

**ACBL Board of Directors
Marriott Wardman Park Hotel
Washington, DC
July 20 – 23, 2009**

The meeting was called to order by President Jerry Fleming on July 20, 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; Dee Wallace, CFO; Gary Blaiss, Butch Campbell, Vicki Campbell, Patricia Glover, Julie Greenberg, Jim Miller, Dana Norton, Carol Robertson, Patty Tucker, Barbara Varner, and Kelley McGuire.

Approval of Houston Minutes

The Houston, TX minutes are approved.

Carried.

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 092-180: Executive Committee Minutes

The minutes of the Executive Committee meetings held May 14 and May 27, 2009 are received.

MINUTES
EXECUTIVE COMMITTEE OF THE BOARD OF DIRECTORS
May 14, 2009

The Executive Committee met May 14, 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; Craig Robinson, Treasurer; Richard Anderson, Shirley Seals and Georgia Heth.

Also present: Peter Rank, League Counsel; Jay Baum, CEO, Jeff Johnston and Kelley McGuire.

Re: Support of the WBF World Bridge Series

Moved and seconded that the ACBL recommends to the USBF and the WBF that the World Bridge Series be held in either Philadelphia, PA on September 20 through October 5 or October 2 through October 17, 2010 or in Las Vegas, NV on October 18 through November 3, 2010.

If it is held in the United States at one of the recommended sites and time slots, the WBF will receive an ACBL sanction to hold a concurrent regional in the same venue as the Series. Such a regional must be conducted under ACBL rules and regulations. ACBL will be paid normal regional tournament sanction fees and appropriate insurance must be obtained.

Assuming one of the recommendations is accepted with accompanying conditions, the ACBL agrees to contribute \$100,000 to the USBF as part of the \$300,000 required by the WBF as a condition for consideration to hold the WBF World Bridge Series in the United States. The contribution will be made on the conditions that the \$100,000 will be returned if a WBF World Bridge Series does not take place and that the ACBL will have no other financial responsibility for the Series.

Carried unanimously.

MINUTES
EXECUTIVE COMMITTEE OF THE BOARD OF DIRECTORS
May 27, 2009

The Executive Committee met May 27, 2009 at 6 p.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, Craig Robinson, Treasurer; Richard Anderson,

Shirley Seals and Phyllis Harlan. Mrs. Harlan served as alternate for Georgia Heth who recused herself from the meeting as she is the Chair of the Appeals & Charges Committee.

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

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Re: Complaint concerning Terje Aa (ACBL # 9027661), Geir Helgemo (ACBL # 4036808) and Jørgen Molberg (ACBL # 8896631)

Based upon the attached documents from the Norwegian Bridge Federation (NBF), two teams collaborated to submit a fictitious result from a qualifying segment of an NBF event, which would enable both teams involved to progress to the next stage of the event. In fact, the teams never even played against each other. These documents confirm that the players involved were found guilty and were disciplined by a suspension from participation (except at the club level) in NBF events for a term of one year (01/01/09 through 12/31/09). This discipline was subsequently “pardoned” (reduced) to end August 31, 2009 (i.e. the players would no longer be on suspension and would be in good standing as of September 1, 2009).

Terje Aa, Geir Helgemo and Jørgen Molberg are ACBL members and were members of one of the teams involved in the foregoing. Each of them was disciplined by the NBF, therefore, ACBL Management requests that the ACBL Executive Committee, in accordance with 3.17 of the ACBL Code of Disciplinary Regulations (CDR) make the following charge based upon this complaint.

3.17 Improper conduct, a breach of ethics or improper behavior by an ACBL member for which another bridge organization has issued a discipline or sanction against said member. This section may be implemented only by the ACBL Executive Committee under CDR 2.2.3 (f).

Because the infraction for which the ACBL members were disciplined is equivalent to cheating at the table and is a serious breach of bridge ethics by internationally known experts, ACBL Management requests that the above charge be made to the ACBL Ethical Oversight Committee as provided in CDR Sections 2.2.3(f), 1.5 and 1.5.1

2.2.3 (f) When an ACBL member has been disciplined by another bridge organization, the Executive Committee of the ACBL Board of Directors may make charges under CDR 3.17 and refer the matter to the Ethical Oversight Committee or ACBL Disciplinary Committee as appropriate.

1.5 The Ethical Oversight Committee will, 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 will be notified of a decision to hold an Ethical Oversight Committee hearing. The results of its hearings will 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.

Definitions of Ethics:

1. pertaining to or dealing with morals or the principles of morality; pertaining to right and wrong in conduct.
2. being in accordance with the rules or standards for right conduct or practice, esp. the standards of a profession.

