

**ACBL Board of Directors
Hilton Americas
March 9 – 12, 2009
Houston, TX**

The meeting was called to order by President Jerry Fleming on March 9, at 9 a.m.

Present: George Retek #1, Paul Janicki #2, Joan Gerard #3, Craig Robinson #4, Sharon Fairchild #5, Nadine Wood #6, Bruce Reeve #7, Georgia Heth #8, Shirley Seals #9, Bill Cook #10, Beth Reid #11, William Arlinghaus #12, Harriette Buckman #13, Sharon Anderson #14, Phyllis Harlan #15, Dan Morse #16, Jerry Fleming #17, Richard Anderson #18, Donald Mamula #19, Jeffrey Taylor #20, Bruce Blakely #21, Ken Monzingo #22, Rand Pinsky #23, Al Levy #24, and Richard DeMartino #25.

Also

Present: Michael Kovacich, Chairman Board of Governors; Peter Rank, League Counsel; Jay Baum, CEO; Gary Blaiss, Natasha Brown, Butch Campbell, Vicki Campbell, Patricia Glover, Julie Greenberg, Jim Miller, Dana Norton, Carol Robertson, Patty Tucker, Barbara Varner, and Kelley McGuire.

Approval of Boston Minutes

The Boston, MA minutes are approved.

Carried.

Second Reading

Item 091-178: Schedule of Nationally Rated Events at NABCs - is accepted for a second reading and sent to the Bridge Committee.

Non-Agenda Items

Item 091-66: Reduce Fees I/N Games - is accepted as a non-agenda item and is sent to the Finance Committee.

ACBL CEO Report

The report of CEO Jay Baum is received. (Attachment A)

League Counsel Report

The report of League Counsel Peter Rank on the status of litigation is received.
(Attachment B)

Item 091-170: Executive Committee Minutes

The minutes of the Executive Committee meeting held on January 20, 2009 are received as amended.

Carried.

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Minutes Executive Committee of the Board of Directors January 20, 2009

The Executive Committee met January 20, 2009 at 11 a.m. CST, by conference call to approve the following:

Present at the meeting were members of the Executive Committee, Jerry Fleming, President ; Dan Morse, Chairman; Richard Anderson, Phyllis Harlan (alternate) and Shirley Seals.

Georgia Heth recused herself and Craig Robinson was excused from attending this meeting.

Also present: Peter Rank, League Counsel; Jay Baum, CEO; Gary Blaiss, EAO and Kelley McGuire

Re: Complaint against Xiaodong Zhang, ACBL# J620606 also known as Peter Wong, ACBL# 6098967
Note: These two accounts have been combined under Peter Wong, ACBL# J620606

This is a complaint against Xiaodong Zhang also known as Peter Wong asking that charges be made to the ACBL Disciplinary Committee in accordance with section 2.2.3 (d) of the ACBL Code of Disciplinary Regulations. This section allows the ACBL Board of Directors to assume original jurisdiction because of the impracticality or unfairness of conducting a hearing at the unit or district level.

Mr. Wong joined the ACBL in March of 2008 without notifying ACBL that he was already an ACBL Life Master and Life Member under a different name and number for which the service fee was paid through May of 2008. The ACBL has evidence that Mr. Wong played under two membership numbers, allowing him to play in events for which he was not qualified, as follows: (1) He played in the Stratified Swiss Teams at the

Brampton Sectional Tournament, August 27, 2008 as Wong in the B category for which he was ineligible by masterpoints. (2) He played as Wong in a compact bracketed KO at the Markham Sectional Tournament on July 5, 2008 in a bracket with a 379 MP average for which he was ineligible and played at that Sectional using both membership numbers. (3) He played as Wong in a compact bracketed KO at the Niagara Falls Regional on November 15, 2008 in a bracket with a 211 average for which he was ineligible. (4) He played as Wong in a stratified open pairs at the Toronto Sectional on January 2, 2009 in category C for which he was ineligible. In none of these events did Zhang/Wong inform the directors at any time that he had too many masterpoints for the bracket or category in which he played.

Furthermore, Mr. Zhang/Wong played in the District 2 GNT finals knowing that he was an ACBL Life Member with a different number and name with an ACBL address in another District. He entered the District 2 contest as Wong, a non- Life Member and non-Life Master knowing that he was a Life Member and Life Master under a different number and a last name of Zhang Other violations. may exist and should such violations come to light the ACBL reserves the right to amend the complaint.

As Mr. Wong had one residence and home unit in District 3 and another residence and home unit in District 2, a global nature of violations and potential impact upon ACBL membership exists. Therefore, the ACBL believes that it is in the best interests of the ACBL and its membership for the matter to be heard by an ACBL North American- level committee.

Therefore, ACBL sends this complaint to the ACBL Executive Committee requesting that it act on behalf of the ACBL Board of Directors in accordance with CDR 2.2.3 (d) and assume original jurisdiction and make charges to the ACBL Disciplinary Committee in accordance with CDR 2.2.3 (d).

Moved and seconded that in accordance with CDR 2.2.3 (d) the ACBL Board of Directors assumes original jurisdiction of this complaint and refers this complaint to the ACBL Disciplinary Committee for a decision. Based upon the complaint Mr. Zhang/Wong is charged under the following grounds for discipline: CDR 3.2, 3.7 and 3.13.

Carried unanimously.

