



Charged Party(ies)	Pat Barrow Cece Spain	ACBL #	Q557721 5498961	Hearing Date	NR review 04/29/2022
Disciplinary Body	Appeals and Charges Committee	Hearing Location	Web conference using Zoom		
Charging Party	Joseph Jones	ACBL#	5399696	Complainant	Robb Gordon ACBL# K652927

**COMMITTEE MEMBERS WHO HEARD THE CHARGES**

Name	ACBL #	Name	ACBL #
A.J. Stephani, Chairman	Q368694	Tim White	M029585
Dennis Carman	O828450		
Jeff Overby	O879926		
Laurie Rowe	P508832		

**INDIVIDUALS THAT PARTICIPATED IN THE HEARING** (excluding committee members)

Name	ACBL#	Via	Capacity	Name	ACBL#	Via	Capacity
Jeff Edelstein	O200338	web conf.	Adv-Charging P			Select One	Select One
		Select One	Select One			Select One	Select One
		Select One	Select One			Select One	Select One
		Select One	Select One			Select One	Select One

**EVIDENCE AND ARGUMENTS PRESENTED** (Summarize evidence and arguments presented including testimony. If additional space is needed, continue on page 3 of this hearing report.) (Note: provide new documentary evidence introduced during the hearing to the Office of National Recorder)

Negotiated Resolution packets were provided by the Compliance Coordinator to the committee. It included the following: Negotiated Resolutions, Membership Profiles, Charge Letter, and Recorder Complaint.

The Negotiated Resolutions included statements from each party. Ms. Spain stated "While playing on BBO my partner and I would periodically text UI about leads and card holdings. I regret these actions and I apologize to all that this may have affected". Ms. Barrow stated "My partner and I texted information concerning point count, what to lead and distribution during the bidding and play of hand. I truly regret my decision to participate in an unethical manner. I apologize to this committee and ACBL"

**COMMITTEE FINDINGS OF FACT** (based on the evidence, state the committee's conclusion as to what happened)

In the matter of Pat Barrow, the Committee approved a Negotiated Resolution entered into by the party and ACBL management in which she admitted a violation of CDR § 301(A)(2): Collusive Cheating: Online. She agreed to a Suspension of 6 months (beginning five days after the notification of approval of the Negotiated Resolution by the Appeals and Charges Committee), followed by a Probation of 2 years, and a forfeiture of 5% of her total Masterpoints. She will be a Member "Not in Good Standing" during the length of her Probationary period.

In the matter of Cece Spain, the Committee approved a Negotiated Resolution entered into by the party and ACBL management in which she admitted a violation of CDR § 301(A)(2): Collusive Cheating: Online. She agreed to a Suspension of 1 year (beginning 11/23/2021), followed by a Probation of 2 years, and a forfeiture of 25% of her total Masterpoints. She will be a Member "Not in Good Standing" during the length of her Probationary period.

**DECISION** (click on the box next to Not Responsible or Responsible of violating the CDR to add a check mark.)

Not Responsible

Responsible

**CDR GROUNDS FOR DISCIPLINE** Type the section(s) and description(s) found in CDR 3 which led to the discipline).

301(A)(2) Collusive Cheating: Online. "Online Collusive Cheating" is the exchange or transmission of information between two or more people, at least one of whom is a contestant in an online bridge competition, in any manner not expressly permitted by Law 73. The information need not be actually used by a player to prove a Violation under this section. This section includes agreements made by persons who are not partners or contestants, including, but not limited to kibitzers or teammates.

**DISCIPLINE** (Unless a discipline begins immediately, which requires you to complete a Notice of Immediate Discipline, all begin dates should start at least five days after you submit this hearing Report to the Office of National Recorder.

**Disciplined Party is convicted of premeditated or collusive cheating (or has admitted to such action), CDR 4.1.8 (a)** YES  NO

If yes, all masterpoints, titles and ACBL status ranks and other ACBL related awards earned by the disciplined party will be forfeited. These penalties also apply to the teammates and partners while playing with the disciplined party during the seven years preceding the date the Charges were brought through and including the date of this final decision.

	<u>Start Date</u>	<u>End Date</u>	<u>Additional Requirements/Comments</u>
<input type="checkbox"/> REPRIMAND	<input type="text"/>	N/A	<input type="checkbox"/> Letter of Reprimand Attached
<input checked="" type="checkbox"/> PROBATION	BARROW	6 month Suspension begins 5/14/22 and ends 11/13/22; 2 yrs Probation begins 11/14/22 and ends 11/13/24	

SUSPENSION SPAIN 1 yr Suspension begins 11/23/2021 and ends 11/22/22; 2 yrs Probation begins 11/23/22 and ends 11/22/24  
Is the disciplined party Suspended because of an Ethical Violation (CDR 4.1.8 (b))? YES  NO

If yes, the masterpoints and titles won in the event by the disciplined party, partners and teammates in which the offense occurred will be forfeited.

Is the Suspension imposed due to an Ethical Violation more than one year (CDR 4.1.8 (b))? YES  NO

If yes, the MPs, titles or other ACBL related award earned by the discipline party within twelve months preceding the date of the offense will be forfeited.

EXPULSION  N/A

SUSPENDED SENTENCE (only used in conjunction with an imposed Suspension from above that you have converted to Probation). State the condition of the sentence below

EXCLUSION from Events and Programs (list the exclusions and the dates of the events or activities). CDR 4.1.6

REDUCTION OR FORFEITURE of Masterpoints (MP) or Tournament Rank or Disqualification.

BARROW: forfeiture of 5% of total Masterpoints earned.

SPAIN: forfeiture of 25% of total Masterpoints earned.

The teammates and partners will also receive these penalties in the event in which the offense occurred.

**STATE THE OFFENSE(S) FROM APPENDIX B, CHART 1 and/or CHART 2 OF THE CDR**

N/A

The discipline imposed above is **SELECT** the recommended guidelines of Appendix B, Chart 1 and/or Chart 2.  
If it is **OUTSIDE** the guidelines, a reason must be stated below.

**RESPECTFULLY SUBMITTED (CHAIR)**

/s/

Date:

Electronic Signature (type name above)

Wet Signature (sign above)