Moved and seconded, that a charge of violation of Section 3.17 of the Code of Disciplinary Regulations be made against Terje Aa (ACBL # 907661, Geir Helgemo (ACBL # 40368080) and Jørgen Molberg (ACBL # 8896631) based upon the complaint submitted by Management. The charge will be sent to the Ethical Oversight Committee to conduct a hearing and reach a decision at the Washington D. C. NABC.

Carried unanimously

There was a consensus of the committee that Management request that the players charged be suspended pending a decision by the Ethical Oversight Committee.

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RE: Resolution Lease Purchase Agreement

RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE AMERICAN CONTRACT BRIDGE LEAGUE

WHEREAS, on March 12, 2009 the Board of Directors of the American Contract Bridge League (the "League") authorized Jay Baum, Chief Executive Officer (the "CEO"), to negotiate the lease and purchase of certain property (the "Property") in Horn Lake, Mississippi (the "Transaction"). The Property is further described as follows:

4.43 acres, being DeSoto Commons P.U.D Phase 2, Lot 1, Parcel A-10 as recorded in plat book 82, page 8 of the DeSoto County, Mississippi land records, together with the improvements thereon and appurtenances thereto.

WHEREAS, the CEO and his staff have made extensive inspections of the Property (which includes an office building without interior build outs), have hired experts to inspect the Property and had made diligent efforts to assure that the title of the Property upon delivery will be free and clear without encumbrances or liens.

WHEREAS, since March 12, 2009 the CEO has successfully negotiated and executed an Inducement Agreement with the City of Horn Lake, DeSoto County, Mississippi and the Desoto County Economic Development Council which provides significant inducements to the League for its lease and purchase of the Property, the enforceability of which is conditional on the League's approval of that certain Lease Purchase Agreement which is further described below.

WHEREAS, the CEO has negotiated a Lease Purchase Agreement with the City of Horn Lake, the League's execution of which is subject to:

1. Computation of the interest on the Urban Renewal Bonds with which the City shall purchase the Property from the current owner of the Property; and
2. Approval by the League's Mississippi real estate attorney of a final integrated Lease Purchase Agreement which includes some ten technical, but important, items which must be settled by the parties.

WHEREAS, the Lease Purchase Agreement contains provisions that are substantially similar to the transaction approved by the Board on March 12, 2009, including, but not limited to:

1. Lease of the Property by the League for a period of five years, with lease payments prorated over 60 months at the cost with interest to the City of Horn Lake of the purchase of the Property.
2. The option exercisable by the League at any time during the term of the Lease Purchase Agreement to accelerate the lease payments and purchase the property at no additional cost.
3. The requirement of the League during the lease period to be responsible for all repairs and liabilities which would result from ownership of the Property.
4. The right of the League to immediately construct and pay for improvements to the Property to allow it to conform to an office building suitable for the League's staff and activities.

NOW THEREFORE, be it resolved as follows:

That the Executive Committee approves of the Transaction and, upon the CEO's approval of the above unresolved conditions, authorizes the CEO to execute the Lease Purchase Agreement and any other documents required for the Transaction under the terms and conditions described above.

Approved by the Executive Committee on May 27, 2009.

Signed: (Hard copy on file with signature)
Jerry Fleming, President

The meeting was adjourned at approximately 6:35 CST.

Item 092-181: Election of ACBL President 2010

Richard DeMartino and Phyllis Harlan had previously declared their candidacies. There were no other declarations of candidacy. Nominations were closed. By secret ballot, Richard DeMartino was elected to the office of ACBL President for a one-year term beginning January 1, 2010 and ending December 31, 2010.

Carried.

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President Fleming paused for a moment of silence for past Board member Alan LeBendig District 23.

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Executive Session

At approximately 10:45 a.m. the Board went into Executive Session.

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Strategic Positioning - Marketing

The Board reconvened at 1 p.m. on July 20, 2009 to Positioning in Marketing.

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Strategic Positioning – Technology

The Board reconvened at 1:30 p.m. on July 21, 2009 to discuss Strategic Positioning in Technology.

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The meeting was called to order by President Jerry Fleming on Wednesday, July 22, at 2 p.m. to discuss Strategic Positioning of NABCs.

Present: Same as Monday, July 20

Also Present: Same as Monday, July 20

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

I HEREBY CERTIFY that a meeting, duly called, 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 Dee Wallace, 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 meeting 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 and affixed the seal of said Corporation this 22nd day of July 2009.

SECRETARY: _____
Kelley B. McGuire

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.

