

BEFORE THE NEBRASKA DEPARTMENT OF EDUCATION

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)	
)	Case No. 22-05-SE
)	
Petitioner,)	ORDER OF DISMISSAL
)	WITHOUT PREJUDICE
v.)	
)	
ELBA PUBLIC SCHOOLS)	
711 Caroline Street PO Box 100)	
Elba, NE 68835)	
)	
Respondent.)	

On the 28th day of July, 2022, this matter came before the undersigned Hearing Officer on Motion for Dismissal by Petitioner of the Petitioner's Petition without prejudice.

Being duly advised in the premises, the Hearing Officer finds that the Petitioner's Petition should be dismissed without prejudice.

IT IS THEREFORE ORDERED that the Petitioner's Petition is dismissed without prejudice with each party to pay their own costs.

IT IS SO ORDERED this 28th day of July, 2022


Molly Burton, Hearing Officer
Anderson, Creager & Wittstruck, P.C., L.L.O
1630 K Street
Lincoln, NE 68508
mburton@acwlaw.com

Prepared by:
Liz McClelland, #24879
Education Rights Counsel
6001 Dodge Street, CEC 228 F
Omaha NE 68182-0997

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was duly served upon the following by email on the 23 day of July, 2022.

Liz McClelland, #24879
Education Rights Counsel
6001 Dodge Street, CEC 228 F
Omaha NE 68182-0997
Petitioner's attorney

The undersigned hereby certifies that a true and correct copy of the foregoing was duly served by email on the 28th day of July 2022:

Greg Perry
Perry, Guthery, Haase & Gessford, P.C., L.L.O.
233 South 13th Street, Suite 1400
gperry@perrylawfirm.com
Respondent's attorney

The undersigned hereby certifies that a true and correct copy of the foregoing was duly served on the 28th day of July via email on:

Nebraska Department of Education
Juan Roman
500 S 84th St 2nd Floor,
Lincoln, NE 68510
Juan.Roman@nebraska.gov



Molly Burton, Hearing Officer
Anderson, Creager & Wittstruck, P.C., L.L.O
1630 K Street
Lincoln, NE 68508
mburton@acwlaw.com

BEFORE THE NEBRASKA DEPARTMENT OF EDUCATION

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Petitioner,)	MOTION TO DISMISS
)	WITHOUT PREJUDICE
v.)	
)	
ELBA PUBLIC SCHOOLS)	
711 Caroline Street PO Box 100)	
Elba, NE 68835)	
)	
Respondent.)	

COMES NOW Petitioner _____, by and through _____ attorney, and moves as follows:

1. Petitioner and Respondent have reached an agreement regarding the Special Education Placement and Program for _____ agreed upon by the Parties on July 25, 2022.
2. Based on this agreement, Petitioner agrees to the dismissal of the Petition in this matter without prejudice.

WHEREFORE, Petitioner moves for dismissal of the Petition without prejudice.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the forgoing Joint Stipulation and Motion for Dismissal was emailed to each of the following this 25th day of July 2022.

Molly Burton, Hearing Officer
Anderson, Creager & Wittstruck, P.C., L.L.O
1630 K Street
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Nebraska Department of Education
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Melissa Allen, Petitioner

BY: 

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Petitioner's attorney