION AND ORDER**

In light of the above facts, the above-captioned case is hereby dismissed with prejudice.