



Charged Party	Devlin Delaney	ACBL #	5950147	
Charged Party	David Sweet	ACBL #	9107444	
Disciplinary Body	Appeals and Charges Committee	Date of Hearing	NR review 07/13/2020	
Location of Hearing	Web-Conference	Effective date of the CDR consulted	May 29, 2020	
Charging Party	Joseph Jones	ACBL #	5399696	Complainant
			Robb Gordon	ACBL #
				K652927

COMMITTEE MEMBERS WHO HEARD THE CHARGES

Name	ACBL #	Name	ACBL #
A.J. Stephani	Q368694	Dennis Carman	O828450
Paul Janicki	K545799	Julie Smith	J494848
Jackie Zayac	P386273	Margot Hennings	N242118

ALSO PRESENT (include via 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	TP	In-House Counsel				

EVIDENCE AND ARGUMENTS PRESENTED (summary of evidence and arguments presented by Charging Party and Charged Party, including testimony)

(Note: provide new documentary evidence to the Office of National Recorder)

A Negotiated Resolution packet was provided by the Compliance Coordinator to the committee. It included the following: Negotiated Resolutions, Charge Letter, Complaint, Cohen analysis report, Notices to Suspend Pending Hearing, Reported Incidents, and hand records.

Parties are not present during a Negotiated Resolution review. Therefore, arguments were not presented.

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

The Committee affirmed the Negotiated Resolution, and the parties shall begin serving without delay their suspension of 180 days with a probationary period of 3 years following the suspension.

CDR GROUNDS FOR DISCIPLINE (Select from the drop-down menu the section(s) and description(s) found in CDR 3 which led to the discipline).

3.20 Cheating and other Ethical Violations.

CHOOSE A SECTION.

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DECISION (click on the box next to Not Guilty or Guilty of violating the CDR to add a checkmark.)

<input type="checkbox"/> Not guilty (check here and skip the remainder of this page)	<input checked="" type="checkbox"/> Guilty (continue by selecting the type of Discipline listed below)
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Type of Discipline	Beginning Date	Ending Date	Additional Comments
<input type="checkbox"/> Reprimand	N/A	N/A	
<input checked="" type="checkbox"/> Probation	01/17/2021	01/16/2024	3 years
<input checked="" type="checkbox"/> Suspension	07/21/2020	01/16/2021	180 days
<input type="checkbox"/> Expulsion		N/A	

<input type="checkbox"/> Suspended Sentence (only used in conjunction with an imposed Suspension from above that you have converted to Probation). CDR 4.1.3	State the conditions of any Suspended Sentence below:
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<input type="checkbox"/> Exclusion from Events and Programs (list the exclusions and the dates of the events or activities). CDR 4.1.6
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OPTIONAL ONLY IF INCIDENT OCCURRED AT A TOURNAMENT: Disciplined Party committed an offense at a tournament warranting one or more of the following:

Name of Tournament	Name of Event	Date of Tournament						
<input checked="" type="checkbox"/> Forfeiture of a specified number or all the Masterpoints® (MPs) earned in a particular event or in the tournament in which the offense(s) occurred. CDR 4.1.7	<table border="1" style="width:100%"> <tr> <th colspan="2">Choose one of the following:</th> </tr> <tr> <td><input type="checkbox"/> Remove MPs earned for the event only</td> <td rowspan="2">Total number of MPs to be removed</td> </tr> <tr> <td><input type="checkbox"/> Remove MPs for the entire tournament</td> </tr> </table>		Choose one of the following:		<input type="checkbox"/> Remove MPs earned for the event only	Total number of MPs to be removed	<input type="checkbox"/> Remove MPs for the entire tournament	See comment below
Choose one of the following:								
<input type="checkbox"/> Remove MPs earned for the event only	Total number of MPs to be removed							
<input type="checkbox"/> Remove MPs for the entire tournament								
<input type="checkbox"/> Reduction of rank <u>in the event</u> listed above. CDR 4.1.7	Comment:	Remove MPs won from March 1, 2020 to June 30, 2020						
<input type="checkbox"/> Disqualification in the event or in the tournament in which the incident occurred listed above. CDR 4.1.7	<table border="1" style="width:100%"> <tr> <th colspan="2">Choose one of the following:</th> </tr> <tr> <td><input type="checkbox"/> Disqualification <u>in the event</u></td> <td><input type="checkbox"/> Disqualification <u>in the tournament</u></td> </tr> </table>			Choose one of the following:		<input type="checkbox"/> Disqualification <u>in the event</u>	<input type="checkbox"/> Disqualification <u>in the tournament</u>	
Choose one of the following:								
<input type="checkbox"/> Disqualification <u>in the event</u>	<input type="checkbox"/> Disqualification <u>in the tournament</u>							
<input type="checkbox"/> Disqualification from yearly races or awards. CDR 4.1.7	Comment:							
REQUIRED: Any of the above MPs and/or title reductions or forfeitures <u>must</u> be applied to the teammates and partner of the Disciplined Party. CDR 4.1.8 (c)								