Moved and seconded that Management's authority to disqualify him from participation in the North American NAP finals is affirmed. Therefore, Mr. Zhang/Wong will not be eligible to play in the North American NAP finals as Management had the authority to disqualify him.

Carried unanimously.

Moved and seconded that the ACBL Executive Committee on behalf of the Board of Directors approve the following Corporate Resolution naming the Pension Plan Trustees:

I HEREBY CERTIFY that a meeting, duly called, of the Executive Committee of the Board of Directors of the American Contract Bridge League, a non profit

corporation, at which said meeting a quorum was present and acting throughout, the following preamble and resolution was adopted and ever since has been and now is in full force and effect.

RESOLVED, that Jerald Baum, T. Craig Robinson and Charles Wilkinson are hereby ratified and affirmed that they are the Trustees for the ACBL Pension Plan.

The undersigned hereby certifies that she is the duly elected and qualified Secretary and the custodian of the books and records and seal of the American Contract Bridge League, a non profit corporation duly formed pursuant to the laws of the state of New York and that the foregoing is a true record of a resolution duly adopted at a meetings of the Executive Committee of the Board of Directors and that said resolution is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand an affixed the seal of said Corporation this 20th day of January 2009.

*SECRETARY: (This is signed in Hard Copy & Sealed)
Kelley B. McGuire*

Item 091-171: Election of ACBL Treasurer

Craig Robinson is elected ACBL treasurer for a one-year term May 1, 2009 through April 30, 2010.

Item 091-172: Ratification of Audit Firm

Watkins, Uiberall Certified Public Accountants are approved as the 2009 Audit firm.

Carried unanimously.

Item 091-173: Hall of Fame Committee Appointments

Geoff Hampson, Steve Robinson and Peggy Sutherlin are each appointed for a three-year term from the end of the Spring 2009 NABC through the end of the Spring 2012 NABC.

Carried unanimously.

Item 091-174: Competitions and Conventions Appointments

Henry Bethe and, Jeff Meckstroth are each appointed for a three-year term from the end of the Spring 2009 NABC through the end of the Spring 2012 NABC. Doug Doub, Bob Hamman, Steve Beatty and Elaine Said are each appointed for a one-year term from the end of the Spring NABC through the end of the Spring 2010 NABC.

Carried unanimously.

Item 091-175: Ethical Oversight Committee Appointments

Peter Boyd, Bart Bramley, Larry Cohen, Gail Greenberg and Howard Weinstein are each appointed for a three-year term from the end of the Spring 2009 NABC through the end of the Spring 2012 NABC.

Carried unanimously.

Item 091-176: ACBL Disciplinary Committee Appointments

Chuck Burger, Jeff Miller and Jeffrey Polisner are each appointed for a three-year term from the end of the Spring 2009 NABC through the end of the Spring 2012 NABC.

Carried unanimously.

Item 091-177: ACBL Laws Commission Appointments

Robb Gordon, Eric Rodwell and Roger Stern are each appointed for a five-year term from the end of the Spring 2009 NABC through the end of the Spring 2014 NABC.

Carried unanimously.

Item 091-179: Education Status Report

The education status report is received.

Carried unanimously.

Item 091-180: Special Events Status Report

The special events status report is received.

Carried unanimously.

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The board reconvened at 2 p.m. on March 9, 2009 to discuss the Strategic Position.

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The meeting was called to order by President Jerry Fleming on Wednesday, March 11 at 3 p.m.

Present: Same as Monday, March 11, 2009 except for Harriette Buckman.

Absent: Harriette Buckman #13.

Also Present: Same as Monday, March 9.

Executive Vice President of the WBF John Wignall spoke to the ACBL Board of Directors.

Appeals & Charges

Heth (C), Anderson, D. (VC)

Buckman, Fairchild, Gerard, Mamula, Pinsky, Reeve

Staff: Blaiss

Committee Report by Chairman

Item 091-01: Report on Hearings

Item 091-01: Report on Hearings

In the matter of the appeal of the District 6 Appellate Committee’s decision to vacate the decision of the Unit 147 Disciplinary Committee, the committee vacated the decision of the District 6 Appellate Committee and found as follows:

1. The decision of the Unit 147 Disciplinary Committee is reinstated.
2. The evidence presented against Alfred Steinberg, ACBL number J882813, at the Unit 147 Disciplinary Committee was clear and convincing and supported the finding of guilt.
3. The procedures and process were consistent with the CDR.

4. The discipline imposed was appropriate; therefore the one year suspension imposed by the Unit 147 Disciplinary Committee was affirmed with credit for the 97 days served. The remainder of the one year suspension is to be effective April 1, 2009.
5. The committee's removal of all masterpoints earned by Mr. Steinberg from August 2006 through January of 2008 was affirmed.

In the matter of the review of the decision of the District 23 Disciplinary Committee against Bob Bratcher, ACBL number R642749, the committee affirmed the decision that Mr. Bratcher was guilty of actively seeking advance information about a board in play.

Additionally, the committee found:

1. That the discipline imposed was inappropriate; therefore, the discipline imposed was increased to two years suspension, effective March 12, 2009 to be followed by lifetime probation.
2. In accordance with CDR 4.1.8 (a), all of Mr. Bratcher's masterpoints and titles will be removed.
3. In accordance with CDR 4.1.8 (c), all the masterpoints awarded to Mr. Bratcher's partner in the Yankee Doodle Stratified Open Pairs held at Los Angeles Bridge Week in July of 2008 will be removed.

