

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Danbury Board of Education

Appearing on behalf of the Student: Attorney Jennifer D. Laviano  
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Ridgefield, CT 06877

Appearing on behalf of the Board: Attorney Christine L. Chinni  
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One Constitution Plaza  
Hartford, CT 06103-1919

Appearing before: Attorney Christine B. Spak  
Hearing Officer

**FINAL DECISION AND ORDER**

This matter had been filed by the Parent, through current and other counsel, three times in the past three months (see 04-262 and 04-278). The prehearing conference in the instant matter was conducted on October 13, 2004 with the date for mailing of the final decision set at November 22, 2004. The parties agreed to a first hearing date of December 3, 2004, and the hearing officer agreed to this specifically conditioned upon the Parent's counsel faxing or mailing the hearing officer a letter agreeing to extending the forty-five days and, further, providing the hearing officer with two evaluations and the current IEP. The Parent's counsel agreed to provide all this within seven days. Nothing was received from the Parent's counsel as promised. Therefore, on October 22, 2004 the hearing officer sent a notice setting the first hearing date for October 29, 2004 so as to allow the decision to be rendered within forty-five days from the receipt of the third request for hearing. On October 28, 2004 the Parent's counsel advised that the parties have engaged in a plan for observations of the Board and Parent's programs and the matter was again being withdrawn. The Board stated no position on this third filing and withdrawal.

**FINAL DECISION AND ORDER**

The matter is **DISMISSED**.