

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 25-3445

A L.L., BY AND THROUGH HIS PARENT; A. L., IN HER OWN RIGHT

v.

LABORATORY CHARTER SCHOOL,
Appellant

On Appeal from the U.S. District Court, E.D. Pa.
Judge John F. Murphy, No. 2:24-cv-04998

Before: BIBAS, MATEY, and BOVE, *Circuit Judges*
Submitted: Oct. 21, 2026; Filed: Oct. 26, 2026

NONPRECEDENTIAL OPINION*

BOVE, *Circuit Judge*. This appeal arises from an action seeking attorneys' fees and costs under the Individuals With Disabilities Education Act. Defendant Laboratory Charter School challenges the District Court's award to Plaintiffs A.L. (Parent) and A.L.L. (Child), and the District Court's denial of the School's request for permission to file an Amended Answer with a counterclaim seeking review of the underlying administrative decision in Plaintiffs' favor. We will affirm.

We assume the parties' familiarity with the underlying facts, procedural history, and issues on appeal. The District Court had jurisdiction under 28 U.S.C. § 1331. We have jurisdiction under 28 U.S.C. § 1291. We review fee awards and denials of leave to amend

* This disposition is not an opinion of the full Court and, under I.O.P. 5.7, is not binding precedent.

for abuse of discretion, but underlying legal questions get de novo review. *H.E. v. Walter D. Palmer Leadership Learning Partners Charter Sch.*, 873 F.3d 406, 412 (3d Cir. 2017); *see also Klotz v. Celentano Stadtmauer & Walentowicz LLP*, 991 F.3d 458, 462 (3d Cir. 2021).¹

A hearing officer awarded compensation to Plaintiffs based on the conclusion that the Defendant School failed to provide Child with a Free Appropriate Public Education pursuant to the Act. Defendant commenced a civil action challenging the hearing officer's decision. The District Court dismissed that case as untimely under 20 U.S.C. § 1415(i)(2)(B). Defendant did not appeal that decision to this Court.

Plaintiffs commenced the separate civil action at issue in this appeal in an effort to obtain attorneys' fees and costs pursuant to 20 U.S.C. § 1415(i)(3)(B)(i)(I). The District Court correctly concluded that Plaintiffs were the prevailing parties in the administrative proceedings. *See, e.g., J.O. ex rel. C.O. v. Orange Twp. Bd. of Educ.*, 287 F.3d 267, 271 (3d Cir. 2002). The Defendant School's arguments have not persuaded us that the District Court's award of fees and costs, which included reasonable fees and costs incurred during Plaintiffs' defense of the School's untimely civil action, was an abuse of discretion.

The Defendant School also challenges the District Court's denial of leave to amend for the purpose of permitting the School to add a counterclaim that was substantially similar to the untimely claim that the court had already dismissed. Because the proposed

¹ Unless otherwise indicated, case quotations omit all internal citations, quotation marks, footnotes, alterations, and subsequent history.

counterclaim was not compulsory or “reactive” to Plaintiffs’ efforts to obtain fees and costs, it would have been equally untimely. *Jonathan H. v. Souderton Area Sch. Dist.*, 562 F.3d 527, 529 (3d Cir. 2009). Thus, the District Court did not abuse its discretion by holding that the proposed amendment was futile. Accordingly, we will affirm.