Rand Pinsky recused himself from the review of the Bratcher matter.

Item 091-02: Amendments to the Code of Disciplinary Regulations (CDR)

The ACBL Code of Disciplinary Regulations is amended and now reads as follows:

Definitions

Charge A matter brought to an ACBL disciplinary body by an ACBL representative upon the making of a complaint.

Complaint A written accusation by an ACBL member, a non-member playing in an ACBL sanctioned event, ACBL management or a Unit or District alleging conduct in violation of CDR 3 that requests that charges be made to an appropriate disciplinary body.

Law A provision in the "Laws of Duplicate Contract Bridge" or the "Laws of Duplicate Bridge."

- 1.5 The Ethical Oversight Committee shall, upon charges being brought by ACBL Management, whether based upon a complaint submitted by ACBL or another entity or individual, hear original cases of alleged cheating by use of signals, other unauthorized information, other forms of cheating, or serious breaches of ethics. League Counsel, the ACBL President and

District Director of the person charged shall be notified of a decision to hold an Ethical Oversight Committee hearing. The results of its hearings shall be reported to the parties, the Board of Directors and ACBL Management.

1.5.1 ACBL Management may be both the complainant and the charging party.

2.2.3 The ACBL Board of Directors has original jurisdiction of the following:

.....

(d) When, in the opinion of the District Board or the ACBL Board of Directors circumstances make it impractical or unfair for a complaint to be heard by the District or Unit or when in the opinion of the ACBL Board of Directors, the issues involved in the complaint are of paramount importance to ACBL. If such complaint is disciplinary in nature and of original jurisdiction, the District Board or the ACBL Board of Directors (as the charging party) shall make charges to the ACBL Disciplinary Committee for it to conduct a hearing. In these matters the ACBL Board of Directors designates the ACBL Executive Committee to act on its behalf.

3.7 Actions or behavior unbecoming a person participating in an ACBL sanctioned tournament or event; or a person attending (at the time and site of) an ACBL sanctioned tournament or event or ACBL activity (including a unit or district activity).

3.7.1 "Site" includes, but is not limited to, parking lots, elevators, restaurants and hotels at or around the location of such tournament, event or activity.

3.7.2 A private and confidential conversation is not within the ACBL's jurisdiction even if it takes place at a tournament site.

3.7.3 E-mails or letters sent to an ACBL official or entity (such as a unit or district Board of Directors) may constitute a violation of 3.7.

3.7.4 E-mails or letters sent to private individuals shall not constitute a violation of 3.7.

3.18 Misappropriate ACBL, Unit or District Funds.

4.1.3 *Suspended Sentence.* A determination that a person has committed an offense warranting discipline such that a suspension would normally be imposed effective immediately, but based on mitigating circumstances the suspension is being waived, conditioned on good behavior or compliance with conditions imposed by the committee for a specified period of time. When the discipline is imposed and the execution thereof suspended, such suspension shall be deemed to be probation. (See CDR 4.1.8.)

5.2.2 An initial charge based upon a complaint must be brought expeditiously by the charging party of the organization having jurisdiction. (See CDR

2.) If the organization has failed to designate an individual (who may not be the recorder), the president is the charging party. No person sitting on the organization's disciplinary committee should be the charging party. The president or designee shall remain the charging party in the event that the organization itself is the complainant. The charging party in deciding to bring a charge must answer "yes" to the following three (3) questions:

- (a) Is there prima facie evidence that the complaint has some validity (that there was misconduct)?
- (b) Does ACBL have jurisdiction?
- (c) If found responsible, would the disciplinary committee be obligated to issue a discipline?

5.3.2 A disciplinary complaint involving events at a tournament must be made by a participant in the tournament, by the sponsoring organization's recorder or by the Director in Charge ("DIC") or his designee, which designation must be written (See CDR 5.3.4 when the subject of a complaint or a charged person is no longer at the tournament.). An initial charge to the TDC must be brought by the DIC or his designee (the charging party). A decision by the DIC not to bring a charge before a TDC is final, provided that a party may take his complaint to the Unit or District having jurisdiction. The Director in Charge or his designee shall be the charging party even when the Director in Charge or a staff member is the complainant. The charging party in deciding to bring a charge must answer "yes" to the following three (3) questions:

- (a) Is there prima facie evidence that the complaint has some validity (that there was misconduct)?
- (b) Does ACBL have jurisdiction?
- (c) If found responsible, would the Disciplinary Committee be obligated to issue a discipline?

5.3.4

(b) A complaint and consequent charge against a person who is no longer at the jurisdiction of the TDC shall be sent to the appropriate disciplinary body for a hearing as follows:

- i. From a sectional tournament or sectional-level event to the unit disciplinary committee of the unit in which the sectional was held.
- ii. From a regional tournament or regional-level event to the district disciplinary committee of the district in which the regional was held.
- iii. From a North American Bridge Championship (NABC) or an

NABC-level event sponsored by ACBL to the ACBL Disciplinary Committee.

Effective immediately.

Carried unanimously.

Consideration of Appendix B below was deferred.

