



IS THIS AN AUTOMATIC REVIEW OR APPEAL OR BOTH Automatic Review

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

<input type="checkbox"/>	Disciplined Party	Jerome Halperin	ACBL #	2961261	Disciplined Party	Margot Halperin	ACBL #	3695395
<input type="checkbox"/>	Charging Party	Joseph Jones	ACBL #	5399696	Location of Hearing	Web-Conference using Zoom		
Appellate Body		Appeals and Charges Committee				Date of Hearing	12/21/2021	
Original Disciplinary Body		Online Ethical Oversight Committee				Date of Hearing	10/19/2021	
Original Complainant		Robb Gordon	ACBL #	K652927	Effective date of the CDR consulted		August 15, 2020	

**DISCIPLINE BEING APPEALED OR REVIEWED**

Disciplined Party	Discipline	Beginning Date	Ending Date
Both Parties	Suspension, 1 year (backdated to last date of online play)	10/11/2021	10/10/2022
Both Parties	Probation, 18 months	10/11/2022	4/10/2024
Both Parties	Excluded from playing in online ACBL sanctioned events as partners	10/11/2022	4/10/2024
Both Parties	Forfeiture of Masterpoints earned together while playing online	3/26/2020	11/18/2021
<b>Additional comments or description regarding discipline being appealed or reviewed</b>			
Member Not in Good Standing 11/18/2021 - 4/10/2024.			

**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 #
A.J. Stephani, Chairman	Q368694	Jeff Overby	O879926
Dennis Carman	O828450	Laurie Rowe	P508832
Margot Hennings	N242118	Tim White	M029585
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
Linda Dunn	P197314	WC	In-House Counsel				
Jerome Halperin	2961261	WC	Charged Party				
Margot Halperin	3695395	WC	Charged Party				
Robb Gordon	K65292	WC	National Recorder				
David Sizemore	L611191	WC	Charging P Adv.				

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

The Committee determined that the circumstances surrounding this case prevented the Charged Parties from receiving a fair hearing as required by the ACBL Code of Disciplinary Regulations. The Committee remands the case to ACBL Management to determine if it wishes to retry the matter in front of a different panel or take other action as it deems appropriate.

The Committee did not reach a determination on the underlying question of whether the Charged Parties engaged in Ethical Violations as charged and expresses no opinion on that question.

This determination was made based on the review guidelines provided in CDR §§ 603(E)(1):

(E) Automatic Review by the Appeals and Charges Committee

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In conducting such Automatic Review, the A&C shall not conduct a new hearing but shall review the previous hearing to ensure that:

- (a) procedures were followed in accordance with the CDR;
- (b) the decision and discipline imposed was supported by the evidence;
- (c) a fair hearing was conducted; . . . .

In this case, the Committee determined that fundamental procedural errors affected the substantial rights of the Charged Parties in a manner that undermined confidence in the integrity or fairness of the ACBL disciplinary process.

**DECISION OF APPELLATE COMMITTEE**

<input type="checkbox"/>	Remanded for rehearing	Disciplinary Body expected to rehear.	
<input 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 checked="" type="checkbox"/>	Other	N/A	N/A
	<b>Please describe other decision below:</b>		
	The OEOC decision was rejected and remanded as described above and the discipline imposed is lifted immediately.		

**RESPECTFULLY SUBMITTED (CHAIRMAN)**

/s/ A.J. Stephani	Electronic Signature (type name above)	Wet Signature (sign above)	Date:	12/27/2021