



Charged Party(ies)	David Gordon Rosalind Gordon	ACBL #	P220480 P246528	Hearing Date	8/10/21
Disciplinary Body	Online Ethical Oversight Committee		Hearing Location	Web-Conference using Zoom	
Charging Party	Joseph Jones	ACBL#	5399696	Complainant	Robb Gordon ACBL# K652927

COMMITTEE MEMBERS WHO HEARD THE CHARGES

Name	ACBL #	Name	ACBL #
Karen Walker, Chairman	K090945		
Rick Rowland	J372734		
Ron Smith	N302935		

INDIVIDUALS WHO PARTICIPATED IN THE HEARING (excluding committee members)

Name	ACBL#	Via	Capacity	Name	ACBL#	Via	Capacity
Ryan Connors	Q758913	web conf.	Adv-Charging P	Ray Yuenger	P913494	web conf.	Panel Advisor
David Yates	J613693	web conf.	Adv-Charged P	Robb Gordon	K652927	web conf.	Observer
David Gordon	P220480	web conf.	Charged Party			Select One	Select One
Rosalind Gordon	P246528	web conf.	Charged Party			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)

See narrative report pages 1 through 4 attached.

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

See narrative report pages 5 through 24 attached.

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 3.20 Cheating and other Ethical Violations

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 401(H) YES NO

	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	12/22/2022	12/21/2024	2 years
<input checked="" type="checkbox"/> SUSPENSION	6/22/2021	12/21/2022	18 months

Is the disciplined party Suspended because of an Ethical Violation (CDR 4.1.8(b)(2))? YES NO

Is the Suspension imposed due to an Ethical Violation more than one year? YES NO

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 401(F)

REDUCTION OR FORFEITURE of Masterpoints (MP) or Tournament Rank or Disqualification. Please specify below:

The Charged Parties must forfeit 10% of their Masterpoints.

STATE THE OFFENSE(S) FROM APPENDIX B, CHART 1 and/or CHART 2 OF THE CDR

E19 CDR 3.20 Cheating and other Ethical Violations not specifically cited in other Appendix sections.

The discipline imposed above is within 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/

Date:

Electronic Signature (type name above)

Wet Signature (sign above)

Summary of the evidence and arguments

The Charge Letter

Based on a Recorder Complaint filed on August 10, 2020, on June 16, 2021, the Executive Director of the ACBL issued a Charge that David and Rosalind Gordon (“dgordon123” and “Rozgordon” respectively on Bridge Base Online (“BBO”)) had violated then-applicable Code of Disciplinary Regulations (“CDR”) section 3.20, which prohibited “Cheating and Other Ethical Violations.” The Charge was based on the following facts: “Between March and August, 2020, there is evidence that the charged parties exchanged illicit information. The evidence includes bids, leads, and plays that are not supported by bridge skill or logic. Compared to their face-to-face play, their scores increased and the number of below-average sessions decreased significantly.”

The Pre-hearing Disclosure

On July 13, 2021, the Charging Party timely filed its requested pre-hearing disclosure of evidence and anticipated witnesses. The Charging Party’s disclosure amounted to 94 pages and included seven sections covering the Charged Parties’ masterpoint holdings, ACBL membership, and a convention card (section I), a summary of witness statements (section II), a comparison of the Charged Parties’ performance in face-to-face and online games (section III), two anonymous player memos (section IV), BBO movie links to each board in six 18-board sessions played in 2020 on July 11, 26, 27, 28, 30, and 31 (section V), 29 additional boards indicating use of illicit information (section VI), and three exculpatory boards (section VII).¹ Altogether ACBL Advocate Ryan Connors questioned aspects of 69 boards, including 41 auctions, 22 defenses, and both aspects of six. He questioned 40 boards from the six full sessions² and other boards played between June 12 and October 1, 2020. Appendix A includes a table listing each board questioned in the ACBL’s disclosure and what aspect of the board was questioned.

According to the ACBL, Dr. Gordon joined the ACBL in November 2016 and became a Life Master in July 2020. He had 674 Masterpoints as of July 12, 2021. Mrs.

¹ The three boards Mr. Connors offered as exculpatory were boards [8](#) and [9](#) played on July 23 and board [8](#) played on August 19.

For the reader’s convenience, this document will provide a hyperlink from each referenced board to each BBO movie to the extent the Parties provided the hyperlinks in their disclosure. Boards are referenced by date played and board number when possible.

² From the six full sessions, the ACBL asserted that 18 of the boards were pulled before completion due to lack of time during either the auction or play. Mr. Connors expressed additional concerns about ten of those boards.

Gordon joined the ACBL in March 2017 and became a Life Master in September 2020. She had 624 Masterpoints as of July 12, 2021. They live together.

