



Charged Party(ies)	Maryann Brewer Tehmtan Tehsildar	ACBL #	Q785287 J359967	Hearing Date	NR review 10/31/2023
Disciplinary Body	Appeals and Charges Committee	Hearing Location	Web conference using Zoom		
Charging Party	McKenzie Myers	ACBL#	Q799024	Complainant	Jeff Edelstein ACBL# O200338

COMMITTEE MEMBERS WHO HEARD THE CHARGES

Name	ACBL #	Name	ACBL #
Tim White, Chairman	M029585	Larry Sealy	P541643
Dennis Carman	O828450	Georgia Heth	N638399
Deana Liddy	P205082		

INDIVIDUALS THAT PARTICIPATED IN THE HEARING (excluding committee members)

Name	ACBL#	Via	Capacity	Name	ACBL#	Via	Capacity
Jeff Edelstein	O200338	web conf.	National Recorder			Select One	Select One
Justin Coniglio	Q809461	web conf.	Adv-Charging P			Select One	Select One
McKenzie Myers	Q799024	web conf.	Charging Party			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)

A Negotiated Resolution packet was provided to the Committee by the Compliance Coordinator. It contained a Procedural Summary, Factors Considered by the Charging Party, Negotiated Resolutions, Membership Profiles, Recorder Complaint, Charge Letter, and Notice of Intent to Initiate Arbitration before the IBA [Institute for Bridge Arbitration].

The Negotiated Resolutions included statements from each party. Ms. Brewer stated: "It was during the pandemic when Tom and I did discuss a few hands. BBO did suspend us for 6 months and we were just reinstated. I was very happy to be able to play again and so distressed to receive your email. I love the game of bridge and promise to adhere to all the rules in the future. I sincerely regret that we violated the code of conduct and want you to know it won't happen again. I started playing duplicate bridge in 1999 when I retired. I've had many partners and bid in a conventional manner. Tom does have some unusual bids and I believe that's what led to our sharing information. I hope the discipline imposed will not be too severe as we sincerely apologize for our conduct." Mr. Tehsildar stated "I confess to have consulted on some hands during our ACBL games. On most occasions it happened when we did not understand each others bids. It should not have happened and for it I apologize."

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

In the Matter of Maryann Brewer and Tehmtan Tehsildar, the Committee approved the Negotiated Resolutions entered into by the parties and ACBL Management in which the parties admitted to violation of CDR 301(A)(2) Collusive Cheating: Online (CDR effective August 1, 2021). Ms. Brewer and Mr. Tehsildar agreed to 3-month suspensions to begin on October 16, 2023, followed by 2 years probation. They are prohibited from playing with each other in ACBL online games during the first year of their probations. Each forfeits 5% of their current Masterpoint® total. Each further agreed that If they play in any ACBL sanctioned games between October 16, 2023 and when the agreement is accepted by the Appeals and Charges Committee, the agreement is voidable by the ACBL. They will be members "Not in Good Standing" during the period of their discipline.

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.

CDR 301(A)(2), Effective August 1, 2021: 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.

	Start Date	End Date	Additional Requirements/Comments
<input type="checkbox"/> REPRIMAND		N/A	They are prohibited from playing with each other in ACBL online games during the first year of their probations.
<input checked="" type="checkbox"/> PROBATION	1/16/2024	1/15/2026	
<input checked="" type="checkbox"/> SUSPENSION	10/16/2023	1/15/2024	

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.

Both parties - forfeiture of 5% total Masterpoints.

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)