



**IS THIS AN AUTOMATIC REVIEW OR APPEAL OR BOTH** Automatic Review

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

<input type="checkbox"/>	Disciplined Party	Howie Halpern	ACBL #	K523809	Disciplined Party	Linda Halpern	ACBL #	K027011
<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	11/16/2021	
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, 6 months	12/6/2021	6/5/2022
Both Parties	Probation, 1 year	6/6/2022	6/5/2023
Both Parties	Forfeiture of all Masterpoints earned playing together online	10/24/2020	12/6/2021
Both Parties	Member Not in Good Standing	12/6/2021	6/5/2023
<b>Additional comments or description regarding discipline being appealed or reviewed</b>			

**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	David Sizemore	L61119	WC	Charging P Adv
Robb Gordon	K65292	WC	National Recorder				
Howie Halpern	K523809	WC	Charged Party				
Linda Halpern	K027011	WC	Charged Party				
Chuck Said	M383974	WC	Charged 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