On July 28, David Yates, the Advocate for the Charged Parties and one of their bridge teachers, was allowed by the Panel Chair to file their pre-hearing disclosure. This disclosure amounted to 71 pages. Mr. Yates asserted at the hearing that, as their teacher, he had reviewed every one of the over 2,000 online deals that the Gordons had played. In pre-hearing disclosure, Mr. Yates made specific responsive comments about 24 of the 69 boards questioned by Mr. Connors.³ Many of Mr. Yates' responsive comments did not directly address Mr. Connors' stated concerns. Instead, Mr. Yates kept quoting and responding to written comments apparently made by the National Recorder during unsuccessful attempts to negotiate a resolution of this Charge.⁴

Mr. Yates also submitted additional evidence. On pages 159 through 165 of the hearing packet, he commented on all 18 boards played during a session on March 11, 2020. Mr. Yates asked Nicolas Hammond for some data and on pages 166 through 171 Mr. Yates presented, along with his comments, all 43 deals played between April 20, 2020 and September 3, 2020, in which the Charged Parties either led or underled an unsupported Ace.⁵

Mr. Yates also presented a number of boards he considered exculpatory. Four of them were dated, one (board 7) from July 21 and three (boards [2](#), [4](#), and [5](#)) from July 26 (one of the sessions for which Mr. Connors provided all the movie links). Mr. Yates presented ten additional boards he also considered exculpatory (on pp. 124-126, 134, and 154-155).⁶

³ Because each side has an Advocate, their surnames will be used for clarity.

⁴ According to the CDR, when there is a negotiated resolution of a Charge pending before the OEOC, the resolution is presented to the Appeals and Charges Committee and not the OEOC. (CDR section 502(L)(2)(a).) The OEOC isn't involved in the Parties' attempts to negotiate a resolution.

⁵ Altogether Mr. Hammond provided 46 boards ("the Hammond boards"). Mr. Yates properly questioned the inclusion of one board on this list when the leader held no Ace but led to partner's AQJ. Two boards on the list were void-finding leads where the leader held no Ace. 18 of the Hammond boards pre-dated the scope of Mr. Connors' inquiry.

⁶ Mr. Yates did not provide the movie links for the ten undated boards or the first undated one, so it isn't possible to include hyperlinks. Some of his hand diagrams don't include the names of the players or the board number, but Mr. Connors accepted that the boards were played by the Charged Parties.

Hearing Testimony

Both Advocates heeded the admonition of the Panel Chair at the outset of the disciplinary hearing on August 10, 2021, and mostly did not repeat the evidence and arguments they had presented in the pre-hearing disclosure. The Advocates were the sole witnesses at the hearing, although Mr. Yates' students were in the room with him at the outset of the hearing.

The ACBL's Advocate, Mr. Connors, spoke 36 minutes to rebut aspects of Mr. Yates' disclosure. He made additional comments about 12 boards that he had already questioned.⁷ He disputed the exculpatory nature of four boards presented by Mr. Yates.

As to the 46 Hammond boards, Mr. Connors asserted that he spotted 20 examples of cheating among those boards.⁸ He gave the details of six of those boards, specifically April 25 [16](#), May 27 [12](#), June 11 [16](#), August 4 [2](#) (one of the two void-finding leads), August 11 [11](#), and September 3 [3](#).

Mr. Yates, having estimated his presentation would be 20 to 30 minutes, spoke for just short of an hour with almost no questions from the panel or Mr. Connors. He explained that he first met the Gordons when they were playing in an open section instead of the beginner section of a club game because they were trying to improve. They hired him as a teacher as well as working with some other teachers. As their coach, he had reviewed all the 2,000 plus deals they had played online long before they learned from the ACBL's National Recorder they were under suspicion. Mr. Yates asserted that he knew for a fact based on their discussions that the Gordons played in separate rooms because Mrs. Gordon didn't want to hear about any mistakes she made after a hand. He also asserted that Dr. Gordon would not be playing bridge any more due to suffering a head injury in a recent accident.

Mr. Yates spent 27 minutes reviewing each of the 18 boards the Gordons played on July 11, the first of the six sessions for which the ACBL had presented movie links to the entire session (on page 19 of the hearing packet). Mr. Connors had expressed concerns about eight of those boards.

After the 13th board of these 18, the Panel Chair pointed out that all the links to this session were in the hearing packet and that the ACBL hadn't questioned every board. Mr. Yates replied that the other boards were relevant to the quality of the investigation.

⁷ Mr. Connors made additional comments about the following boards played on the following dates: June 18 [9](#); June 24 [4](#); June 25 [6](#); June 26 [6](#); July 26 [14](#) and [16](#); July 27 [7](#) and [15](#); July 28 [11](#); July 30 [12](#); and July 31 [2](#) and [10](#).

⁸ Only four of the Hammond boards had been previously identified as suspicious in Mr. Connors' disclosure, boards [5](#) and [11](#) on July 28 and boards [2](#) and [10](#) on July 31.

The pattern alleged by the ACBL is an illusion. Mr. Yates hoped to illustrate that the ACBL's investigation employed a cherry-picking approach that overlooked contrary evidence.

In addition to some boards from July 11, Mr. Yates also cited board [5](#) played on July 27 as a bad outcome resulting from Mrs. Gordon misclicking instead of cue-bidding to show a limit raise.

