

**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.)
)
 BRIAN ALLEN YEAMAN, M.D.,)
 LICENSE NO. MD 23636,)
)
 Defendant.)

FILED

APR 07 2020

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 19-01-5695

**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 an agreement of the parties, enters the following orders:

1. On November 7, 2019, Defendant agreed not to practice.
2. On February 27, 2020, a Verified Complaint ("2020 Complaint") and Citation were each filed. Hearing was set for May 7, 2020, and a Scheduling Order was filed.
3. Defendant was served on March 3, 2020 by private process server no. PSS 2017-72. An Affidavit of Service was filed on March 10, 2020.
4. Defendant, Cori H. Loomis with Christensen Law Group as counsel for Defendant, and Plaintiff's counsel, (the, "Parties") have conferred and hereby request a continuance of the 2020 Complaint to the June 25, 2020 Board meeting.
5. This request for continuance is not being made for purposes of delay, but rather due to the COVID-19 situation in Oklahoma, making a continuance reasonable and in the interest of justice.
6. The Board finds that the ends of justice served by granting of such continuance outweigh the best interest of the public and the Defendant in a speedy hearing, and for good cause shown the requested continuance is **GRANTED**.
7. Premises considered and for good cause shown, the 2020 Complaint, filed February 27, 2020 is rescheduled for hearing at the meeting of the Board on June 25, 2020. All

deadlines are reset to a Scheduling Order for the June 25, 2020 Board meeting, attached hereto as Exhibit 1.

8. Please take notice that the 2020 Complaint will be heard by the Board at the June 25, 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 7th day of April, 2020.



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 8th day of April, 2020, a true and correct copy of this Order was transmitted as indicated, postage prepaid, to the following:

U.S. Certified Mail, and E-Mail

Cori H. Loomis
CHRISTENSEN LAW GROUP
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(405) 232-2020
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Attorney for Defendant,
Brian Allen Yeaman, M.D.

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STATE OF OK, OFFICE OF ATTORNEY GENERAL
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(405) 521-3921
(405) 521-6246 facsimile
marc.pate@oag.ok.gov
Attorney 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

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OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA, *ex rel.*)
OKLAHOMA STATE BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)

Plaintiff,)

v.)

Case No. 19-01-5695

BRIAN ALLEN YEAMAN, M.D.,)
LICENSE NO. MD 23636,)

Defendant.)

SCHEDULING ORDER – JUNE 2020

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	May 14, 2020
2.	File and exchange final witness and exhibit lists	May 21, 2020
3.	Discovery completed/answered	June 4, 2020
4.	Pre-trial conference (as needed, to review contested items)	<u>earlier or by:</u> June 4, 2020
5.	File Motion for Continuance	June 18, 2020
6.	Board Hearing	June 25, 2020



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

- **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.
- **Final Witness Lists** - Final Witness Lists shall include witness contact information, including address and telephone number, as well as a brief summary of anticipated testimony.
- **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).