STaC

Fairchild, (C)
Buckman, Cook, DeMartino, Gerard, Monzingo, Reeve, Reid, Seals Staff:
Campbell, B.

Committee Report by Chairman

Item 092-151: I/N STaC

- 1) Management will implement regulations to permit I/N STaCs for players under 300 masterpoints. Sanction fees will be the same as for regular open STaCs.
- 2) Masterpoint awards for these events will be reviewed and approved by the masterpoint committee prior to the implementation of these events. A cap on the overall masterpoint awards may be imposed on these events for the purpose of maintaining the integrity of the masterpoint structure.
- 3) All masterpoint awards shall be silver points.

Motion Failed. Aye: 19.

Governance

Seals (C), Cook (VC)
Anderson, D., Anderson, S., Buckman, Fairchild, Harlan, Heth,
Monzingo, Reid, Taylor Staff:
Miller

Committee Report by Chairman

Item 092-75: Internet Bridge

(A) ACBL-wide races for masterpoints won in internet bridge games will be established.

Carried unanimously.

(B) The ACBL will consider a page in the Bridge Bulletin devoted to Internet activities, including, but not limited to, sanctioned online bridge, bridge, instructional websites, informative websites, online teaching and International websites.

Motion failed: Aye: 3, 8, 20, 21, 24. Abstain: 9, 25.

(C) The ACBL consider an Internet webpage devoted to Internet activities, including, but not limited to, sanctioned online bridge, bridge, instructional websites, informative websites, online teaching and international websites.

Carried. Nay: 1, 6, 19, 22. Abstain: 2.

Item 092-76: NABC Dress-up Night

Item 991-151 be rescinded.

The first Saturday night of each NABC shall be declared a dress-up night. This will apply to all events. Players are encouraged to participate by dressing up for the evening.

Effective Immediately

Carried. Nay: 17, 23.

Item 092-77: Non Member Masterpoints (973-46) (091-30)

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). Any former member who reinstates for a three –year period will have all unrecorded masterpoints credited at no charge. 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 will be credited from the original paid-through date and no break in membership recorded.

Carried unanimously.

Item 092-78: Club Review

A Management/Board committee will be formed to examine and suggest changes to the relationship of clubs and Management:

- Regarding members' complaints about actions of the club directors and managers.
- Regarding payment of monies due the League from Clubs.
- Regarding recognizing club directors who have directed X number of games much like our recognition of players.
- Regarding club managers and directors who attend classes to brush up on skills or learn new skills.

An interim report will be due at the Fall meeting of 2009 and a final report due with the Spring meeting of 2010.

This committee should include non-Board members as well as Board and Management members.

NOTE: A subcommittee will be formed to examine the relationship of ACBL to clubs running sanctioned games; Reid (c), Heth, Monzingo, and Buckman.

Deferred to the Fall 2009 NABC meeting.

Carried unanimously.

Item 092-79: Transfer of Currituck and Dare counties in NC

Currituck and Dare counties in North Carolina are transferred to Unit 146 in District 6 counties from Unit 119 in District 7.

Effective as soon as can be implemented

Carried unanimously.

Finance

Robinson (C), DeMartino (VC)

Cook, Harlan, Mamula, Reid, Retek, Seals

Staff:

Wallace

Committee Report by Chairman

Item 092-65: ACBL Financial Information Availability

In addition to the ACBL financial report annually published in the *ACBL Bulletin*:

a) the ACBL financial report presented by the ACBL Treasurer at each Board of Governors meeting be published (with appropriate commentary describing what the data represents) on the ACBL website no later than one week following the conclusion of the NABC during which such report was presented at the Board of Governors meeting

b) the annual audited ACBL financial statement be published on the ACBL website no later than one week after the conclusion of the Spring NABC.

Effective Immediately

Carried unanimously.

Item 092-66: Competitive Bidding Policy

The minimum amount of \$25,000 specified in the current ACBL competitive bidding policy is increased to \$50,000. In addition, for proposed expenditures of amounts more than \$50,000 and less than \$100,000, the bidding policy may be waived with the unanimous consent of the CEO, the President and the Treasurer or their designees.

Effective Immediately

Carried unanimously.

Bridge

Wood (C), Robinson (VC)

Arlinghaus, Blakely, DeMartino, Gerard, Janicki, Levy,

Mamula, Pinsky, Reeve, Retek

Staff:

Campbell B.

Committee Report by Chairman

Item 092-30: Preempt Pre-Alert Elimination

Eliminate the requirement to pre-alert short (5-card weak 2's and 6-card 3-level pre-empts) and undisciplined (less than Q hcp) pre-empts. Replace the pre-alert with an alert upon occurrence.

