



Charged Party(ies)	Suzanne Budabin Nick Sehgal	ACBL #	J714295 J33011	Hearing Date	NR review 09/12/2021
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	Jeff Overby	O879926
Dennis Carman	O828450	Laurie Rowe	P508832
Margot Hennings	N242118	Tim White	M029585
Deana Liddy	P205082		

INDIVIDUALS THAT PARTICIPATED IN THE HEARING (excluding committee members)

Name	ACBL#	Via	Capacity	Name	ACBL#	Via	Capacity
Linda Dunn	P197314	web conf.	In-House Counsel			Select One	Select One
Scott Humphrey	P781180	web conf.	Adv-Charging P			Select One	Select One
Robb Gordon	K652927	web conf.	Observer			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 by the Compliance Coordinator to the committee. It included the following: Negotiated Resolutions, Membership Profiles, Charge Letter, and Recorder Complaint.

The Negotiated Resolution included statements from each party. Ms. Budabin stated "When my partner overcalled two diamonds, I thought he had 5 diamonds. I would have passed that hand. There were times, in the past when we discussed bidding some hands. This was wrong and I am sorry". Mr. Sehgal stated "I did not use good judgement, I should have passed that hand. During the bidding and playing of the hands, we sometimes talked to each other".

See additional explanation in Attachment A. (Forthcoming)

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

In the matter of Suzanne Budabin and Nick Sehgal, the Committee approved a Negotiated Resolution entered into by the parties and ACBL management in which they admitted a violation of CDR § 301(A) (2): Collusive Cheating: Online. They agreed to a Suspension of 180 days, followed by a Probation of 2 years, and a forfeiture of 10% of their total Masterpoints. They will be Members "Not in Good Standing" during the length of their Probationary period.

See additional explanation in Attachment A. (Forthcoming)

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.

	Start Date	End Date	Additional Requirements/Comments
<input type="checkbox"/> REPRIMAND		N/A	<input type="checkbox"/> Letter of Reprimand Attached
<input checked="" type="checkbox"/> PROBATION	03/26/2022	03/25/2024	2 years - both parties
<input checked="" type="checkbox"/> SUSPENSION	09/27/2021	03/25/2022	180 days - both parties

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.

Forfeiture of 10% 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/ A.J. Stephani

Date: 9/22/21

Electronic Signature (type name above)

Wet Signature (sign above)