



Charged Party(ies)
 ACBL #
 Hearing Date
 Disciplinary Body Hearing Location
 Charging Party ACBL# Complainant ACBL#

COMMITTEE MEMBERS WHO HEARD THE CHARGES

Name	ACBL #	Name	ACBL #
<input type="text" value="A.J. Stephani, Chairman"/>	<input type="text" value="Q368694"/>	<input type="text" value="Jeff Overby"/>	<input type="text" value="O879926"/>
<input type="text" value="Dennis Carman"/>	<input type="text" value="O828450"/>	<input type="text" value="Julie Smith"/>	<input type="text" value="J494848"/>
<input type="text" value="Margot Hennings"/>	<input type="text" value="N242118"/>	<input type="text" value="Jackie Zayac"/>	<input type="text" value="P386273"/>
<input type="text" value="Paul Janicki"/>	<input type="text" value="K545799"/>	<input type="text"/>	<input type="text"/>

INDIVIDUALS THAT PARTICIPATED IN THE HEARING (excluding committee members)

Name	ACBL#	Via	Capacity	Name	ACBL#	Via	Capacity
<input type="text" value="Linda Dunn"/>	<input type="text" value="P197314"/>	<input type="text" value="telephonic"/>	<input type="text" value="In-House Counsel"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="Select One"/>	<input type="text" value="Select One"/>
<input type="text"/>	<input type="text"/>	<input type="text" value="Select One"/>	<input type="text" value="Select One"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="Select One"/>	<input type="text" value="Select One"/>
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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 by the Compliance Coordinator to the committee. It included the following: Negotiated Resolutions, Recorder Complaint, Charge Letter, and the Charged Parties' confirmation of receipt of the Charged Party's Rights and Charged Party's Tips.

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)

In the matter of Kenneth Hirshon and Jerry Ruther, the Committee approved a Negotiated Resolution entered into by the parties and ACBL management in which they admitted a violation of CDR § 301(A)(2), Collusive Cheating: Other. They each agreed to a Suspension of 180 days, beginning 11/1/2020, followed by a Probation of 2 years and a forfeiture of all Masterpoints won from April 1, 2020 until the effective date of the discipline. They will not be Members in Good Standing during the length of their Probationary periods.

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

Not guilty (check here and skip the remainder of this page) Guilty (continue by selecting the Grounds for Discipline which led to the finding of guilty. Note: A party may only be found guilty of a violation originally stated in the Charge Letter.

CDR GROUNDS FOR DISCIPLINE Type the section(s) and description(s) found in CDR 3 which led to the discipline).

CDR 301A(2) Collusive Cheating: Other. "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	<input type="checkbox"/> Letter of Reprimand Attached
<input checked="" type="checkbox"/> PROBATION	04/30/2021	04/29/2023	2 years - both parties
<input checked="" type="checkbox"/> SUSPENSION	11/01/2020	04/29/2021	180 days - both parties

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.

- Remove MPs earned from April 1, 2020 - effective date of discipline
- Reduction of rank in the event in which the offense occurred
- Disqualification in the event in which offense occurred
- Remove MPs earned for the entire tournament in which the offense occurred
- Disqualification in the tournament

The teammates and partners will also receive these penalties in the event in which the offense occurred.

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/ A.J. Stephani

Date: 11/21/20

Electronic Signature (type name above)

Wet Signature (sign above)