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Edward J. Delaney, Jr.
Administrative Law Assignment Judge

October 21, 2019

Michael I. Inzelbuch, Esq.
1340 West County Line Road
Lakewood, NJ 08701

RE: Leonor Alcantara, Individually and as Guardian ad Litem for E.A. et al v. David Hespe, Commissioner of Education, New Jersey State Board of Education and New Jersey Department of Education
OAL Dkt. No. EDU 11069-14

Dear Mr. Inzelbuch:

I have read your October 8, 2019, letter addressed to Susan M. Scarola, ALJ, requesting that she immediately issue an initial decision in the above-captioned matter, a contested case in which your client, Lakewood Township Board of Education, is a participant. As you know, Judge Scarola has set a post-hearing submission schedule by which petitioners' brief was due on October 4, 2019, respondents' brief is due on November 13, 2019, and participants' briefs are due on December 2, 2019.

Under N.J.A.C. 1:1-18.1, the judge in a contested case "shall issue an initial decision which shall be based exclusively on: (1) The testimony, documents, *and arguments accepted by the judge* for consideration in rendering a decision; (2) Stipulations; and (3) Matters officially noticed." N.J.A.C. 1:1-18.1(a) (emphasis added).

In light of this rule, I hereby decline your request for an immediate initial decision, and Judge Scarola will instead render her initial decision after she has received all of the post-hearing arguments that she agreed to consider.

Very truly yours,



Edward J. Delaney, Jr.
Administrative Law Assignment Judge

EJD:mph

C: Lauren A. Jensen, DAG
Geoffrey N. Stark, DAG
Arthur Lang, Esq.
Paul L. Tractenberg, Esq.