Arguments

Mr. Connors disputed that he was cherry-picking results, pointing out he had included the results and movie links for six full sessions. The decrease in below average games by the Gordons was notable. Almost 54% of their club games were below average playing face-to-face, but only 27% of their club games online were below average. About 28% of their face-to-face tournament games were below average, but under 6% of their online tournaments were below average, only one out of 18 sessions.

Mr. Connors disagreed with Mr. Yates about what evidence is exculpatory. Normal results and actions that don't work aren't necessarily exculpatory.

He included the player memo reporting their slow play and evidence of pulled boards based on the theory that it takes time to share information.

Mr. Yates asked if it was credible that a partnership would hire an expert to review boards on which they were cheating. Why would they pay him if they could simply do better by cheating? Their scores had improved because they were working with a coach, and because the online game in which they played was much weaker than the face-to-face club they had played in. Mr. Yates' review of some of the boards illustrated how weak the field was.

Some of the apparently odd bidding was because Dr. Gordon was trying to compensate for his wife's timidity in bidding. Mr. Yates had been encouraging Dr. Gordon to speed up. He asserted that a player has nothing to think about when he or she sees his partner's hand. Getting boards pulled is counterproductive to trying to get ahead by cheating.

Mr. Yates argued that the ACBL investigation simply overlooked exculpatory evidence in order to support a pre-ordained conclusion of cheating. According to the ACBL, on some boards the Gordons must have started exchanging information halfway through the auction or they would have taken different actions. In modern pandemic times, what used to be passed off as a "fix" and laughed about later is now considered to be cheating. Does the ACBL intend to criminalize bad bridge?

Findings of Fact and Conclusions

When there is no video-recording of a partnership playing bridge online in their residence and no admissions by the partners, inferences of their activities must be drawn from BBO's recordings of their auctions and play of online deals. When a pair of bridge players who aren't particularly experienced or sophisticated in playing bridge has a number of good results, can all their unusual actions be explained as blind or dumb luck, or are they utilizing unauthorized information about each other's hands, either by discussing them or seeing them on a nearby computer monitor?

The ACBL has amassed a number of questioned deals in an attempt to prove that David and Rosalind Gordon were cheating in violation of former CDR section 3.20 by exchanging illicit information. This OEOC Hearing Panel has reviewed not only the deals questioned by the ACBL, but the other deals presented by both sides and yet other unquestioned deals played during the sessions of the questioned deals. Having reviewed all the evidence, this Panel unanimously is comfortably satisfied that the Charge is sustained by the evidence, that the Gordons sometimes bid and defended based on unauthorized information about partner's hand not available from the auction or the play.

This Panel deems it unnecessary to grade the presentations of the Advocates or provide our opinions about each of the questioned deals. We have grouped the following 15 diagrams into characteristic patterns that we believe support our conclusions. The headings identify the patterns following them. Within each group, the boards are presented chronologically.

Shortcuts to slam

D 9	N nefew ♠ J ♥ 4 ♦ 8643 ♣ KJ108752	W N E S 3♣ P P X P 3♠ 4♣ 4♠ 5♣ 5♦ P 5♥ P 5♠ P 6♠ P P P
W Rozgordon ♠ AK754 ♥ AKQ863 ♦ K5 ♣		E dgordon123 ♠ Q1062 ♥ J5 ♦ A1092 ♣ 963
	S penny256 ♠ 983 ♥ 10972 ♦ QJ7 ♣ AQ4	6♠ E NS: 0 EW: 0

[Movie](#)

The above auction occurred on June 18. The ACBL questioned how dgordon123 could make a 5♦ bid in competition with a 7-count when it appeared Rozgordon was content to play 4♠ unless he knew how strong her hand was. Mr. Yates asserted that E's hand was good enough in the context of the auction to justify the 5♦ bid.

<div style="border: 1px solid black; padding: 5px; width: 40px; margin: 0 auto;"> <div style="background-color: red; color: white; padding: 2px; text-align: center;">6</div> <div style="background-color: red; color: white; padding: 2px; text-align: center;">D</div> </div>	N xxterry ♠ 43 ♥ A1073 ♦ 10843 ♣ J84	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: red; color: white;">W</th> <th style="background-color: red; color: white;">N</th> <th style="background-color: red; color: white;">E</th> <th style="background-color: red; color: white;">S</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>1♣</td> <td>P</td> </tr> <tr> <td>1♠</td> <td>P</td> <td>1NT</td> <td>P</td> </tr> <tr> <td>3♣</td> <td>P</td> <td style="background-color: yellow;">4NT</td> <td>P</td> </tr> <tr> <td>5♠</td> <td>P</td> <td>6♣</td> <td>P</td> </tr> <tr> <td>D</td> <td>D</td> <td></td> <td></td> </tr> </tbody> </table>	W	N	E	S			1♣	P	1♠	P	1NT	P	3♣	P	4NT	P	5♠	P	6♣	P	D	D		
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D	D																									
W Rozgordon ♠ AQ9872 ♥ KQ ♦ A ♣ Q962		E dgordon123 ♠ KJ ♥ J54 ♦ 652 ♣ AK1053																								
	S pwcoppard ♠ 1065 ♥ 9862 ♦ KQJ97 ♣ 7	6♣ E NS: 0 EW: 0																								

4NT alerted as “1430 blackwood”

Movie

This auction occurred on June 25. Dgordon123 drove to slam despite a minimum hand and losers in the red suits after his partner’s jump 3 ♣ raise. Mr. Yates’ response in part was: “IF THEY WERE CHEATING THEY REACH THE RIGHT SLAM!” He noted that 6 ♠ and 6 NT are cold. At the hearing Mr. Connors responded that 6 ♣ looked like a safer contract and the Charged Parties are not accused of cheating perfectly.

