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|---------------------|-------------------------------|--------|---------|-------------------------------------|----------------------|--------|---------|
| Charged Party | Bill Malin | | | ACBL # | L573346 | | |
| Charged Party | Sue Malin | | | ACBL # | P956126 | | |
| Disciplinary Body | Appeals and Charges Committee | | | Date of Hearing | NR review 05/24/2020 | | |
| Location of Hearing | Telephonic | | | Effective date of the CDR consulted | May 1, 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 |
| Jeff Overby | O879926 | Margot Hennings | N242118 |

Jackie Zayac P386273

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 | | | | |
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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 Resolution, Charge Letter, Complaint, membership profiles, player memo 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 rejected the stipulation that Bill Malin may direct club games during his Probationary period. The Committee accepted a prior NR that did not contain that stipulation.

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.

CHOOSE A SECTION.

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) |
|--|--|

| Type of Discipline | Beginning Date | Ending Date | Additional Comments |
|--|----------------|-------------|---------------------|
| <input type="checkbox"/> Reprimand | N/A | N/A | |
| <input checked="" type="checkbox"/> Probation | 09/02/2020 | 09/01/2022 | |
| <input checked="" type="checkbox"/> Suspension | 6/4/2020 | 09/01/2020 | |
| <input type="checkbox"/> Expulsion | | N/A | |

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|--|--|
| <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 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 | 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: | |
| <input type="checkbox"/> Disqualification in the event or in the tournament in which the incident occurred listed above. CDR 4.1.7 | 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: | |
| <input type="checkbox"/> 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)

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| <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)

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|---|--------------------------|----------------|
| <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):

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|--|--|--|
| <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) | 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 | |
| <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).

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|--|--|--|
| <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) | | |
| <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) | 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 | |
| <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 |
|-----------------------|---|
| N/A | See note below. |
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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:

The committee accepted the terms of the Negotiated Resolution as agreed upon by the Charging Party and Charged Party. Therefore, an offense was not cited.

RESPECTFULLY SUBMITTED (CHAIRMAN)

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|--|----------------------------|-------|-----------|
| /s/ A.J. Stephani | | Date: | 5/28/2020 |
| Electronic Signature (type name above) | Wet Signature (sign above) | | |