Note: Referred to the Competitions and Conventions committee to be included in modification to the alert procedure.

Deferred to the Fall 2009 NABC meeting.

Carried unanimously.

Item 092-31: Events and Restrictions for ACBL Sanctioned Tournaments

Item 942-78 is amended as follows:

V SCORING METHODS:

INDIVIDUAL: Matchpoint, IMP

PAIR: Matchpoint, IMP

TEAM: Win-loss, victory point, total points, board-a-match

PAIR/TEAM: Matchpoints + one from "Team" above (must be a one-session event only)

Change PAIR/TEAM to reflect Matchpoints/board-a-match (one-session event only)

Effective December 1, 2009

Carried unanimously.

Item 092-32: Special Games at Clubs

The masterpoint rating of the following Special Games at Clubs be changed from 100% sectional-rated black points to 90% sectional-rated black points: Club Charity Games, Club Junior Fund Games, Club International Fund Games, Club Educational Foundation Games, and Club GNT Fund Raiser Games.

Deferred to the Fall 2009 NABC meeting.

Carried. Nay: 4, 17, 24. Abstain: 20.

Item 092-33: Trophy Assignments

Part A: The following trophy assignments are suggested:

<u>SUMMER Bridge Events</u>	<u>Proposed Trophy Name</u>	<u>Original Trophy Name</u>
*GNT – Championship Flt	Morehead	Morehead
GNT – Open Flight A	Goldman (Bobby)	Coffin
Fast Open Pairs		
Open Swiss	Roth	Rothschild

FALL Events

Senior KO Teams	Baze	Baze (to be donated)
Mini Blue Ribbon	Kay	Howard
Non-LM Pairs	Manfield	Miles

Names assigned, need trophies Trophy Name Trophy
Reassignment

Mini LM Pairs (LM-5000)	Bruce	Marcus
Mini LM Pairs (LM-1500)	Young	Kem Card

*This trophy was given to the Grand National Teams winner. When the Flight B was added it was given to the Flight A or top-flight winner. When the 0-5000 flight was added and given the name Flight A, the trophy should have gone with the championship or top flight. This should be corrected now.

Deferred to the Fall 2009 NABC meeting.

Carried unanimously.

Part B.

Trophy Assignment (952-61)(953-61)(961-68)(972-44)(003-53) is amended as follows:

Paragraphs 7, 13 and 14 are rescinded.

Carried unanimously.

Item 092-34: Grand Life Master Qualifications

The Canadian Open Pairs Championship and the Canadian Senior Teams Championship will serve as an equivalent to an NABC event win for fulfillment of requirements for the title of Grand Life Master. Both past and future winners of these events will be deemed to have met the Grand Life Master requirement for a championship win.

Motion failed. Aye: 1, 19. Abstain: 2, 18, 20.

Item 092-35: Masterpoint Races

The following races will be determined by masterpoints won in ACBL-sanctioned events (excluding ACBL-sanctioned events that are played on the Internet) sponsored by the ACBL or its Districts, Units and Clubs and any ACBL-sanctioned event designated by ACBL Management such as, but not limited to, an ACBL

regional tournament sanctioned to and conducted by another bridge organization as long as an ACBL member may play without regard to his country of residence.

Barry Crane Top 500
Mini-McKenney
Youth
Juniors
District
Unit

The Annual Senior Masterpoint Race will be determined by masterpoints won in ACBL regionally-rated or higher sanctioned senior events (excluding such events that are played on the Internet) sponsored by the ACBL or its Districts, Units and Clubs and any such event designated by ACBL Management such as, but not limited to, an ACBL regional tournament sanctioned to and conducted by another bridge organization as long as an ACBL member may play without regard to his country of residence.

Carried. Abstain: 15.

Item 092-36: Schedule of Nationally Rated Events at NABCs

Item 091-178 is amended as follows:

- A. The Silodor Open Pairs is moved to Thursday – Friday (just before the last weekend) of the Spring NABC, replacing the IMP Pairs.
- B. The IMP Pairs is moved to the first Friday – Saturday at the Spring NABC, replacing the Silodor Pairs.
- C. The masterpoint award for 1st overall in the IMP Pairs is reduced from 125 to 100.

Effective August 1, 2009

Carried. Nay: 8, 11.

Real Estate	
Reeve (C), Cook (VC) Buckman, Harlan, Mamula, Pinsky, Wood Baum	Staff:

Committee Report by Chairman

An oral report was given.

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The meeting was called to order by President Jerry Fleming on Thursday, July 23, at 9 a.m.

