

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Shawn Banks o/b/o D.B., a minor,

Plaintiff,

v.

District of Columbia,

Defendant.

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) Civil Action No. 09-990 (RBW)
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ORDER

For the reasons that are set forth in the accompanying Memorandum Opinion, it is hereby
ORDERED that the plaintiff's Motion for Summary Judgment **DENIED** without
prejudice. It is further

ORDERED that the defendant's Cross-Motion for Summary Judgment is **DENIED**
without prejudice. It is further

ORDERED that this case is remanded to the administrative hearing officer to make a
determination as to whether the School System's failure to provide all of the services in D.B.'s
Individualized Education Program constituted a denial of a free appropriate public education,
and to articulate the reasons for his determination within sixty (60) days of the issuance of this
Order. If the hearing officer finds that a violation occurred, he must determine what constitutes
an appropriate compensatory education award for D.B.

SO ORDERED this 6th day of July, 2010.

_____/s/_____
Reggie B. Walton
United States District Judge