USE ONLY IF ETHICAL VIOLATION: ADDITIONAL REQUIREMENTS/CONSIDERATIONS (Ethical Vioations can be found in CDR, Appendix B, Chart 2)

REQUIRED: If Disciplined Party has been convicted of premeditated or collusive cheating (or has admitted to such action). CDR 4.1.8 (a)

<input type="checkbox"/> Forfeiture of all MPs, titles and ACBL status ranks or other ACBL related awards theretofore earned.
<input type="checkbox"/> Partners and teammates of Disciplined Party forfeit all MPs, titles and ACBL status ranks or other ACBL related awards theretofore earned while playing with said Disciplined Party during the seven (7) years preceding the date the Charges were brought through and including the date of the final decision of the Disciplinary Body.

REQUIRED: If Suspension is for an Ethical Violation (EXCLUDING premeditated or collusive cheating) CDR 4.1.8 (b)

<input type="checkbox"/> Forfeiture of MPs and titles won <u>in the event</u> in which the offense(s) occurred. CDR 4.1.8 (b)	Event Location and Name:	Date of Event:	
<input type="checkbox"/> Any of the above MPs and/or title reductions or forfeitures must be applied to the teammates and partner of the Disciplined Party. CDR 4.1.8 (c)			

CONSIDER: If Suspension of less than one (1) year for an Ethical Violation (EXCLUDING premeditated or collusive cheating):

<input type="checkbox"/> OPTIONAL: Removal of MPs, titles, or other ACBL related awards theretofore earned within the twelve (12) calendar months preceding the date of the offense(s). CDR 4.1.8 (b)	<table border="1" style="width:100%"> <tr> <th colspan="2">Choose one or more of the following:</th> </tr> <tr> <td><input type="checkbox"/> Remove Masterpoints</td> <td rowspan="2">List total number of MPs and/or the awards that should be removed:</td> </tr> <tr> <td><input type="checkbox"/> Remove Titles</td> </tr> </table>			Choose one or more of the following:		<input type="checkbox"/> Remove Masterpoints	List total number of MPs and/or the awards that should be removed:	<input type="checkbox"/> Remove Titles
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<input type="checkbox"/> Remove Masterpoints	List total number of MPs and/or the awards that should be removed:							
<input type="checkbox"/> Remove Titles								
<input type="checkbox"/> REQUIRED: Any of the above MPs and/or title reductions or forfeitures must be applied to the teammates and partner of the Disciplined Party. CDR 4.1.8 (c)								

REQUIRED: If Suspension is one (1) year or longer for an Ethical Violation (EXCLUDING premeditated or collusive cheating).

<input type="checkbox"/> REQUIRED: Remove all MPs, titles or other ACBL related awards theretofore earned within twelve (12) calendar months preceding the date of the offense. CDR 4.1.8 (b)	<table border="1" style="width:100%"> <tr> <th colspan="2">Choose one or more of the following:</th> </tr> <tr> <td><input type="checkbox"/> Remove Masterpoints</td> <td rowspan="2">List total number of MPs and/or status ranks or other awards that should be removed:</td> </tr> <tr> <td><input type="checkbox"/> Remove Titles/Status Ranks/Other Awards</td> </tr> </table>			Choose one or more of the following:		<input type="checkbox"/> Remove Masterpoints	List total number of MPs and/or status ranks or other awards that should be removed:	<input type="checkbox"/> Remove Titles/Status Ranks/Other Awards
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<input type="checkbox"/> Remove Masterpoints	List total number of MPs and/or status ranks or other awards that should be removed:							
<input type="checkbox"/> Remove Titles/Status Ranks/Other Awards								
<input type="checkbox"/> OPTIONAL: Remove additional MPs, titles and/or ACBL status ranks or other ACBL related awards previously earned by Disciplined Party. CDR 4.1.8 (b)								
<input type="checkbox"/> REQUIRED: Any of the above MPs and/or title reductions or forfeitures must be applied to the teammates and partner of the Disciplined Party. CDR 4.1.8 (c)								

APPENDIX B, CHART 1 and/or CHART 2 OF THE CDR (The committee consulted the following offenses listed in Appendix B, Chart 1 and/or Chart 2 of the CDR. (CDR 5.1.16)

OFFENSE (i.e. C4, E7)	EXPLAIN HOW THE STATED OFFENSE IS RELEVANT TO THE CHARGED PARTY'S ACTIONS

The discipline imposed above is **within** the recommended guidelines of Appendix B, Chart 1 and/or Chart 2.

The discipline imposed above is **outside** the recommended guidelines of Appendix B, Chart 1 and/or Chart 2. List reason below:

RESPECTFULLY SUBMITTED (CHAIRMAN)

/s/ A.J. Stephani		Date:	07/14/2020
Electronic Signature (type name above)	Wet Signature (sign above)		