APPENDIX B
ACBL DISCIPLINARY SANCTION GUIDELINES
With Comments Inserted Regarding Changes Under Consideration

The following range of discipline for conduct and ethics violations is provided as a guide to a disciplinary committee not a mandate. This is not intended to be an exhaustive list of all possible infractions but rather to set forth examples. The committee is free to impose on a guilty defendant whatever punishment it deems is appropriate from options described in the CDR. However, a disciplinary committee, which imposes a sanction which is outside the range recommended by these guidelines, must explain why it chose the sanction imposed. **Part A** of these guidelines is intended to apply to the typical case involving a single incident and a defendant who has no previous disciplinary record. If this is not the case, the committee must read **Part B** of these guidelines before deciding on an appropriate discipline.

Part A

CONDUCT

OFFENSE	RECOMMENDED DISCIPLINE
C1 Poor personal hygiene or dress (CDR 3.7)	Reprimand <u>and or up to 30 days Probation</u>
Comment C1: While it is doubtful that a charge would be made on a single instance, the range is okay.	
C2 Rudeness in conversation, gesture, or general behavior (CDR 3.7)	Reprimand <u>and or up to 30 days Probation and or up to 30 days Suspension.</u>
C3 Publicly belittle partner or opponent on bid or play (CDR 3.7)	Reprimand <u>and or up to 30 days Probation and or up to 30 days Suspension.</u>
C4 Influence or attempt to influence an entrant to withdraw from an event to improve one's likelihood of winning more masterpoints CDR <u>3.7 and 3.12</u>	Reprimand <u>and or up to 30 days Probation and or up to 90 days Suspension.</u>
C5 <u>Intimidate or harass another player.</u> Harass a tournament director or tournament official. (CDR <u>3.7 and 3.11</u>)	Reprimand <u>or up to 90 days Probation and or up to 30 days Suspension</u>

C6	Deliberately fail to follow instructions given by a tournament director or official including leaving a session without permission of the tournament director or game director. (CDR 3.1, 3.2 <u>and 3.7</u>)	90 days Probation <u>and or up to 30 days Suspension</u>
C7	Fail to report <u>in a timely manner a score that one knows is incorrect</u> a known incorrect score (CDR 3.2 <u>and 3.7</u>)	90 days Probation <u>and or up to 30 days Suspension</u>
Comment C7: <i>This offense is quite serious and difficult to prove. Therefore the discipline suggested should be wider on the severe end.</i>		
C8	<u>Inappropriate comments (including but not limited to obscene comments) made publicly at an ACBL sanctioned event or activity.</u> Publicly made obscene comments (CDR 3.7)	Reprimand <u>and or up to 120 days Probation</u>
C9	Intimidate or harass another player or ACBL official <u>Harass or intimidate a tournament director, tournament official or an ACBL official.</u> (CDR <u>3.7 and 3.11</u>)	90 <u>180</u> days Probation <u>and or up to 390 days Suspension</u>
Comment C9: <i>C5 moved here</i>		
C10	Publicly accuse another player of unethical behavior (CDR 3.4 <u>and 3.7</u>)	90 <u>180</u> days Probation <u>and or up to 180 days Suspension</u>
Comment C10: <i>Add CDR 3.7. The term of probation suggested and imposed should always be as long as or longer than the term of suspension.</i>		
C11	Threat of abusive or violent contact with another person (CDR 3.7)	90 days <u>1 year</u> Probation <u>and or up to 180 days Suspension</u>
Comment C11: <i>The term of probation suggested and imposed should always be as long as or longer than the term of suspension.</i>		
C12	Abusive or violent contact with another person (CDR 3.7)	90 days <u>1 year</u> Probation <u>and or up to 1 year Suspension</u>
Comment C12: <i>The term of probation suggested and imposed should always be as long as or longer than the term of suspension.</i>		
C13	Knowingly submit false information or deliberately distort facts to an ACBL official or committee (CDR 3.13)	90 days <u>1 year</u> Probation <u>and or up to 1 year Suspension</u>
Comment C13: <i>The term of probation suggested and imposed should always be as long as or longer than the term of suspension.</i>		
C14	Failure of Complainant to appear at hearing <u>without cause.</u> (CDR 3.14)	<u>90 days Probation and or up to 3 90 days Suspension</u>
C15	Appeal a decision from a disciplinary body with no reasonable basis (CDR 3.15)	Reprimand 90 days Probation to 90 days Suspension <u>1 year Probation and or up to 1 year Suspension</u>

Comment C15: <i>An appeal that had no reasonable basis would appear to include a deliberate distortion of the facts or false information so that the discipline suggested should be the same as C13. At least this point should be considered.</i>	
C16 Initiate disciplinary action against another player with no reasonable basis (CDR 3.15)	30 days Suspension to 90 days Suspension <u>1 year Probation and or up to 1 year Suspension</u>
Comment C16: <i>Consideration should be given to making the guideline for C16 and C15 the same as the violation is similar. In fact the suggested disciplines for C15 and C16 should be the same as for C13.</i>	
C17 Initiate and maintain legal action against the ACBL (including a District or Unit) without first exhausting administrative remedies (CDR 3.10)	<u>1 year Suspension up to indefinite suspension pending reimbursement to ACBL of costs to ACBL to defend if the suit was unsuccessful.</u>
C18 Misappropriate ACBL, Unit or District Funds <u>Non-payment of sums owed ACBL, a unit or a district.</u> (CDR 3.9)	<u>Indefinite Suspension pending return of funds</u> The body imposing the indefinite suspension will determine when, after return of the funds, the indefinite suspension will be lifted.
C19 <u>Misappropriate ACBL, Unit or District Funds</u> (CDR 3.18)	<u>Indefinite suspension up to expulsion. The body imposing an indefinite suspension will determine when, after return of the funds, the indefinite suspension will be lifted.</u>

