



Charged Party(ies)
 ACBL #
 Hearing Date

Disciplinary Body Hearing Location

Charging Party ACBL# Complainant ACBL#

COMMITTEE MEMBERS WHO HEARD THE CHARGES

Name	ACBL #	Name	ACBL #
Larry Sealy, Chairman	P541643		
Tim White	M029585		
Jackie Zayac	P386273		

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. Feldman stated: "I am devastated [sic], embarrassed, and sorrowful, beyond belief, over my partner Nancy Orovitz and myself for what happened at the ACBL event. I admit that we exchanged information by phone about our hands while playing in an ACBL online game. It was so unnecessary. We just didn't think what we were doing was so terrible. I am honestly beyond sorry. Never ever has anything like this happened to me. I am again so sorry for my actions.

"I would gladly give up my 1400+ points, just to be able to play at the bridge club. Since my husband died 7 years ago, bridge has been my life. Any consideration you can give us would be more than appreciated. We are both truly devastated [sic]."

Ms. Orovitz stated "This week I found out that my friend Arlene Feldman and I have been accused of sharing information while playing on BBO in ACBL sanctioned games. We did sometimes share information by phone. It started with just discussing the hands afterwards and little by little it became more, even suggesting leads to each other. Somehow, on the computer, it never seemed like real bridge.

"I have always considered myself to be a very moral and honest person, and I cannot believe I exhibited such poor judgement [sic]. I am beyond devastated by this entire experience. There are no words strong enough to express my remorse and regret. I hope that by being as honest as possible about my failing, I will be given a second chance."

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

In the Matter of Arlene Feldman and Nancy Orovitz, the committee approved the Negotiated Resolutions agreed to by the Charged Parties and ACBL Management, in which the Charged Parties admitted to violation of CDR 301(A)(2) Cheating and other Ethical Violations (CDR effective July 12, 2023). Ms. Feldman and Ms. Orovitz agreed to 6-month suspensions to begin on January 17, 2024, followed by 2 years' probation. They are prohibited from playing with each other in ACBL online games during the first year of their probations. Ms. Feldman forfeits 10% of her current (1,504.11) Masterpoint® total; Ms. Orovitz forfeits 10% of her current (1,598.01) Masterpoint® total. Each further agreed that If they play in any ACBL sanctioned games between January 17, 2024, and when the agreement is accepted by the Appeals and Charges Committee, the agreement is voidable by the ACBL. Both 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).

301(A)(2), effective July 12, 2023: 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	2 years; Parties are prohibited from playing together in online ACBL sanctioned games during the first year of their probationary periods.
<input checked="" type="checkbox"/> PROBATION	7/17/2024	7/16/2026	
<input checked="" type="checkbox"/> SUSPENSION	1/17/2024	7/16/2024	6 months

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 10% 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/ Larry Sealy

Date: 2/11/24

Electronic Signature (type name above)

Wet Signature (sign above)