

IN AND BEFORE THE OKLAHOMA STATE BOARD  
OF MEDICAL LICENSURE AND SUPERVISION  
STATE OF OKLAHOMA

STATE OF OKLAHOMA, *ex rel.* )  
OKLAHOMA STATE BOARD )  
OF MEDICAL LICENSURE )  
AND SUPERVISION, )  
 )  
Plaintiff )  
 )  
v. )  
 )  
ZACHARIAH ANDERSON, M.D., )  
OKLAHOMA LICENSE MD 22198, )  
 )  
Defendant. )

**FILED**  
JAN 09 2019  
JAN 09 2019  
OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

Case No. 11-04-4203


**ORDER GRANTING DEFENDANT'S MOTION TO CONTINUE**

The undersigned Secretary for the Oklahoma State Board of Medical Licensure and Supervision ("Board"), in consideration of Defendant's Motion to Continue, received at the Board on January 8, 2019 and filed January 9, 2019, enters the following orders:

Premises considered and for good cause shown, Defendant's Motion to Continue is hereby **GRANTED**. Hearing on the Motion to Enforce, filed by Plaintiff on November 28, 2018, is reset to the March 7, 2019 Board meeting.

Deadlines not already completed for this matter are reset and shall follow the Scheduling Order established for the March 7, 2019 Board meeting, attached hereto as **Exhibit A**.

Dated this 9<sup>th</sup> day of January, 2019.

  
\_\_\_\_\_  
Billy H. Stout, M.D., Board Secretary  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION

**Certificate of Service**

This is to certify that on the 10<sup>th</sup> day of January, 2019, a true and correct copy of the foregoing document was transmitted as indicated, postage prepaid, to the following:

U.S. First Class Mail, and, E-mail

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***Attorney for Defendant,***

***Zachariah Anderson, M.D.***



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Nancy Thiemann, Legal Assistant

# **EXHIBIT A**

IN AND BEFORE THE OKLAHOMA STATE BOARD  
OF MEDICAL LICENSURE AND SUPERVISION  
STATE OF OKLAHOMA

FILED

JUN 04 2018

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

**SCHEDULING ORDER – MARCH 2019**

This Scheduling Order is issued pursuant to Okla. Admin. Code § 435:3-3-7. Alteration of this Scheduling Order shall only be approved upon written motion for good cause shown, to the Board Secretary or Trial Examiner.

1.	File dispositive motions	January 31, 2019
2.	Exchange final witness and exhibit lists	January 31, 2019
3.	Discovery completed/answered	February 14, 2019
4.	Pre-trial conference (as needed, to review contested items)	<u>earlier or by:</u> February 21, 2019
5.	Enter into VSJ or SILOP	February 21, 2019
6.	File motion for continuance	February 28, 2019
7.	<b>Board Hearing</b>	<b>March 7, 2019</b>

- **Answer** – The defendant shall file a written answer under oath, to the complaint, within 20 days after service of the citation. If the answer is not filed, the defendant shall be considered in default. 12 Okla. Stat. § 2012 and Okla. Admin. Code § 435:3-3-8 *et seq.* Failure to file an answer may subject defendant to *default judgment*.
- **Discovery** - The failure of a party to have sufficient time to exercise any discovery mechanism on account of a lack of time shall not of itself constitute good cause for the granting of a continuance. Okla. Admin. Code § 435:3-3-9.
- **Settlement - THURSDAY, FEBRUARY 21, 2019** is the **DEADLINE** to enter into a voluntary agreement. Voluntary Submittal to Jurisdiction (“VSJ”), or Surrender in Lieu of Prosecution (“SILOP”), Okla. Admin. Code § 435:5-1-5.1; Okla. Stat. § 509.1(E). The Board will give no consideration to a VSJ made within 14 days of the disciplinary hearing. If a VSJ or SILOP has not been executed and submitted to the Board by the deadline, the case will proceed to hearing on **MARCH 7, 2019**.
- **Continuance** - Okla. Admin. Code § 435:3-3-7(c). Oral requests will be limited to unforeseeable major circumstances which develop within seven days of the hearing. A case in which a continuance is *denied* shall be set for hearing on the agenda presented. The parties should come to the Board meeting prepared for a disciplinary hearing.



Billy H. Stout, M.D., Board Secretary  
OKLAHOMA STATE BOARD OF MEDICAL  
LICENSURE AND SUPERVISION