ETHICS	
OFFENSE	RECOMMENDED DISCIPLINE
E1 Deliberately ask for or give information about a board in play after both parties played it (CDR 3.2 and 3.7)	Reprimand <u>and or up to 60 days Probation.</u>
E2 Deliberately ask for or Give information about a board in play <u>to a player who has not yet played the board. prior to one or both parties playing the board</u> (CDR 3.2 <u>and</u> 3.7)	30 days Suspension to 1 year Suspension *
Comment E2: <i>Because asking is covered by E11 below, change wording.</i>	
3 Unsportsmanlike and frivolous psyching (CDR 3.2 and 3.7)	Reprimand <u>60 days Probation and or up to 30 days Suspension</u>
E4 Play a convention, system, or treatment knowing it is illegal; Purposefully fail to disclose partnership agreements with intent to deceive. (CDR 3.2 <u>and</u> 3.7)	Reprimand to 3 <u>90 days probation and or up to 60 days Suspension *</u>
E5 Bid or play with the specific intent to achieve a poor result on that hand (CDR 3.2 <u>and</u> 3.7)	90 days Probation to 90 days Suspension *
E6 Intentionally change a score or any information that could result in awarding incorrect masterpoints (CDR 3.1 <u>and</u> 3.7)	180 days <u>1 year Probation and or up to 1 year Suspension *</u>
E7 Accidentally gain access to information and then act on it (CDR 3.1, 3.2 <u>and</u> 3.7)	90 days <u>1 year Probation and or up to 180 days Suspension *</u>
E8 Hesitate with an intent to deceive; use intonations and mannerisms that may deceive opponents or help partner (CDR 3.1, 3.2 <u>and</u> 3.7)	1 year Probation <u>and or up to 180 days Suspension *</u>
E9 Deliberately try to see from where an opponent plays his cards (CDR 3.1, 3.2 <u>and</u> 3.7)	90 days Probation <u>and or up to 90 days Suspension *</u>
E10 Actively and deliberately try to see an opponent's cards (CDR 3.1, 3.2 <u>and</u> 3.7)	90 days <u>1 year Probation and or up to 1 year Suspension *</u>
E11 Actively seek advance information about a board in play (CDR 3.1, 3.2 <u>and</u> 3.7)	2-year Suspension to Expulsion *
E12 Prearrange a deal or part thereof including one card (CDR 3.1, 3.2 <u>and</u> 3.7)	2-year Suspension to Expulsion *

* If a committee imposes a suspension, then it should also disqualify the pair or team from the event. This will mean the pair or team will lose its place in the event, any masterpoints earned in the event and any other benefits it may have earned from playing in the event. Should this disqualification take place after the correction period for the event has expired, other pairs and teams do not move up - the place formerly held by the disqualified contestant (pair or team) remains vacant.

E13	<u>Intentionally gain access to hand records for an event prior to the event and enter and play in the event and or give the hand records or copies to another person prior to that person entering and playing in the event. (CDR 3.1, 3.2 and 3.7)</u>	2-year Suspension to Expulsion *
E14	Prearranged partnership collusion by means of signaling to exchange information (CDR 3.1, 3.2 and 3.7)	Expulsion *

Part B

There are three major reasons why the suggested guidelines in Part A might not be appropriate. First, the single violation might be either so slight or severe as to make the suggested sanction inappropriate. Second, the defendant might be convicted for several violations (such as a pattern of behavior). Third, the defendant might have a previous record.

1. When the defendant's single violation is either extremely slight or severe, the committee should apply its sound, unemotional judgment. For example, either the experience or mental intentions of the defendant might be a consideration. Please explain on the Hearing Report Form why the violation was considered atypical.
2. When the defendant is convicted of several violations, such as a pattern of behavior, the committee should impose a sanction as if each violation was a separate offense. The Committee should note the separate violations and/or explain the pattern.
3. When the defendant has a prior record, the ~~nature of~~ sanction imposed for the previous offense is not particularly important. The number of prior convictions is important. The reason is that the defendant was already sanctioned for the specific prior violation(s). The committee should pay close attention to how the prior conviction(s) reflects on the defendant's ability to behave according to ACBL standards and explain on the Hearing Report Form the reasons for its decision relative to the offense or offenses for which the committee has to consider another sanction.

Examples:

1. A person convicted of accidentally gaining access to information and acting on it has one conviction for bad hygiene for which he or she receive 30 days probation. Here the committee would probably disregard the prior conviction in making a decision to issue a sanction.

2. A person convicted of accidentally gaining access to information and acting on it has received 30 days probation for bad hygiene, 30 days probation for rude behavior, and 30 days suspension for a threat of violent behavior. In this case, the record indicates that this person has a history of violating ACBL regulations and the committee should increase the discipline above the maximum for the offense for which the player was convicted.

All of Appendix B deferred to the Summer NABC meeting in 2009 Washington, DC.

Carried unanimously.

Marketing

Harlan (C), Blakely (VC)

Anderson, S., Buckman, Cook, Fairchild, Seals, Taylor

Staff: Campbell, V.

Committee Report by Chairman

An oral report was given.

