

**STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION**

Student v. West Haven Board of Education

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

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

Appearing before: Attorney Christine B. Spak, Hearing Officer

FINAL DECISION AND ORDER

SUMMARY:

This hearing was scheduled for a prehearing conference on May 4, 2001. Both parties were represented by counsel. Neither counsel was available at the time of the prehearing conference and the Hearing Officer left a voice message for both. Later that same day the Board counsel telecopied the Hearing Officer with a copy of letters the Parent's counsel wrote on May 1, 2001 indicating that she was withdrawing the case. These were not sent or copied to the Hearing Officer prior to the Board's counsel sending them after the scheduled time of the prehearing. Along with copies of these letters the Board's counsel requested confirmation that the matter had been withdrawn. This was copied by the Board's counsel to the Parent's counsel. The Hearing Officer has not received a withdrawal from the Parent's counsel. Given that the Hearing Officer has not received the withdrawal from the Parent's counsel, but there is the indication that she intended to withdraw, this matter is dismissed.

FINAL DECISION AND ORDER:

This matter is **dismissed**.