<div style="border: 1px solid black; padding: 5px; text-align: center; width: 40px; margin: 0 auto;"> 6 D </div>	N voss1945 ♠ J8 ♥ KJ1087 ♦ 743 ♣ 742	<table border="1" style="width: 100%; text-align: center;"> <tr> <th style="background-color: red; color: white;">W</th> <th style="background-color: #e0f2f1;">N</th> <th style="background-color: red; color: white;">E</th> <th style="background-color: #e0f2f1;">S</th> </tr> <tr> <td></td> <td></td> <td>1♦</td> <td>P</td> </tr> <tr> <td>2♣</td> <td>P</td> <td>4♥</td> <td>P</td> </tr> <tr> <td>5♣</td> <td>P</td> <td>6♣</td> <td>P</td> </tr> <tr> <td>P</td> <td>P</td> <td></td> <td></td> </tr> </table>	W	N	E	S			1♦	P	2♣	P	4♥	P	5♣	P	6♣	P	P	P		
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W Rozgordon ♠ AQ2 ♥ AQ52 ♦ J6 ♣ KQ109		E dgordon123 ♠ 1096 ♥ ♦ AKQ105 ♣ A8653																				
	S Oldbiker55 ♠ K7543 ♥ 9643 ♦ 982 ♣ J	6♣ W NS: 0 EW: 0																				

Movie

On June 26, Rozgordon responded 2 ♣, bypassing her ♥ suit. Dgordon123 gave a splinter response in support of ♣s, and even though his partner tried to sign off in 5, apparently denying a ♠ stopper, dgordon123 persisted in bidding the ♣ slam. Mr. Yates responded that 2 ♣ was simply game-forcing and this pair does not know what control bids are.

D 1	N zeejayg1co ♠ AJ103 ♥ 8 ♦ K ♣ AKJ8762	<table border="1"> <tr> <th>W</th> <th>N</th> <th>E</th> <th>S</th> </tr> <tr> <td></td> <td>1♣</td> <td>1♦</td> <td>2♠</td> </tr> <tr> <td>3♥</td> <td>4♠</td> <td>6♦</td> <td>P</td> </tr> <tr> <td>P</td> <td>P</td> <td></td> <td></td> </tr> </table>	W	N	E	S		1♣	1♦	2♠	3♥	4♠	6♦	P	P	P		
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3♥	4♠	6♦	P															
P	P																	
W Rozgordon ♠ 2 ♥ KQJ107 ♦ A9765 ♣ 94		E dgordon123 ♠ K4 ♥ A942 ♦ QJ108432 ♣																
	S martydavid ♠ Q98765 ♥ 653 ♦ ♣ Q1053	6♦ E NS: 0 EW: 0																

[Movie](#)

On July 3, dgordon123, with support for partner's suit, jumped to a ♦ slam missing the top two trumps and found partner with five-card support. Mr. Yates asserted that the jump bid was made to "protect" the ♠ King and to avoid making a decision over 5 ♠.

Bidding partner's hand

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[Movie](#)

On June 24, dgordon123, having not opened, made a balancing double without ♥ support and when partner competed with a free 3 ♦ bid, he jumped to the ♦ game.

<div style="border: 1px solid black; padding: 5px; text-align: center;"> 8 </div>	N dgordon123 ♠ KQ42 ♥ KQ74 ♦ J85 ♣ 85	<table border="1"> <thead> <tr> <th>W</th> <th>N</th> <th>E</th> <th>S</th> </tr> </thead> <tbody> <tr> <td>1♣</td> <td>P</td> <td>1♦</td> <td>P</td> </tr> <tr> <td>1♥</td> <td>1♠</td> <td>P</td> <td>P</td> </tr> <tr> <td>2♣</td> <td>2♠</td> <td>4♥</td> <td>P</td> </tr> <tr> <td>P</td> <td>P</td> <td></td> <td></td> </tr> </tbody> </table>	W	N	E	S	1♣	P	1♦	P	1♥	1♠	P	P	2♣	2♠	4♥	P	P	P		
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2♣	2♠	4♥	P																			
P	P																					
W yellowcat3 ♠ 5 ♥ 10832 ♦ KQ4 ♣ AK1096	E Robot ♠ 876 ♥ AJ5 ♦ A10732 ♣ Q2																					
	S Rozgordon ♠ AJ1093 ♥ 96 ♦ 96 ♣ J743	4♥ W NS: 0 EW: 0																				

[Movie](#)

Three boards later on June 24, dgordon123 eschewed a takeout double after a ♣ opening, but later competed to 1 and then 2 ♠ on a four-card suit, while his silent partner had five-card support.⁹

⁹ The many alerts by W and E in the hand diagram reflect the normal alerts and explanations of natural bids that arise when playing against a robot.

