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## PANEL REPORT APPEALS AND CHARGES COMMITTEE

<b>Date of Review</b>			<b>Case No.</b>	2024-ACBL-156				
<b>CDR Version</b>	2/1/2024	<b>CDR Violation</b>	<p>CDR 301(B)(2) Submitting False Information to ACBL. A charge under this section requires the knowing submission of false information for the purpose of changing the outcome of a competition or event eligibility. This section requires that false information be submitted to an ACBL Official or Disciplinary Body, which do not include ACBL sanctioned clubs. False information submitted to the ACBL for reasons unrelated to bridge competition are Administrative Violations charged under the CDR.</p> <p>CDR 301(D) Ethical Violation Not Otherwise Specified. An ethical violation not otherwise specified in CDR § 301(A)-(C). The discipline imposed, if any, will be commensurate with the severity of the violation at the discretion of the panel.</p> <p>CDR 303(B)(6) Violation of discipline previously imposed under this CDR.</p>					
<b>Disciplined Party</b>	Steve Kaessner		<b>ACBL #</b>	N492521	<b>District</b>	20	<b>Unit</b>	457
<b>Disciplined Party</b>	N/A		<b>ACBL #</b>	N/A	<b>District</b>	N/A	<b>Unit</b>	N/A
<b>Disciplined Party's Advocate</b>	N/A		<b>ACBL #</b>	N/A				
<b>Charging Party</b>	McKenzie Myers		<b>ACBL #</b>	Q799024				
<b>Charging Party's Advocate</b>	Jeff Edelstein/Justin Coniglio		<b>ACBL #</b>	O200338/Q809461				
<b>Panelists</b>	Larry Sealy		<b>ACBL #</b>	P541643				
	Dennis Carman		<b>ACBL #</b>	O828450				
	Jackie Zayac		<b>ACBL #</b>	P386273				

**EVIDENCE AND ARGUMENTS:**



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The following evidence was received from Jeff Edelstein (ACBL National Recorder) on June 5, 2024, which constituted the Charging Party's Disclosure:

"On June 4, 2024, I received a phone call from a player from the Bidwell Bridge Club in Chico, California. The subject of this conversation was Steve Kaessner, who was serving a 3-month suspension for Submitting False Information to ACBL Officials (CDR 301(B)(2)) and Score Alteration (CDR, 301(B)(1)), both second degree ethical violations. Mr. Kaessner's suspension began on May 1, 2024.

"The complainant made the following allegations:

-That on May 1, 2024, Mr. Kaessner directed and played in an ACBL sanctioned game at the Bidwill Bridge Club. Furthermore, Mr. Kaessner played under another player's identity (name redacted) with (name redacted) and earned Masterpoints for both players.

-That on May 29, 2024, Mr. Kaessner directed and played in an ACBL sanctioned game at the Bidwell Bridge Club. Furthermore, Mr. Kaessner played under another player's identity (name redacted) with (name redacted). The (names redacted) partnership was listed as 'Not Eligible' and received no Masterpoints despite this being an open game.

"A quick investigation discovered that the May 1<sup>st</sup> game had Steve Kaessner listed as the director while the May 29<sup>th</sup> game had (name redacted – not Steve Kaessner) listed as the director. It should also be noted that both games were classified as open games although there is evidence that the May 29<sup>th</sup> game was an invitational game.

"On the evening of June 4, 2024, I spoke at length with Mark Bloom. Mr. Bloom was the former manager of the Bidwell Bridge Club and is currently the only regular director at the club. Mr. Bloom was very forthright during our conversation and confirmed that Mr. Kaessner did in fact direct and play in the May 1<sup>st</sup> game and did in fact direct the May 29<sup>th</sup> game but did not have firsthand knowledge that Mr. Kaessner played in the May 29<sup>th</sup> game under player's identity (name redacted). Mr. Bloom also confirmed that (name redacted), the listed director of the May 29<sup>th</sup> game, did not direct the May 29<sup>th</sup> game. Mr. Bloom was present at the May 1<sup>st</sup> game but not at the May 29<sup>th</sup> game.

