

**MEDICAL BOARD OF CALIFORNIA  
ENFORCEMENT PROGRAM**

Office of Standards & Training  
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September 22, 2010

David Martosko  
Director of Research  
The Center for Consumer Freedom  
1090 Vermont Ave., NW, Suite 800  
Washington, DC 20005

Dear Mr. Martosko:

Based upon information contained in your letter dated August 15, 2008 to the members of the Medical Board of California, an investigation was commenced to thoroughly explore your concerns regarding Jerry Vlasak, M.D.

An exhaustive investigation was undertaken to include several interviews; the review of voluminous documents; and consultation with numerous law enforcement agencies. Finally, this case was reviewed by several medical experts.

It is the conclusion of our legal counsel that we lack sufficient evidence to establish a violation of the Medical Practice Act. The First Amendment's protection of speech permits commentary that can be perceived as offensive. In the case of a physician, comments that may be perceived as objectionable must be linked to the physician's ability to practice medicine with safety to the public in order to be actionable. Consequently, we are unable to proceed further with this case.

Thank you for bringing your concerns to our attention. If you have additional questions, you may contact me at the above-listed phone number.

Sincerely,

A handwritten signature in cursive script that reads "Laura Sweet".

Laura Sweet  
Deputy Chief of Enforcement