



Charged Party(ies) Catherine Scarfi ACBL # 3368785 Hearing Date NR review 9/29/2023
Mary Scarfi ACBL # Q753644

Disciplinary Body Appeals and Charges Committee Hearing Location Web conference using Zoom

Charging Party McKenzie Myers ACBL# Q799024 Complainant Jeff Edelstein ACBL# O200338

COMMITTEE MEMBERS WHO HEARD THE CHARGES

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

INDIVIDUALS THAT PARTICIPATED IN THE HEARING (excluding committee members)

Name	ACBL#	Via	Capacity	Name	ACBL#	Via	Capacity
Jeff Edelstein	O200338	web conf.	Adv-Charging P			Select One	Select One
Justin Coniglio	Q809461	web conf.	Adv-Charging P			Select One	Select One
		Select One	Select One			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. Catherine Scarfi stated: "I am so sorry for what has happened. I did not mean to harm any other players while playing on line with my mom. I didn't think about the repercussions when I would talk to her about conventions that she was teaching me. I realize now that this goes against the code of ethics, CDR301A2. My mother is an upstanding individual, I never ment [sic] to cause any issues with her playing bridge. I feel horribly that this has occurred. I wish that she could continue to play in person with her friends because she loves the game." Mary Scarfi stated "I am so sorry that I communicated with my daughter on line. I should have waited until after the play of the hands. I had no idea of the consequences. The Code that I violated, CDR301A2 was not my intent. There is not a day that goes by that I do not think about this. Again I am truly sorry and hope that you know that I will accept the terms of your decisions."

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

In the Matter of Catherine and Mary Scarfi, the Committee approved the Negotiated Resolutions entered into by the parties and ACBL Management in which the parties admitted to violation of CDR 301(A)(2) Collusive Cheating: Online (CDR effective July 15, 2022).

Catherine Scarfi agreed to a 3-month suspension to begin on July 1, 2023, followed by a 2-year probation conditions of which are she is prohibited from playing in any ACBL online games with Mary Scarfi for the first 6 months of the probation and from playing in ACBL Face-to-Face games with Mary Scarfi for the first year of the probation. She forfeits 15% of her current Masterpoint® total. She further agreed that If she plays in any ACBL sanctioned games between July 1, 2023 and when the agreement is accepted by the Appeals and Charges Committee, the agreement is voidable by the ACBL. She will be a member "Not in Good Standing" during the period of her discipline.

Mary Scarfi agreed to an 8-month suspension followed by a 2-year probation conditions of which are she is prohibited from playing in any ACBL online games with Catherine Scarfi for the first 6 months of the probation and from playing in ACBL Face-to-Face games with Catherine Scarfi for the first year of the probation. She forfeits 3% of her current Masterpoint® total. She will be a member "Not in Good Standing" during the period of her 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).

CDR 301(A)(2) Collusive Cheating: Online (CDR effective July 15, 2022) "Collusive Cheating" is an agreement, whether implicit or explicit, made between two or more people, other than Collusive Signaling, to affect the outcome of a competition in any manner not expressly permitted by Law 73. Neither person need be a contestant to be charged under this section.

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	Both: 2 yrs probation and excluded from playing online with each other during the first 6 mos of their probation and excluded from playing face-to-face together during the first year of their probation. Catherine: 10/1/2023 - 9/30/2025; Mary 6/10/24 - 6/9/26 Catherine: 3 mos 7/1/23 - 9/30/23; Mary: 8 mos 10/10/23 - 6/9/24
<input checked="" type="checkbox"/> PROBATION			
<input checked="" type="checkbox"/> SUSPENSION			

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.

Catherine Scarfi - forfeiture of 15% of total Masterpoints.

Mary Scarfi - forfeiture of 3% of 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/

Electronic Signature (type name above)

Date:

Wet Signature (sign above)