Present: Same as Wednesday, July 22

Also Present: Same as Wednesday, July 22

Appeals & Charges	
Heth (C), Anderson, D. (VC)	
Buckman, Fairchild, Gerard, Mamula, Pinsky, Reeve	Staff:
Blaiss	

Committee Report by Chairman

Item 092-01: Report on Hearings

In the matter of the appeal of Peter Wong, ACBL number J620606, from the decision of the ACBL Disciplinary Committee; the decision was confirmed without any changes.

Item 092-02: ACBL Disciplinary Sanction Guidelines – Appendix B

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</u> Probation
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	Intimidate or harass another player. 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 <u>3.2 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 Probation 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 <u>90 days Probation to 90 days Suspension</u> 1 year Probation and or up to 1 year Suspension
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>
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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 and 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 and 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 and 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 and 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 and 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 and 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 and 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 and 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 and 3.7)	2-year Suspension to Expulsion *
E12 Prearrange a deal or part thereof including one card (CDR 3.1, 3.2 and 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	Intentionally gain access to hand records <u>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.</u> (CDR 3.1, 3.2 and 3.7)	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.
1. 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.

Note: Management may make additions or changes to the above motion for the Fall 2009 journal.

Deferred to the Fall 2009 NABC meeting.

Carried unanimously.

Item 092-04: Amendments to Recorder Regulations

The Recorder Regulations are amended as follows:

- 7.4 A recorder may be a member of any bridge appeals committee: however, this may create a conflict of interest or the appearance of a conflict of interest.
- 9.1 The recorder must make his or her best efforts to maintain the confidentiality of the process in speaking to people about player memos. Such information may be revealed only when necessary to the investigation and in maintaining files and records. This responsibility is of the highest priority and must continue even after his or her duties have ended. Violating the confidentiality of the process is a basis for removal from office.
- 9.4 Upon receipt of a player memo, a recorder should make an initial assessment as to whether the subject matter could form the basis for a complaint even in conjunction with other reports or require counseling or education. If not, the recorder should discuss the matter with the reporter prior to placing the memo in an administrative file. (An administrative file is a collection of reports, which, in the recorder's opinion, do not merit being recorded. This file may contain reports where the subject matter required education or counseling. The file is kept as evidence that the recorder did address the report and for the recorder's information.)
- 9.7 In general, a recorder should communicate with the reporter regarding the status of a player memo. However, given the circumstances of any case and the need to preserve the subject's right of confidentiality, the recorder has discretion to limit the amount of information given to the reporter. This includes the discretion to tell the reporter only that (1) the player memo was

received and is being addressed or (2) the player memo was received and the recorder has concluded the investigation with no further details.

- 10.2 At least twice every calendar year, a recorder should review all files in his or her possession. If the most recent player memo in the file is at least ten years old the file shall be discarded - except that memos which note major ethical breaches should be retained indefinitely. During each semiannual review, a recorder should note if more than one player memo involves the same subject. If so, he or she should reevaluate the memos for possible action based on a possible pattern.

Carried unanimously.

Item 092-05: Amendments to Code of Disciplinary Regulations

The Code of Disciplinary Regulations is amended as follows:

DEFINITIONS

Prima Facie

Evidence that is sufficient to establish a fact in question until rebutted.

- 2.1.1 A Unit has jurisdiction over:
- (a) Members of the Unit when such a member is participating in a sanctioned event or other activity sponsored by a Unit, District or ACBL. (See 2.1.1 (b) below)
- 3.19 Partnering or playing on a team with a person who is presently serving a suspension from ACBL or who is presently expelled from ACBL.
- 4.1.8 *Forfeiture of Masterpoints/Titles for Unethical Behavior.*
- (a) Any participant(s) in an ACBL sanctioned event convicted of premeditated or collusive cheating or any participant who admits to such action or actions shall forfeit all masterpoints, titles and ACBL status ranks or other ACBL related awards theretofore earned by said participants through participation in all ACBL events.
 - (b) Any participant(s) in an ACBL sanctioned event suspended as a result of ethical transgressions, other than those set forth in this CDR 4.1.8 (a), shall forfeit any masterpoints and titles won in the event in which

the offense(s) occurred.

Further:

- (1) When a suspension of less than one year has been imposed, the committee may remove the masterpoints, titles and/or awards won within the twelve (12) calendar months preceding the date of the offense(s).
- (2) When the discipline imposed is a suspension of one year or longer, the committee shall remove as a minimum, all masterpoints, titles and awards won within the twelve (12) calendar months preceding the date of the offense(s). The committee may remove additional masterpoints, titles and or ACBL status ranks or other ACBL related awards previously earned by said participants through participation in all ACBL events as it deems appropriate.

