

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.)
)
MARK REIHELD, M.D.,)
LICENSE NO. MD 23029,)
)
Defendant.)

FILED

OCT 28 2019

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

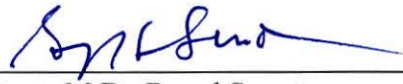
Case No. 16-10-5374

AGREED ORDER OF CONTINUANCE
WITH NOTICE OF HEARING

The undersigned Secretary for the Oklahoma State Board of Medical Licensure and Supervision (“Board”), in consideration of the agreement of the Plaintiff and Defendant (herein, the “Parties”), enters the following orders:

1. On May 31, 2019, a Complaint (“2019 Complaint”) and Citation were each filed. Hearing was set for November 7, 2019.
2. On July 15, 2019, Robert ‘Bobby Don’ Gifford, with Gifford Law, PLLC, requested an extension of time to Answer, to locate defense counsel for this matter.
3. An Answer to Verified Complaint was filed on August 9, 2019, by Richard A. Johnson, with Holmes Yates Johnson, PLLC, as counsel for Defendant.
4. The Parties have conferred and by agreement request continuance to the January Board meeting.
5. Premises considered and for good cause shown, the 2019 Complaint is rescheduled for hearing at the meeting of the Board on January 16, 2020. All deadlines are reset to the Scheduling Order established for the January 16, 2020 Board meeting, attached hereto as **Exhibit 1**.
6. Please take notice that this matter will be reviewed by the Board at the January 16, 2020 meeting of the Board, which will begin at 9:00 a.m. The meeting will take place at the office of the Board, 101 N.E. 51st Street, Oklahoma City, Oklahoma 73105-1821.

Dated this 28th day of October, 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 29th day of October, 2019, a true and correct copy of this Order was transmitted as indicated, postage prepaid, to the following:

U.S. First Class Mail

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**Attorneys for Plaintiff,
Oklahoma State Board of Medical
Licensure and Supervision**



Nancy Thiemann, Legal Assistant

EXHIBIT 1

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

FILED

MAY 28 2019


SCHEDULING ORDER – JANUARY 2020

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

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	December 5, 2019
2.	Exchange final witness and exhibit lists	December 12, 2019
3.	Discovery completed/answered	December 26, 2019
4.	Pre-trial conference (as needed, to review contested items)	earlier or by: December 26, 2019
5.	File Motion for Continuance	January 9, 2020
6.	Board Hearing	January 16, 2020

- **Answer** – 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. 59 O.S. § 503; 12 O.S. § 2012, 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** – Unless precluded by law, informal disposition may be made of any individual proceeding by stipulation, agreed settlement, consent order, or default. 75 O.S. § 309(E). The Board may accept a Voluntary Submittal to Jurisdiction (VSJ) entered into by staff and defendant; and, VSJ's shall be the responsibility of the Secretary of the Board or Executive Director in his/her absence. Okla. Admin. Code § 435:5-1-5-1. The Board may accept Surrender in Lieu of Prosecution (SILOP) in lieu of prosecuting a pending disciplinary action or filing formal disciplinary proceedings only as provided in this section. 59 O.S. § 509.1(E), *et seq.*
- **Continuance** – Continuance requests shall be filed at the offices of the Board. The Secretary of the Board, or the Trial Examiner at the pre-trial conference, may receive and rule on motions for continuance filed prior to seven (7) days before the hearing date. If the continuance is denied, the party may renew the request and move for a continuance at the hearing. Okla. Admin. Code § 435:3-3-7(c).



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