



IS THIS AN AUTOMATIC REVIEW OR APPEAL OR BOTH Automatic Review

**CHECK THE APPELLANT** (party who filed the appeal)

<input checked="" type="checkbox"/>	Disciplined Party	Sherman Gao	ACBL #	K410154	Disciplined Party		ACBL #	
<input type="checkbox"/>	Charging Party	Lamya Agelidis	ACBL #	K187299	Location of Hearing	Web-Conference using Zoom		
Appellate Body		Appeals and Charges Committee			Date of Hearing	2/21/2023		
Original Disciplinary Body		District 22 Disciplinary Committee			Date of Hearing	9/30/2022		
Original Complainant		Bill Grant	ACBL #	6228003	Effective date of the CDR consulted		July 15, 2022	

**DISCIPLINE BEING APPEALED OR REVIEWED**

Disciplined Party	Discipline	Beginning Date	Ending Date
	Suspension, 1 year	1/1/2023	12/31/2023
	Probation, 2 year	1/1/2024	12/31/2025
	Not in Good Standing	1/1/2023	12/31/2025

**Additional comments or description regarding discipline being appealed or reviewed**

**BASIS FOR APPEAL** (skip this section if this is an Automatic Review)

<input type="checkbox"/>	Decision not supported by the weight of evidence.
<input type="checkbox"/>	Procedures were inconsistent with CDR which affected the substantial rights of Appellant or undermined the confidence in the integrity or fairness of the disciplinary process.
<input type="checkbox"/>	Discipline inappropriate.
<input type="checkbox"/>	One or more person(s) on the hearing panel had bias (objection to such bias was raised at the hearing).

**COMMITTEE MEMBERS WHO REVIEWED THE MATTER OR HEARD THE APPEAL**

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

**ALSO PRESENT** (include web-conference (WC), in person (P), telephonic (TP), etc. and include their capacity as witness, expert, etc.)

Name	ACBL #	Via	Capacity	Name	ACBL#	Via	Capacity
Sebastian Holsclaw	K141973	WC	Adv-Charging P				
Sherman Gao	K510154	WC	Charged Party				
Robert Micone	O403220	WC	Adv -Charged Party				

N/A

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

In the Matter of Sherman Gao, a motion was made, and seconded, to remand the Matter for a new hearing due to disruptions by a witness that were allowed to continue and could have improperly affected the panel. When this motion did not receive support from a majority of the Committee, the Committee upheld the finding of the District 22 Disciplinary Committee that Mr. Gao violated CDR 301(B)(5) Eavesdropping. It also upheld the one-year suspension, and two-year probation, during which he will be a member “Not in Good Standing.”

**DECISION OF APPELLATE COMMITTEE**

<input type="checkbox"/>	Remanded for rehearing	Disciplinary Body expected to rehear.	
<input checked="" type="checkbox"/>	Decision of the original hearing committee is upheld.		
<input type="checkbox"/>	Decision of the original hearing committee is amended as described below:		
	<b>Discipline</b>	<b>Beginning</b>	<b>Ending</b>
<input type="checkbox"/>	Reprimand	N/A	N/A
<input type="checkbox"/>	Probation		
<input type="checkbox"/>	Suspension		
<input type="checkbox"/>	Other	N/A	N/A
	<b>Please describe other decision below:</b>		

**RESPECTFULLY SUBMITTED (CHAIRMAN)**

/s/ Tim White		Date:	2/23/2023
Electronic Signature (type name above)	Wet Signature (sign above)		