<table border="1"> <tr><td>D</td></tr> <tr><td>1</td></tr> </table>	D	1	N dgordon123 ♠ Q9874 ♥ Q865 ♦ 102 ♣ Q2	<table border="1"> <tr><th>W</th><th>N</th><th>E</th><th>S</th></tr> <tr><td></td><td>P</td><td>1♦</td><td>2♣</td></tr> <tr><td>3♦</td><td>3♥</td><td>P</td><td>4♥</td></tr> <tr><td>P</td><td>P</td><td>P</td><td></td></tr> </table>	W	N	E	S		P	1♦	2♣	3♦	3♥	P	4♥	P	P	P	
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	S Rozgordon ♠ A ♥ AK94 ♦ 74 ♣ AJ10853	4♥ N NS: 0 EW: 0																		

[Movie](#)

On July 10, after Rozgordon's 2♣ overcall, dgordon123 bid his shorter major to compete over a 3♦ preemptive raise with a 6-count, finding 4-card♥ support.¹⁰

¹⁰ Again the alerts of natural bids are those that arise when a robot is playing.

D 8	N dgordon123	W	N	E	S
	♠ 7 ♥ KJ65 ♦ K42 ♣ K8532	2♠	P	4♠	5♥
W Offsides		P	P	P	
♠ KJ10863 ♥ Q ♦ 976 ♣ A104	S Rozgordon	E cworth717			
	♠ Q ♥ A108743 ♦ AJ ♣ QJ97	♠ A9542 ♥ 92 ♦ Q10853 ♣ 6			
		5♥ S	NS: 0 EW: 0		

Movie

On July 11, Rozgordon made a 5♥ bid and found partner with support and three of the four missing Kings. Mr. Yates asserted that if they were cheating, dgordon123 would have made a takeout double to justify her subsequent competition. He admitted that in this field, only two Norths doubled after a 2♠ opening.

Inspired defenses

Singleton-finding Ace leads

<div style="border: 1px solid black; padding: 5px; text-align: center;"> D 16 </div>	<div style="background-color: #004a99; color: white; padding: 2px;">N</div> dgordon123 ♠ Q109853 ♥ AQ5 ♦ A4 ♣ 103	<div style="background-color: red; color: white; padding: 2px;">W</div> <div style="background-color: #004a99; color: white; padding: 2px;">N</div> <div style="background-color: red; color: white; padding: 2px;">E</div> <div style="background-color: #004a99; color: white; padding: 2px;">S</div>
	1♦ 1♠ X 2♠ 2NT 3♠ P P X P 4♦ P P P	
<div style="background-color: #004a99; color: white; padding: 2px;">W</div> mrsinc76 ♠ AJ7 ♥ KJ3 ♦ K1062 ♣ AQ2	<div style="background-color: white; color: red; padding: 5px; border: 1px solid black;">♥A</div>	<div style="background-color: #004a99; color: white; padding: 2px;">E</div> redmonster ♠ ♥ 1098764 ♦ Q985 ♣ KJ6
	<div style="background-color: #004a99; color: white; padding: 2px;">S</div> Rozgordon ♠ K642 ♥ 2 ♦ J73 ♣ 98754	<div style="background-color: #004a99; color: white; padding: 2px;">4♦ W</div> <div style="background-color: #004a99; color: white; padding: 2px;">NS: 0 EW: 0</div>

Movie

This board, played on June 11, was included in the Hammond boards introduced by the Charged Parties. In this active auction, dgordon 123 did not lead their agreed suit, instead leading the ♥ Ace from broken honors and finding partner's singleton. Rozgordon returned to her partner's hand with a trump, not playing him for the ♣ Ace, and found her partner with the trump Ace.

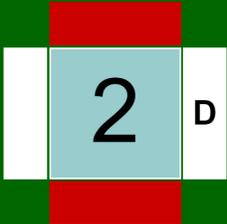
<div style="text-align: center; border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> 10 D </div>		N sgtitan ♠ 753 ♥ K73 ♦ QJ84 ♣ AKQ	<table border="1" style="width: 100%; text-align: center;"> <tr style="background-color: #f00;"> <th>W</th> <th>N</th> <th>E</th> <th>S</th> </tr> <tr> <td></td> <td></td> <td>P</td> <td>2♠</td> </tr> <tr> <td>P</td> <td>3♠</td> <td>P</td> <td>P</td> </tr> <tr> <td>P</td> <td></td> <td></td> <td></td> </tr> </table>	W	N	E	S			P	2♠	P	3♠	P	P	P			
W	N	E	S																
		P	2♠																
P	3♠	P	P																
P																			
W Rozgordon ♠ K8 ♥ AQJ10 ♦ K109 ♣ 9542	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> ♥A </div>	E dgordon123 ♠ Q6 ♥ 5 ♦ 7632 ♣ J108763																	
	S bgoods ♠ AJ10942 ♥ 98642 ♦ A5 ♣		3♠ S NS: 0 EW: 0																

Movie

On July 31, Rozgordon led the ♥ Ace and continued a ♥, setting the 3 ♠ contract by taking 1 ♠, 2 ♥s and a ruff, and the ♦ King.

