

BEFORE THE  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:  
  
MARY KELLY SUTTON, M.D.,  
  
Respondent.

Case No. 800-2016-023886

OAH No. 2021020936

**ORDER ON MOTIONS IN LIMINE**

This matter is set for hearing commencing on June 14. Deputy Attorney General Greg W. Chambers represents complainant. Attorney Richard Jaffe represents respondent. Complainant has filed a motion in limine which is opposed by respondent.

1. Complainant requests exclusion of “irrelevant evidence related to the legislative intent of SB 277,” and specifically requests exclusion of the transcript of a June 2015 hearing. The motion to exclude the hearing transcript is denied, without prejudice to any objection at hearing to this document or to other similar, specific evidence.

2. Complainant requests exclusion of “evidence attacking vaccine safety and vaccine safety data.” The request is overbroad. The motion to exclude this category of evidence is denied, without prejudice to any objection to specific evidence offered at hearing.

3. Complainant requests the exclusion of opinion evidence on the issue of vaccine safety, and specifically requests the exclusion of proposed witnesses James Lyons-Weiler, Ph.D., and Mahin Khatami, Ph.D. Complainant’s motion is granted, on the ground that the minimal relevance and originality of any testimony from these witnesses would not justify its consumption of time. Drs. Lyons-Weiler and Khatami are excluded from testifying.

4. Complainant requests exclusion of “duplicative and redundant” expert testimony, and specifically requests exclusion of proposed witnesses Andrew Zimmerman, M.D., and James Neuenschwander, M.D. Complainant’s motion is denied, without prejudice to any objection to specific evidence offered at hearing.

5. Complainant requests exclusion of proposed witness Gary Glaser. Respondent is no longer intending to call Glaser to testify, so complainant’s motion as to Glaser is moot.

6. Complainant requests an order limiting the testimony of parent witnesses to “information initially provided to respondent.” The motion is denied, without prejudice to any objection to specific testimony at hearing.

DATED: June 9, 2021

*Karen Reichmann*

---

KAREN REICHMANN  
Administrative Law Judge  
Office of Administrative Hearings