Finance

Robinson (C), DeMartino (VC)

Cook, Harlan, Mamula, Reid, Retek, Seals

Staff: Brown/Glover

Committee Report by Chairman

Item 091-65: Headquarter Monthly Updates on Real Estate

The ACBL Treasurer will be provided monthly updates of all developments concerning the purchase and construction of our new Headquarters, and he'll monitor as well on a monthly basis the adherence to our competitive bidding policy concerning this project.

Effective immediately.

Carried. Nay: 5, 7, 8, 10, 11, 15, 16, 18, 19.

Item 091-66: Reduce Fees I/N Games

Fees will be reduced at I/N Games at NABCs from \$15 to \$13.

Motion failed. Aye: 1, 5, 6, 9, 17, 18, 20, 21, 23.

Real Estate

Reeve (C), Cook (VC)

Buckman, Harlan, Mamula, Pinsky, Wood

Staff: Miller

Committee Report by Chairman

An oral report was given.

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Executive Session

At approximately 4:45 p.m. the Board went into Executive Session.

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The Board reconvened at 9 a.m. on Thursday, March 12, at 9 a.m. The meeting was called to order by President Jerry Fleming.

Present: Same as Wednesday, March 11.

Absent: Same as Wednesday, March 11. Bill Cook #10 left at noon.

Also Present: Same as Wednesday, March 11.

Special Events

Cook (C), Buckman (VC)

Anderson, D., Anderson, S., Blakely, DeMartino,

Gerard, Retek, Robinson

Staff: Robertson/Taylor

Committee Report by Chairman

Item 091-140: Upgraded Club Championship

Clubs be allowed to hold this event (no more than four times a year) awarding sectionally rated masterpoints (50% black and 50% red) each time, when the following conditions are met:

1. Club recruited five new ACBL members.
2. Club remained closed, whenever regional and sectional tournaments are held within 25 miles (40km) from the location of the club. Otherwise, the club needs to purchase entries to the tournament, equivalent of 15% of the average number of tables/week at the club and distribute these entries to club members.
3. Club must schedule to hold GNT or CNTC, plus NAP events.
4. Clubs averaging more than 25 tables weekly must have a teaching program.

The regulation will replace Upgraded Club Championships (933-53)

Motion failed: Aye: 1. Abstain: 2.

Governance

Seals (C), Cook (VC)

Anderson, D., Anderson, S., Buckman, Fairchild, Harlan, Heth,
Monzingo, Reid, Taylor

Staff: Miller

Committee Report by Chairman

Item 091-75: Grand Life Master Requirements

- A. The following are added to the requirements for achieving Grand Life Master. A player must be a lifetime member in good standing. If he has not always been a member in good standing because he has been suspended or expelled for cheating, but is otherwise eligible to become a grand life master, he must reapply to the ACBL Board of Directors for an exception.

- B. Application for an exception may be considered after eligibility for a new Grand Life Master is achieved. The ACBL Board can make an exception if the player has demonstrated that his behavior and ethics are in the highest order and that he has given back to the bridge community. The Board will determine this after contacting the local Unit and District officials, Tournament Directors, national recorder or anyone else they designate. The burden of proof is on the player.

- C. An existing Grand Life Master who is no longer in good standing because he has been suspended for cheating, may apply for reinstatement two years after the probation ends.

Motion failed. Aye: 4, 6, 7. Abstain: 25

Item 091-77: Bridge History Preserved

The ACBL take the following steps to preserve our bridge history.

- (1) Establish an extensive member database including photo and bridge achievements, along with a brief bio, of all ACBL members with either (a) 5,000 masterpoints or (b) an NABC+ or equivalent WBF win or (c) by special election by the ACBL Board of Directors upon nomination.

- (2) Archive major bridge events. To start, this is to include: the semifinals and finals of major open/unrestricted NABC+ KO events, namely the Vanderbilt and Spingold; the final two sessions of all six-session NABC+ open pair NABC+ events; the final day of the Reisinger B-A-M; the semifinals and finals of the

Women's KO and Senior KO events; the finals of the International Team Trials, the Women's International Team Trials and the Senior International Team Trials. As the process becomes easier, other NABC+ events, including: NABC+ Swiss events; 4-session pairs events; and earlier rounds of the Vanderbilt and Spingold, should be included.

- (3) Coordinate with the WBF in order to pass on the data in (1) and (2). This will require formatting or converting the data so that it can be used by the WBF to publicize bridge.
- (4) Publish the data in (1) and (2) on our website. Bridge events should be saved in .pbn or .lin formats and presented as a bridge movie, with appropriate software available for downloading. For maximum value, other formats should be available, such as .rtf or WORD formats.

Motion failed. Aye: 1, 3, 6, 18, 24, 25.

**Item 091-78: Transfer of Columbia County GA
from Unit 114 to Unit 202, District 7**

All of Columbia County GA is included in Unit 202.

Effective date: April 1, 2009

Carried unanimously.

Technology	
DeMartino (C), Levy (VC) Arlinghaus, Blakely, Pinsky, Robinson	Staff:

Committee Report by Chairman

An oral report was given. (Attachment C)

Audit	
Retek (C) Pinsky, Reid	Staff: Glover

Committee Report by Chairman

Item 091-10: Audit Committee Checklist

The following Audit committee checklist including the ongoing projects throughout the year is approved:

ACBL AUDIT COMMITTEE CHECK LIST

JANUARY —

Contact the previous A/C Chairperson (when applicable) to obtain:

- a) previous years' minutes
- b) to discuss ongoing concerns
 - Ascertain who are the signing officers of all ACBL bank accounts and the authorized officers to arrange transactions and withdrawals concerning our investments.