According to Mr. Yates, this board was played 17 times. Each of the other 16 tables got to 4 ♠s, twice played from the North after a transfer. He listed all the auctions and all the leads from West. Five times West lead the ♥ Ace. Mr. Yates does not say whether West continued ♥s at the other tables, but the Gordons scored a 72% for setting 3 ♠s.

King-finding Ace underleads

		N iamsal ♠ 2 ♥ AQ83 ♦ AK8732 ♣ 92	<table border="1"> <tr> <th>W</th> <th>N</th> <th>E</th> <th>S</th> </tr> <tr> <td></td> <td></td> <td>P</td> <td>1♠</td> </tr> <tr> <td>2♣</td> <td>2♦</td> <td>P</td> <td>2♥</td> </tr> <tr> <td>P</td> <td>4♥</td> <td>P</td> <td>P</td> </tr> <tr> <td>P</td> <td></td> <td></td> <td></td> </tr> </table>	W	N	E	S			P	1♠	2♣	2♦	P	2♥	P	4♥	P	P	P			
W	N	E	S																				
		P	1♠																				
2♣	2♦	P	2♥																				
P	4♥	P	P																				
P																							
W Rozgordon ♠ 743 ♥ 2 ♦ J65 ♣ AJ7654		E dgordon123 ♠ J1085 ♥ J97 ♦ Q1094 ♣ K10																					
	S tech1 ♠ AKQ96 ♥ K10654 ♦ ♣ Q83		4♥ S NS: 0 EW: 0																				

Movie

On July 31, Rozgordon made a fairly light two-level overcall and then on defense underlead her long ♣ Ace, finding partner's King.

According to Mr. Yates, a ♣ was led at 12 of 17 tables, usually the Ace.

<div style="border: 1px solid black; padding: 5px; text-align: center;"> <div style="background-color: white; width: 20px; height: 20px; margin: 0 auto;"></div> <div style="font-size: 2em; font-weight: bold; margin: 5px 0;">3</div> <div style="background-color: white; width: 20px; height: 20px; margin: 0 auto; text-align: center;">D</div> </div>	N dgordon123 ♠ 6 ♥ K3 ♦ KJ1092 ♣ J7653	<table border="1" style="width: 100%; text-align: center;"> <tr> <th style="background-color: red; color: white;">W</th> <th style="background-color: red; color: white;">N</th> <th style="background-color: red; color: white;">E</th> <th style="background-color: red; color: white;">S</th> </tr> <tr> <td></td> <td></td> <td></td> <td>P</td> </tr> <tr> <td>1♣</td> <td>1♦</td> <td>1♠</td> <td>2♦</td> </tr> <tr> <td>2♠</td> <td>P</td> <td>P</td> <td>3♦</td> </tr> <tr> <td>P</td> <td>P</td> <td>3♠</td> <td>P</td> </tr> <tr> <td>D</td> <td>D</td> <td></td> <td></td> </tr> </table>	W	N	E	S				P	1♣	1♦	1♠	2♦	2♠	P	P	3♦	P	P	3♠	P	D	D		
	W	N	E	S																						
			P																							
1♣	1♦	1♠	2♦																							
2♠	P	P	3♦																							
P	P	3♠	P																							
D	D																									
W stanspjr ♠ AK4 ♥ QJ92 ♦ 876 ♣ K82	<div style="border: 1px solid black; padding: 5px; display: inline-block;">♥4</div>	E raypol4 ♠ Q9873 ♥ 1065 ♦ A4 ♣ Q104																								
	S RozGordon ♠ J1052 ♥ A874 ♦ Q53 ♣ A9	3♠ E NS: 0 EW: 0																								

[Movie](#)

This board, played on September 3, is another from the Hammond deals introduced by the Charged Parties. Rozgordon found partner's doubleton ♥ K by her opening lead to give him a ruff. Mr. Yates asserted that attacking ♥s in this way allowed the declarer to make the contract. Mr. Connors characterized this board as one of the strongest examples of cheating.

Hidden Strength-finding leads

<div style="border: 1px solid black; padding: 5px; text-align: center;"> D 16 </div>	N dgordon123 ♠ 85 ♥ QJ3 ♦ Q1075 ♣ AJ53	<div style="display: flex; justify-content: space-between;"> W N E S </div> 1♦ P 1♠ P 1NT P 3♣ P 3NT P P P
	W marihand ♠ 963 ♥ AK82 ♦ A942 ♣ Q2	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> ♦ 5 </div>
S Rozgordon ♠ K102 ♥ 9654 ♦ KJ86 ♣ 106		3NT W NS: 0 EW: 0

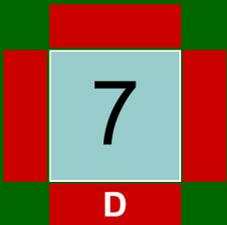
Movie

On July 26, dgordon123 led the declarer's first bid suit and found partner's best suit. Mr. Yates asserted that out of ten tables, three E/W pairs avoided their ♠ fit and bid 3NT. Two led ♦s.