4.5 For the effective date of a discipline see CDR 5.1.15.

5.1.14 All formal written notifications of an ACBL disciplinary body's decision shall be made by ACBL Management upon receipt of the written decision of the disciplinary body. The effective date for the purpose of appeal of the decision shall be the date on which ACBL management mails such decision to the parties to the hearing.

5.1.15 The effective date of imposition of discipline, if any, of an ACBL disciplinary body's decision shall be the date noted in the disciplinary body's written decision. If the discipline is to take effect immediately, the disciplinary body shall immediately notify the disciplined party in writing, provided that the formal written notice to the parties set forth in Section 5.1.14, including the date for appeal, shall also be made. If no effective date is so specified, the effective date of imposition of discipline shall be five (5) days from the date of the mailing of the decision by ACBL Management.

6.2 When suspension pending hearing is directed by:

.....
.....

6.2.3 The Director-in-Charge of a Sectional or higher-rated tournament, the hearing must commence no later than 60 minutes after the conclusion of the final session the day after

the suspension was imposed or no later than 60 minutes after the conclusion of the final session of the tournament whichever is earlier unless the person charged causes a delay. If the matter is not heard at the tournament, the suspension is lifted and the matter is referred to the appropriate Unit or District to be heard.

7.0 Appeals to the Unit

7.0.1 An ACBL member barred from an ACBL sanctioned club game in accordance with the regulations in Chapter 4, Section Three, IV, G. of the ACBL Handbook of Rules and Regulations (discriminatory or extended barring) may file a written appeal with the disciplinary committee chairperson of the unit of the geographical territory in which the game is operated.

7.0.2 Written notice of appeal must be made within thirty (30) days following the notice of the barring being appealed. In order for an appeal to be granted by the Unit Disciplinary Chairperson and considered by the Unit Disciplinary Committee, a written statement must accompany the appeal, which shall provide an allegation that at least one (1) of the following exists:

- (a) For an appeal of an extended barring, the appellant must allege that the reason for the barring has no basis in fact.
- (b) The barring was due to one or more of the discriminatory reasons listed in the ACBL Handbook of Rules and Regulations, Chapter 4, Section Three, IV, G.

7.0.3 This appeal shall be conducted as an original hearing in that the appellant may present evidence to support the allegations noted in the appeal. In order to be successful, the appellant's allegations must be considered to be proven by a preponderance of the evidence.

9.1 When it is alleged that a Unit has violated ACBL, District, or its own bylaws or regulations, has acted in an illegal or improper manner, or has improperly failed to act upon a disciplinary complaint, a member, or group of members, or Unit or District may bring the matter directly to the District Disciplinary Committee to request a hearing. The District Disciplinary Committee may decide not to conduct a hearing if it finds that: the case does not warrant any action; or the matter was dealt with in a reasonable manner at the Unit level; or the matter lacks significance to warrant a hearing.

- 9.1.1 The disciplinary body takes the following actions or a combination of the actions in its resolution of the matter:
 - (a) Issue a warning to cure a deficiency and notify the ACBL Board of Directors that unless the deficiency is cured by a certain date that it should take action against the unit's charter..
 - (b) Recommend that the ACBL Board of Directors take against the charter of the unit.
 - (c) Decide the complaint upon which the unit failed to act.
- 9.1.2 An appeal of a decision of the District Disciplinary Committee against or for a unit as above shall be submitted to the ACBL Appeals and Charges Committee as a CDR 9.2 action. A decision against or for an individual or individuals shall be submitted to the District Appellate Committee as required in CDR 7.1.

Effective date: As soon as can be implemented by Management

Carried.

Item 092-06: Amendment to Club Discipline

Section G. Club Discipline is amended as follows:

G. CLUB DISCIPLINE

Club management should deal promptly and fairly with all cases of improper conduct that occur during an ACBL-sanctioned masterpoint game in the club, including cases of unethical practices. The club manager should either handle these situations personally or establish a standing committee to review all disciplinary problems. Clubs holding non-sanctioned games may deal with problems arising in these games as they see fit.

The club manager can handle many behavior problems by discussing them with the offenders, by issuing a warning, or declaring a period of probation. In extreme cases or cases of repeat offenses, the manager can bar an ACBL member from the club game for a stipulated period of time, or permanently. No open club may bar an ACBL member or members as a class, based upon the player's race, creed, religion, political affiliation, sexual orientation, national origin, and physical handicap or on his proficiency at bridge.