FEBRUARY —

Review audit program with auditor, discuss potential problem areas.

- Receive and review ACBL financial statements and management letter from auditor.

MARCH

- Make recommendation for appointment of audit firm. Inform auditors that an interim audit performance is expected. Conduct executive session with auditor.
- Review internal control.

MAY —

Ascertain compliance was done with Government regulations and receive proof of filing. Obtain certificate to this effect from auditor.

DECEMBER —

Review expense account (including credit card charges) of CEO from November 1 of previous year till October 31 of current year.

NOTE: The Audit Committee meetings are restricted to the three members of the Audit Committee. Other persons may attend only by the invitation of the Audit Chairperson. The Chairperson or his designee will store the minutes of the A/C.

ONGOING PROJECTS THROUGHOUT THE YEAR

1. Review the audit committee charter at least once a year, reassess the adequacy of this charter and recommend proposed changes to the Board. Consider changes that are necessary as a result of new laws and regulation.
2. Conduct executive sessions with the CEO, CFO and legal counsel annually.
3. Inquire of Management and Auditors about significant risks and exposure facing the organization, assess the steps Management has taken or proposes to take to minimize such risks and periodically review compliance with such steps.
4. Review with Management the policies and procedures with respect of officers key employees and disqualified persons (as defined by IRS code 4958) expense accounts, perks (including excess benefit transactions), consider the result of a review of these areas either by the internal auditor or the independent auditor.
5. Review all material written communications between the auditors and management such as schedule of unadjusted differences.
6. Review company's policy for data retention and discarding of documents.
7. Review the procedures for the receipt, retention and treatment of complaints received by the ACBL regarding accounting, internal accounting controls or

auditing matters that may be submitted by any party, internal or external to the ACBL. Review any complaints that might have been received, current status, and resolution, if one had been reached.

Ascertain that the Employees' Handbook contains proper information for the employees, who to contact and the protection offered.

Effective immediately.

Carried unanimously.

Item 091-11: Whistleblower Policy

The following "Whistleblower" policy is approved.

ACBL Whistleblower Policy

General

The ACBL requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the ACBL, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws, regulations and internal regulations.

Reporting Responsibility

It is the responsibility of all directors, officers and employees to report ethics violations or suspected violations in accordance with this Whistleblower Policy.

No Retaliation

No director, officer or employee who in good faith reports an ethics violation shall suffer harassment, retaliation or adverse employment consequence or adverse consequence to the position the director or officer holds. Any person who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment or removal from office or position. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within ACBL prior to seeking resolution outside ACBL.

Reporting Violations

ACBL has an open door policy and suggests that employees share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, an employee's supervisor is in the best position to address an area of concern. If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, however, you are encouraged to speak with someone in the Human Resources Department or anyone in management whom you are comfortable in approaching. Supervisors and managers are required to report suspected ethics violations to the ACBL's Compliance Officer, who has specific and exclusive responsibility to

investigate all reported violations, or to the Human Resources Manager who must notify the Compliance Officer. For suspected fraud, or when you are not satisfied or uncomfortable with following ACBL's open door policy, individuals should contact ACBL's Compliance Officer directly. When appropriate, the Compliance Officer will notify the Human Resources Manager of reported violations.

Compliance Officer

The ACBL's Compliance Officer is responsible for investigating and resolving all reported complaints and allegations concerning violations and, at his/her discretion, shall advise the Chief Executive Officer and/or the Audit Committee. In conducting such investigations, the Compliance Officer shall, where appropriate, seek the assistance of the Human Resources Manager or other ACBL personnel. The Compliance Officer has direct access to the Audit Committee of the Board of Directors and is required to report to the Audit Committee at least annually on compliance activity. The ACBL's Compliance Officer is the League Counsel of the ACBL.

Accounting and Auditing Matters

The Audit Committee of the Board of Directors shall address all reported concerns or complaints regarding corporate accounting practices, internal controls or auditing. The Compliance Officer shall immediately notify the Audit Committee or, in the alternative, when a conflict exists the President of the ACBL of any such complaint and work with the Committee until the matter is resolved. Directors, officers and employees may also report any concerns in these areas directly to the Chair of the Audit Committee.

Acting in Good Faith

Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Handling of Reported Violations

The Compliance Officer or the Human Resources Manager will notify the sender, if known, and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation. If appropriate, the sender will be apprised of the outcome of the investigation. If, after a reasonable period of time the sender believes appropriate action has not been taken by the party to whom the violation was originally reported, he or she may submit another report to one of the other parties listed below.

ACBL Management Staff

Human Resources Manager

Brenda Atwill

2990 Airways Blvd.

Memphis, TN 38116

901-332-5586, ext. 1335

Fax 901-398-7754

Brenda.atwill@acbl.org

Compliance Officer:

Peter Rank, Esq.

501 East Avenida Granada

Palm Springs, CA 92264

760-327-8899

Fax: 760-322-2214

prank@ranklaw.net

Audit Committee Compliance Officer:

George Retek, Chair

4444 Sherbrooke St. W, Apt. 306

Montreal, PQ

Canada H3Z 1E4

514-934-5625

Fax: 514-731-8782

bridgeretek@earthlink.net

Policy Approved by the ACBL Board of Directors on March 12, 2009.