<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <div style="border: 1px solid black; padding: 2px; display: inline-block;">11</div> D </div>		N brittanie ♠ AQJ974 ♥ A42 ♦ 4 ♣ 973	<table border="1"> <thead> <tr> <th>W</th> <th>N</th> <th>E</th> <th>S</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td>1♦</td> </tr> <tr> <td>P</td> <td>1♠</td> <td>P</td> <td>1NT</td> </tr> <tr> <td>P</td> <td>2♠</td> <td>P</td> <td>P</td> </tr> <tr> <td>P</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	W	N	E	S				1♦	P	1♠	P	1NT	P	2♠	P	P	P			
W	N	E	S																				
			1♦																				
P	1♠	P	1NT																				
P	2♠	P	P																				
P																							
W Rozgordon ♠ 1065 ♥ Q9 ♦ K875 ♣ KQ62	<div style="border: 1px solid black; padding: 5px; display: inline-block;">♣A</div>		E dgordon123 ♠ 83 ♥ 108763 ♦ QJ2 ♣ A105																				
		S helenstam ♠ K2 ♥ KJ5 ♦ A10963 ♣ J84	2♠ N NS: 0 EW: 0																				

Movie

On July 28, dgordon cashed his ♣ Ace and continued ♣s. Mr. Yates asserted the ♣ Ace was led three times in this game. He did not explain against what contracts this lead was made.

	N dgordon123 ♠ AKQ5 ♥ 53 ♦ KJ74 ♣ 854	<table border="1"> <thead> <tr> <th>W</th> <th>N</th> <th>E</th> <th>S</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td>P</td> </tr> <tr> <td>P</td> <td>1♦</td> <td>1NT</td> <td>P</td> </tr> <tr> <td>2♦</td> <td>P</td> <td>2♥</td> <td>P</td> </tr> <tr> <td>3NT</td> <td>P</td> <td>P</td> <td>P</td> </tr> </tbody> </table>	W	N	E	S				P	P	1♦	1NT	P	2♦	P	2♥	P	3NT	P	P	P
W	N	E	S																			
			P																			
P	1♦	1NT	P																			
2♦	P	2♥	P																			
3NT	P	P	P																			
W PHYLBAR ♠ J108 ♥ KJ862 ♦ Q8 ♣ K93		E Beverly B ♠ 742 ♥ AQ94 ♦ A93 ♣ A72																				
	S Rozgordon ♠ 963 ♥ 107 ♦ 10652 ♣ QJ106	3NT E NS: 0 EW: 0																				

2♦ alerted as “trans.”

Movie

On July 27, Rozgordon led her partner’s strongest suit, which was neither the suit he had opened nor the suit in which she held a solid sequence. Mr. Yates asserted that dgordon123’s failure to double the transfer bid asked for a different lead.

Conclusions and Discipline

The Panel commends both Advocates for their vigorous presentations.

By identifying the above boards as examples of questionable actions, we do not intend to imply they are the only boards supporting our conclusion that the Gordons occasionally exchanged unauthorized information about each other’s hands during the auctions and play. There were other boards where blind leads found partner’s strongest suit. On other boards, when one of them made a non-forcing bid, the other partner kept

the auction alive without extra values until they found their game. Board [12](#) played on July 22 is a good example of this.

Mr. Yates has established by evidence and argument that the Charged Parties were not exchanging unauthorized information on every board and that some of the boards questioned by the ACBL do not have much probative value. However, this Panel has seen too many auctions and defenses in this case that are only explicable by the Charged Parties knowing something about their partner's hands that was not evident from the auction and play of the deal.

After this Panel unanimously concluded that the Charged Parties had violated CDR section 3.20, the Advisor shared that they had no prior disciplinary history. On the topic of sanctions, for an E19 violation, the recommended discipline in the CDR ranges from 90 days' suspension through expulsion.

Mr. Connors asked that the Gordons be suspended for 18 months, with 18 months' probation and a minimal forfeiture of 10% of their masterpoints. After the hearing, Mr. Connors sent an email asking that their discipline commence on June 22, 2021, a day after the Gordons ceased playing online. The Panel has agreed to adopt most of these recommendations, however, imposing a probationary period of two years.

Appendix A

This table lists each board questioned by the ACBL and what was questioned about the board, whether the auction, the defense, or both. BBO session numbers are provided when made available by the ACBL. Boards highlighted in yellow are those to which the Charged Parties' Advocate specifically responded.

