## 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.

CASE NO. 95-07-1726

MARY ANN GILLIAM, M.D.

Medical License No. 9089,

Defendant.

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# ORDER OF CONTINUANCE UNDER TEMPORARY SUSPENSION

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on January 19, 1996, at the office of the Oklahoma State Board of Medical Licensure and Supervision, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Daniel J. Gamino, Attorney, appeared for the Plaintiff; and Donald W. Davis, Attorney at Law, 1732 NE 36, Oklahoma City, Oklahoma 73111, appeared for the Defendant.

The Oklahoma Board of Medical Licensure and Supervision en banc reviewed pleadings and exhibits, and considered statements of legal counsel and the recommendation of the Hearing Examiner, and being fully advised in the premises, the Board of Medical Licensure and Supervision finds and orders as follows:

# FINDINGS OF FACT

- 1. That Defendant, Mary Ann Gilliam, M.D., holds Oklahoma Medical License No. 9089.
- 2. That the Oklahoma Board of Medical Licensure and Supervision en banc has jurisdiction over the subject matter herein and that notice has been given in all respects as required by law and the rules of the Board.
- 3. That on or around January 5, 1996, Defendant legal counsel filed Entry of Appearance and Application for Continuance setting forth a number of grounds for support. Because the Defendant had obtained new legal counsel and because Plaintiff understands that new legal counsel needs time to become more familiar with the particulars of the case, Plaintiff legal counsel had no objection thereto.
- 4. That Defendant's original legal counsel when he sought continuance of the evidentiary hearing scheduled for September 16, 1995, also agreed that Defendant's medical license would be suspended during the time of continuance and that Defendant would not practice medicine and surgery in the State of Oklahoma during that interim time period. And that based on the specific representation of legal counsel as to temporary suspension and that the Defendant would not practice medicine and surgery in the interim period, legal counsel for the Plaintiff and the Attorney General agreed to continuance of the evidentiary hearing.

#### CONCLUSIONS OF LAW

1. That the Board has jurisdiction of this matter pursuant to the Oklahoma Medical Practice Act, 59 O.S. Supp. 1995, Sec. 481 et seq., and that continuance of a hearing is within the sound discretion of the Board and that evidence presented herein does support Defendant's Application for Continuance.

#### ORDER

IT IS THEREFORE ORDERED by the Oklahoma Board of Medical Licensure and Supervision as follows:

- 1. That hearing on the matter involving Defendant, Mary Ann Gilliam, M.D., holding Oklahoma Medical License No. 9089, should be and the same is hereby CONTINUED until the next meeting of the Oklahoma Board of Medical Licensure and Supervision presently scheduled for March 22-23, 1996.
- 2. That until the next meeting of the Board, Oklahoma Medical License No. 9089 of the Defendant, Mary Ann Gilliam, M.D., should be and is hereby still TEMPORARILY SUSPENDED and the Defendant shall not practice medicine and surgery in the State of Oklahoma until further order of the Board.

DATED this 25 day of January, 1996.

GERALD C. ZUMWALT, M.D., Secretary State Board of Medical Licensure and Supervision

APPROVED AS TO FORM:

DANIEL J. GAMINO

Daniel J. Gamino & Associates, P.C.

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Oklahoma City, OK 73116

(405) 840-3741

ATTORNEY FOR PLAINTIFF

## CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this <a href="#">26</a> day of January, 1996, to:

DONALD W. DAVIS Attorney at Law 1732 NE 36 Oklahoma City, OK 73111

GARY A. GINGRICH Assistant Attorney General 4545 N. Lincoln Blvd. Suite 260 Oklahoma City, OK 73105

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