



IS THIS AN AUTOMATIC REVIEW OR APPEAL OR BOTH Automatic Review

CHECK THE APPELLANT (party who filed the appeal)

<input type="checkbox"/>	Disciplined Party	Donna Holland	ACBL #	Q989664	Disciplined Party	Richard Holland	ACBL #	Q989656
<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	09/15/2020	
Original Disciplinary Body		Online Ethical Oversight Committee				Date of Hearing	08/04/2020	
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
Donna Holland & Richard Holland	Probation	08/18/2020	08/17/2021
Donna Holland & Richard Holland	May not play online with each other as a partner or teammate for 90 days	08/18/2020	11/15/2020
Additional comments or description regarding discipline being appealed or reviewed			
Parties found responsible for 3.1 Violation of Laws of Duplicate Bridge and 3.2 Violation of ACBL Regulations. Parties found not responsible for 3.20 Cheating and Other Ethical Violations.			
The Committee considered E9, E13, and E19. However, they did not find any of the suggested offenses directly on point with the facts of the case. Therefore, they consulted CDR section 4 to determine discipline.			

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	Q368694	Jeff Overby	O879926
Dennis Carman	O828450	Julie Smith	J494848
Margot Hennings	N242118	Jacqueline Zayac	P386273
Paul Janicki	K545799		

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				
Robb Gordon	K652927	WC	Charging P. Adv.				
Donna Holland	Q989664	WC	Charged Party				
Richard Holland	5399696	WC	Charged Party				

ARGUMENTS PRESENTED (summary of arguments presented by the Disciplined Party and Charging Party, including testimony)

Both charged parties and Advocate for Charging Party appeared before the Committee. The Charged Parties maintained they did not share information with each other during online play and that they always properly alerted their bids. They maintained that bidding irregularities was due to their somewhat wild bidding style and not unauthorized information.

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

In the matter of Donna and Richard Holland, the Committee conducted an Automatic Review of a discipline imposed by the Online Ethical Oversight Committee for a violation of CDR 3.1 (Violation of ACBL laws), 3.2 (Violation of ACBL regulations). The Committee affirmed the OEOC finding that the parties were not responsible for the Charge of CDR 3.20 (Cheating and other Ethical Violations), but were responsible for violating CDR 3.1 (specifically Law 16B(1)(a) and 16D(1)), and 3.2. Specifically, the OEOC determined that the parties had Unauthorized Information from an unknown source and that the parties took advantage of this information without considering logical alternatives or calling the director. The OEOC imposed Probation for a period of 1 year and prohibited the parties from playing online with each other as partners or teammates for 90 days.

The OEOC finding was affirmed by a vote of 7-0-0.

DECISION OF APPELLATE COMMITTEE

<input type="checkbox"/>	Remanded for rehearing	Disciplinary Body expected to rehear.		
<input checked="" type="checkbox"/>	Decision of the original hearing committee is upheld.			
<input type="checkbox"/>	Decision of the original hearing committee is amended as described below:			
	Discipline	Beginning	Ending	Comments
<input type="checkbox"/>	Reprimand	N/A	N/A	
<input type="checkbox"/>	Probation			
<input type="checkbox"/>	Suspension			
<input type="checkbox"/>	Other	N/A	N/A	Please describe other decision below:

RESPECTFULLY SUBMITTED (CHAIRMAN)

<i>/s/</i> A.J. Stephani		Date:	9/22/2020
Electronic Signature (type name above)	Wet Signature (sign above)		