Count	Date	BBO #	Board #	Movie	Questioned
1	6/12/20		17	https://tinyurl.com/9fh75e2f	Auction
2	6/18/20		9	https://tinyurl.com/yetp5km8	Auction
3	6/24/20		4	https://tinyurl.com/ackydrh8	Auction
4	6/24/20		5	https://tinyurl.com/hjsve7ct	Auction
5	6/24/20		8	https://tinyurl.com/xh2rytbr	Auction
6	6/25/20		6	https://tinyurl.com/37rp66yh	Auction
7	6/25/20		15	https://tinyurl.com/fd3yxfsa	Auction
8	6/25/20		17	https://tinyurl.com/47txcr7r	Auction
9	6/26/20		6	https://tinyurl.com/y3ebpyy5	Auction
10	7/3/20		1	https://tinyurl.com/y5sakj26	Auction
11	7/10/20		1	https://tinyurl.com/aa2388n1	Auction
12	7/10/20		3	https://tinyurl.com/aa2388n3	Defense
13	7/10/20		11	https://tinyurl.com/aa2388n11	Defense
14	7/10/20		13	https://tinyurl.com/aa2388n13	Auction
15	7/10/20		15	https://tinyurl.com/aa2388n15	Auction
16	7/11/20	6775	4	https://tinyurl.com/aa6775n4	Defense
17	7/11/20	6775	6	https://tinyurl.com/aa6775n6	Auction
18	7/11/20	6775	8	https://tinyurl.com/aa6775n8	Auction
19	7/11/20	6775	9	https://tinyurl.com/aa6775n9	Auction
20	7/11/20	6775	10	https://tinyurl.com/aa6775n10	Defense
21	7/11/20	6775	11	https://tinyurl.com/aa6775n11	Defense
22	7/11/20	6775	13	https://tinyurl.com/aa6775n13	Auction
23	7/11/20	6775	16	https://tinyurl.com/aa6775n16	Auction
24	7/15/20		10	https://tinyurl.com/cv63bhj5	Defense
25	7/17/20		8	https://tinyurl.com/y57yf7r2	Auction
26	7/21/20		4	https://tinyurl.com/2ker83um	Auction
27	7/22/20		11	https://tinyurl.com/46ks7hc7	Auction
28	7/22/20		12	https://tinyurl.com/jvkreca5	Auction
29	7/26/20	7451	1	https://tinyurl.com/aa7451n1	Defense
30	7/26/20	7451	8	https://tinyurl.com/aa7451n8	Both

31	7/26/20	7451	13	https://tinyurl.com/aa7451n13	Auction
32	7/26/20	7451	14	https://tinyurl.com/aa7451n14	Defense
33	7/26/20	7451	16	https://tinyurl.com/aa7451n16	Defense
34	7/27/20	8697	3	https://tinyurl.com/aa8697n3	Auction
35	7/27/20	8697	7	https://tinyurl.com/aa8697n7	Defense
36	7/27/20	8697	11	https://tinyurl.com/aa8697n11	Defense
37	7/27/20	8697	12	https://tinyurl.com/aa8697n12	Defense
38	7/27/20	8697	14	https://tinyurl.com/aa8697n14	Defense
39	7/27/20	8697	15	https://tinyurl.com/aa8697n15	Defense
40	7/27/20	8697	16	https://tinyurl.com/aa8697n16	Auction
41	7/27/20	8697	18	withheld	Auction
42	7/28/20	151	3	https://tinyurl.com/aa151n3	Auction
43	7/28/20	151	5	https://tinyurl.com/aa151n5	Defense
44	7/28/20	151	11	https://tinyurl.com/aa151n11	Defense
45	7/28/20	151	16	https://tinyurl.com/aa151n16	Auction
46	7/28/20	151	17	https://tinyurl.com/aa151n17	Both
47	7/30/20	7181	4	https://tinyurl.com/aa7181n4	Auction
48	7/30/20	7181	6	https://tinyurl.com/aa7181n6	Auction
49	7/30/20	7181	10	https://tinyurl.com/aa7181n10	Defense
50	7/30/20	7181	11	https://tinyurl.com/aa7181n11	Defense
51	7/30/20	7181	12	https://tinyurl.com/aa7181n12	Both
52	7/30/20	7181	14	https://tinyurl.com/aa7181n14	Auction
53	7/30/20	7181	15	https://tinyurl.com/aa7181n15	Auction
54	7/30/20	7181	16	https://tinyurl.com/aa7181n16	Auction
55	7/30/20	7181	18	https://tinyurl.com/aa7181n18	Defense
56	7/31/20	16	2	https://tinyurl.com/aa16n2	Both
57	7/31/20	16	10	https://tinyurl.com/ab16n10	Defense
58	7/31/20	16	12	https://tinyurl.com/ab16n12	Auction
59	7/31/20	16	14	https://tinyurl.com/ab16n14	Auction
60	7/31/20	16	15	https://tinyurl.com/ab16n15	Auction
61	8/5/20		15	https://tinyurl.com/3hfbwp7z	Auctions
62	9/17/20		18	https://tinyurl.com/4h5ymptt	
63	8/9/20		8	https://tinyurl.com/xk4zme8n	Auction
64	8/17/20		9	https://tinyurl.com/25j8s4vn	Defense
65	8/22/20		15	https://tinyurl.com/y22h3tut	Both
66	9/21/20		11	https://tinyurl.com/3bm62v7r	Auction

67	10/1/20		3	https://tinyurl.com/29xdw6es	Both
68	10/1/20		10	https://tinyurl.com/5s5d4j76	Auction
69	10/1/20		17	https://tinyurl.com/2dp37ndf	Defense