

**STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION**

Student v. Fairfield Board of Education

Appearing for the Student: Andrew Feinstein, Esq.  
Law Offices of David C. Shaw, LLC  
34 Jerome Avenue, Suite 210  
Bloomfield, CT 06002

Appearing for the Board: Michelle Laubin, Esq.  
Berchem, Moses & Devlin, P.C.  
75 Broad Street  
Milford, CT 06460

Appearing Before: Scott Myers, J.D., M.A. (Clinical Psychology)  
Hearing Officer

**FINAL DECISION AND ORDER**

By letter dated November 5, 2007 to the State of Connecticut, Department of Education (“CTDOE”) Bureau of Special Education, the Parents commenced this due process proceeding pursuant to the Individuals with Disabilities Education Improvement Act, 20 U.S.C. §§ 1400, *et seq.* (the “IDEIA”) and Conn. Gen. Stat. §§ 10-76, *et seq.*, (the “CSEL”) seeking an order directing that the Board pay for the costs, including transportation costs, of the Student’s attendance at Eagle Hill School for the 2007/2008 school year. The undersigned was appointed Hearing Officer in this matter on November 6, 2007. A telephonic pre-hearing conference (“PHC”) was held on November 21, 2007. The Board participated through its counsel (Ms. Laubin) and the Parents participated through their counsel (Mr. Feinstein). The Board did not assert a sufficiency challenge or file an answer. At the PHC, the parties did not report whether a resolution meeting had convened, but did report that they had agreed to pursue a CTDOE-sponsored mediation. In the November 25, 2007 scheduling order, and as agreed at the PHC, a schedule for the submission of records, witness lists and related matters was established, hearing dates were identified and February 18, 2007 was the date established for the mailing of the Final Decision and Order. The parties participated in a CTDOE-sponsored mediation on December 12, 2007. The parties thereafter reported that they had reached an agreement through mediation to resolve their dispute and that this matter was being withdrawn with prejudice.

Accordingly, all compliance obligations under the November 25, 2007 scheduling order are hereby terminated and this matter is hereby DISMISSED.