Effective immediately.

Carried unanimously.

Tournament

Retek (C), DeMartino (VC)

Anderson, D., Arlinghaus, Gerard, Janicki,

Monzingo, Seals, Taylor, Wood

Staff: Campbell, B.

Committee Report by Chairman

Item 091-160: Stratified Pair Events

Stratified pair events at local, sectional and regional tournaments, may be based, at sponsor option, on average masterpoints of the pair.

Effective May 1, 2009.

Carried. Nay: 7, 15, 20, 21, 24.

Bridge

Wood (C), Robinson (VC)
Arlinghaus, Blakely, DeMartino, Gerard, Janicki, Levy,
Mamula, Pinsky, Reeve, Retek

Staff: Campbell B.

Committee Report by Chairman

Item 091-30: Non-Member Masterpoints

Item 973-46 be amended as follows:

Non-Member Masterpoints (973-46)

A former member who has not paid dues for over 90 days, and has become a non-member, is entitled to pay dues that were due and owing for whatever period of time he had non-member status (this payment may be for only those years in which the non-member won points and for which the non-member wishes to pay). All masterpoints earned during the non-member period for which payment is received will be recorded to the extent possible. Any member who pays his dues within 90 days after his membership paid-through date will have his masterpoints recorded free of charge, such dues payment credited from the original paid-through date, and no break in membership recorded.

Effective immediately.

Carried unanimously.

Item 091-31: Hand Records Unit Wide Games

At sponsor option, all sites may be required to use identical hands.

Effective immediately.

Carried. Nay: 20, 21, 24.

Item 091-32: Shortened Club Championships

Clubs be allowed to hold either regular club championships (18+ boards) or shortened club championships (12-17) boards played. The total number of club championships, including regular and shortened, will remain the same as currently allowed. The overall awards for shortened club championships are 60% of regular club championships.

The online shortened club championship (12-17 boards) overall award is capped at 4.50 masterpoints.

The online regular club championship (18+ boards) is capped at 6.00 masterpoints.

Effective May 1, 2009.

Carried. Nay: 5, 8, 9, 15, 21.

Item 091-34: Platinum Pairs

The qualification for participation in the NABC+ platinum pairs is amended to include all players who have attained the rank of Platinum Life Master or Grand Life Master.

Effective January 1, 2010

Carried unanimously.

Item 091-35: STaCs Week Designations

Districts or units may designate one or two weeks per year as STaC weeks. During those one or two weeks clubs may run regular club games or STaC games but not any upgraded games. These weeks may not occur during the months pre-designated for Junior (February), International (September) or Charity (April) funds.

Deferred to the STaC Committee.

Carried unanimously.

Item 091-178: Schedule of Nationally Rated Events at NABCs

SCHEDULE OF NATIONALLY RATED EVENTS AT NABCs

SPRING

Wednesday

NAOP – Flight A

Thursday

NAOP – Flight A

Friday

Open Pairs
Platinum Pairs

Saturday

Open Pairs
Platinum Pairs

Sunday	Silver Ribbon Pairs Platinum Pairs
Monday	VANDERBILT Silver Ribbon Pairs
Tuesday	VANDERBILT Mixed Pairs
Wednesday	VANDERBILT Mixed Pairs 49er Pairs
Thursday	VANDERBILT Imp Pairs Women's Pairs Red Ribbon Pairs
Friday	VANDERBILT Imp Pairs Women's Pairs Red Ribbon Pairs
Saturday	Open Swiss Women's Swiss NAOP – Flight B NANLMP VANDERBILT
Sunday	Open Swiss Women's Swiss NAOP – Flight B NANLMP VANDERBILT

Note: In order to participate in an NABC+ event, you must be an ACBL member whose service fees or dues are current.

Effective January 1, 2010

Carried unanimously.

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Gianarrigo Rona President of the European Bridge League, WBF 1st Vice President spoke to the ACBL Board of Directors.

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Board Operations

Levy (C), Taylor (VC)

Arlinghaus, Blakely, Gerard, Heth, Reid, Robinson, Seals

Staff: Miller

Committee Report by Chairman

An oral report was given.

Internet Bridge

Levy (C), Arlinghaus (VC)

Anderson, S., Blakely, Janicki, Monzingo, Taylor, Wood

Staff: Campbell, B./Miller

Committee Report by Chairman

An oral report was given.

Juniors

Anderson, D. (C), Fairchild (VC)

Anderson, S., DeMartino, Janicki, Retek

Staff: Greenberg/Tucker

Committee Report by Chairman

An oral report was given.

Bylaws/Compliance

Mamula (C), Wood (VC)

Anderson, S., Heth, Monzingo, Mamula, L., (BOG Appointee)

Staff: Blaiss/Miller

Committee Report by Chairman

An oral report was given.

International/Federations

Arlinghaus (C), Retek (VC)

Anderson, D., DeMartino, Gerard, Heth, Levy, Reid, Robinson, Wood

Staff: Blaiss

Committee Report by Chairman

An oral report was given.

* * * * *

It was moved by Retek and carried unanimously that the Board expresses its thanks to District 16 and its units, District Director Dan Morse and Tournament Chairs Eric Snow,

Toni Snow and Betty Starzec and all of the other chairpersons and numerous volunteers.
We also thank the Hilton Americas for their fine cooperation.

There being no further business, the Board adjourned *sine die* at 4:22 p.m.

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