Unless a non ACBL member is currently suspended or expelled from participation in ACBL sanctioned events, permission to play in an ACBL sanctioned event at that club is at the sole discretion of the club management and ACBL has no jurisdiction. Therefore, except for a barring alleged to be for the above discriminatory reasons,

these regulations do not apply (i.e. the ACBL requirements and rights enumerated in this section do not extend to non ACBL members).

Except as detailed in the previous paragraph, a club may bar an ACBL member for whatever reason it deems proper and consistent with ACBL Rules and Regulations and the Laws of Duplicate Contract Bridge. An obnoxious or incompatible partnership may be barred as a pair, but each may be permitted to play with other partners.

To bar an ACBL member, club management must notify the member in writing and send a copy of the notification to the ACBL Club Membership Department.

The notification must include the member's name and player number and the reason for the barring. An open club can bar members from its regularly scheduled club masterpoint games, membership games, ACBL-wide games, club championships, charity and international fund club championships, and other special events specifically allocated to clubs as outlined above.

These regulations also apply to a club with an invitational sanction except that the club has the additional authority to refuse admittance to an invitational game to someone who does not meet the criteria upon which the invitational sanction is based (e.g. a member who has 500 masterpoints is denied admittance to an invitational game that is limited to members with less than 300 masterpoints).

If the member feels that his barring does not comply with these regulations prohibiting barring players as a class, religious or political affiliations, race, creed, sexual orientation, national origin, physical disability or proficiency at bridge, he or she may appeal the barring to the unit disciplinary committee. Appeals from the unit disciplinary committee may be filed in accordance with and under the authority of the ACBL Code of Disciplinary Regulations. Until the appeal is lodged and heard, the player remains barred unless reinstated by the club unless a stay is granted by the Unit Disciplinary Chairperson.

A club may extend the barring of an ACBL member from Grand National teams, North American Pair events, STaCs, qualifying sessions of a progressive sectional, unit or district competitions, and/or unit-wide or district-wide championships held at the club. A member so barred may appeal the extension of the barring under the process described in the previous paragraph. In such cases, the written notice to the member barred must include the member's right to appeal the action to the Unit Disciplinary Committee in which the club is located within thirty days of the action taken by the club. Such written notice is required, otherwise the barring shall not be effective.

Carried.

Item 092-07: Application for ACBL Membership

Item 052-28 is amended as follows:

Any person may apply for ACBL membership or renewal or reinstatement of ACBL membership in accordance with administrative procedures established by Management. ACBL Management may grant such an application unless there is cause to refer the application to the ACBL Appeals and Charges Committee to conduct a hearing (the "Hearing") and render a decision on the application.

Causes for referral by Management include, but are not limited to, previous expulsion from ACBL or previous expulsion or suspension from another bridge organization or a non-ACBL bridge event.

The Hearing shall be conducted in accordance with the procedures set forth in the ACBL Code of Disciplinary Regulations for disciplinary hearings. The decision of the Appeals and Charges Committee shall be final and shall be reported promptly to the Board of Directors.

The Appeals and Charges Committee shall make one of the following decisions:

1. Accept the person's membership application.
2. Deny the person's membership application with instructions that this person shall not be permitted by Management to join ACBL for a specified period of time or indefinitely. The committee may also prohibit the person from playing as a non-member in any ACBL sanctioned event that has a sectional or higher ranking.
3. Deny the application with permission to reapply after a specified time. The Committee may instruct Management upon such reapplication, if any, to: (a) accept the application without referral if there has been no new cause for referral; or (b) refer the reapplication to the Appeals and Charges Committee for a second hearing. The Committee may also prohibit the person, upon reapplication, from playing as a non-member in any ACBL sanctioned event which has a sectional or higher ranking.

The membership application for each individual shall include a provision requiring disclosure of any prior discipline by any other bridge organization for a new member, and of any since the last renewal for renewing members. Failure to disclose such discipline shall be grounds for suspension or expulsion from the ACBL. Management shall establish and maintain a list of names of people who it will refer as above should a person placed on the list submit an application as above.

Carried.

Item 092-08: Expelled Members

- 1) It is the policy of the ACBL that expelled members are persona non grata, and are not welcome in our organization.
- 2) Expulsion from the ACBL is a permanent banishment.
- 3) To this end, all regulations, procedures and references to the readmission of expelled members, are rescinded and such regulations, procedures and references shall be deleted.

Effective Immediately

Motion failed. Aye: 7, 18, 19. Abstain: 4.

* * * * *

Item 092-182: Spring 2013 NABC

Management’s recommendation for the site of the 2013 Spring NABC to the Hyatt Regency St. Louis Riverfront & Hilton St. Louis at the Ballpark in St. Louis, MO March 14 – 24 is approved.

Carried. Abstain: 3, 4, 6, 13, 15, 29.

Item 092-183: Education Status Report

The Education status report is received.

* * * * *

Audit	
Retek (C) Pinsky, Reid Glover	Staff:

Committee Report by Chairman

An oral report was given.

Board Operations

Levy (C), Taylor (VC)
Arlinghaus, Blakely, Gerard, Heth, Reid, Robinson, Seals
Miller Staff:

Committee Report by Chairman

An oral report was given.

Internet Bridge

Levy (C), Arlinghaus (VC)
Anderson, S., Blakely, Janicki, Monzingo, Taylor, Wood
Campbell, B Staff:

Committee Report by Chairman

An oral report was given.

Bylaws/Compliance

Mamula (C), Wood (VC)
Anderson, S., Heth, Monzingo, Mamula, L., (BOG Appointee)
Blais/Miller Staff:

Committee Report by Chairman

An oral report was given.

Tournament

Retek (C), DeMartino (VC)
Anderson, D., Arlinghaus, Gerard, Janicki,
Monzingo, Seals, Taylor, Wood
Campbell, B. Staff:

Committee Report by Chairman

Item 092-160: Stratiflighted and Limited, Pair and Team Events

In stratiflighted and limited pair and team events, once the flight of the pair or team is determined, stratification within each flight may be based, at sponsor option, on the average masterpoint holding of the team or pair.

Effective as soon as can be implemented.

Carried. Nay: 3, 4, 11, 12, 13, 15, 18, 20, 21, 24.

Item 092-161: Masterpoint Averaging

The following three rules allowing for masterpoint averaging in Board-a-Match, Swiss teams and Stratified Pairs are, FIRST, revoked;

Swiss Team Stratification (041-120)

At sponsor option, the stratification level of a team in a Stratified Swiss Event may be determined by the average masterpoint holding of all team members.

Stratified Board-a-Match Team (083-121)

The strat levels for teams in a Stratified Board-a-Match team event can optionally be determined by the average masterpoint holding of all of the team members.

Stratified Pair Events (091-160)

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

AND, SECOND, consolidated and revised as follows:

STRATIFICATION BY AVERAGE MASTERPOINT HOLDING OF TEAM AND PAIR EVENTS

In stratified events, the stratification level of a team or pair may be based, at sponsor option, on the average masterpoint holding of the team or pair. This option may be exercised in both club or unit games, and tournaments but not in qualifying events.

Effective Immediately

Carried. Nay: 24. Abstain: 22.

Item 092-162: Ex Quota Regional District 22

A. The motion requesting a permanent regional for the Palm Springs/Rancho Mirage (Coachella Valley) area is deferred to the Spring 2010 meeting with the understanding that a committee will be appointed by the President to review the process for approval of permanent regionals and the allocation of regionals.

B. District 22 is granted an additional one time regional to be held north of Los Angeles in 2010.

Carried. Nay: 13, 19. Abstain: 3.

Item 092-163: Bracketed Knockouts

The instruction given by directors for the movement of boards in three-way matches will be: North-South move the boards to the home table of the team which you have just played. This will replace the instruction that teams will take the boards to their home table.

Effective Immediately

Motion failed: Aye: 1, 7, 8, 15, 16, 17, 18, 19, 20, 23. Abstain: 4.

Item 092-164: ACBL Policy –Fill -ins

The ACBL policy is that new entries are not allowed in team games once the initial session has begun. New pairs may be admitted to the 2nd session of a pair game for session awards only at the discretion of the tournament director.

Note: This motion is not intended to disallow exceptions by a tournament director or tournament chair for cause that was beyond the control of the team.

Carried. Nay: 5, 6, 8.

Conditions of Contest	
Arlinghaus (C), Gerard (VC) Blakely, Harlan, Janicki, Reeve, Wood Campbell, B.	Staff:

Item 092-55: 2010 Conditions of Contest

The Conditions of Contest are approved.
<http://www.acbl.org/play/Conditions-of-Contest.html>

Carried unanimously.

* * * * *

It was moved by Retek and carried unanimously that the Board expresses its thanks to District 6 and its units, District Director Nadine Wood and Tournament Chairs Margot Hennings and Fred King and all of the other chairpersons and numerous volunteers. We also thank the Marriott Wardman Park Hotel for their fine cooperation.

There being no further business, the Board adjourned *sine die* at 4:15 p.m.

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