"On June 5, 2024, I sent an email to Mr. Kaessner asking him if he would like to address the allegations made against him. In his response, Mr. Kaessner admitted to directing both games but did not admit or deny playing under another player's identity (see accompanying Kaessner email). As Mr. Kaessner is an ACBL employee, both Nancy Rosenbury and McKenzie Myers were apprised of this investigation.

"Based upon my investigation, I believe there is prima facie evidence that Mr. Kaessner Violated Previously Imposed Discipline (CDR 303(B)(6)), Submitted False Information to an ACBL Official (CDR 301(B)(2)), and Played Under Another Player's Identity (CDR 301(D)), Ethical Violation not Specified). All of these violations occurred while Mr. Kaessner was serving a suspension."



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Mr. Edelstein provided this additional information:

“On June 7, 2024, I spoke with (name redacted). She was listed as playing with (name redacted) on May 1, 2024 at the Bidwell Bridge Club. (Name redacted) said that she has never played with (name redacted) and had, in fact, played with Steve Kaessner on that date. The (names redacted) partnership came in second and earned 1.55 Masterpoints.”

Mr. Edelstein also submitted summaries for the May 1 and May 29 Club games.

The Charging Party’s Advocates (Messrs. Edelstein and Coniglio) did not submit additional evidence during the hearing, relying on the Disclosure submitted as part of the Hearing Packet.

Mr. Kaessner sent the following letter as his Charged Party’s:

“I, Steven G Kaessner, am providing this Document as the Charged Party’s Disclosure for the A&C Hearing scheduled for June 21, 2024.

“Before I begin, I will say there is no compelling justification for any of the infractions I committed. However, I believe there may be valid consideration for the environment that Duplicate Bridge and small communities have been dealing with the past 10 years and most particularly post-COVID. My intent is to keep this as brief as possible; but this statement is my final opportunity to express myself.

“I. First, just a bit of perspective of my Bridge life. I arrived as a 2<sup>nd</sup> Lt at the Air Force Base 15 miles east of Marysville, CA in July 1971. If you drew a circle with a 50-mile radius in the rural area north of Sacramento, CA, you would have found at least a dozen active Bridge Clubs with many offerings for games including a healthy number of evening gatherings. It seemed a bit odd, but this 22-year-old preferred to head into town and spend his Friday nights playing Duplicate Bridge. Fast forward 22 years later to my retirement from the same Air Force Base. I soon become a Club Director and then a part-time ACBL Director in 2001. Now 23 years further on, post COVID, (in that same geographical area) only three small Clubs (just four weekly games) struggle to stay afloat.

“II. As the effects of COVID began to wane, the local Bridge Club in Chico, CA, was offered to anyone willing to revive it. I appeared to be the only one willing to take a chance. We reopened in Oct 2021 – just one game a week (instead of the three games pre-COVID) only because we secured a very fortunate rental agreement of \$50 per session. We added our second Game in April 2022. It often takes significant effort, but we usually can muster 4 tables on Wednesdays – just shy of enough to break even financially. With fewer than 30 active members, the Club averages not quite 10 tables per week for two sessions.

“In that first year after reopening, it was great that ACBL offered many bonus Club Championships. I also elected to support all of ACBL’s fund games. All those special games improved the appeal despite small table count.



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“The challenge of a small membership is one thing; a Club Director also deals with the frustration of ACBLScore. Personally, I have a stockpile of Laptops with Windows 7 just so I can run games smoothly. The ACBLScore Program has not adapted to better support small Clubs. When your games average nine or ten pairs, the discrepancy in expertise is often enormous. For a long time now, there has been a need to allow for a “4<sup>th</sup> Strat” for the three or so truly novice Pairs. Even a tenth of a masterpoint can make a pair feel good. A 4<sup>th</sup> Strat would even more significantly benefit small Sectionals when novice pairs are forced to play in Open Games due to insufficient attendance for a separate event.

“III. It was in the atmosphere of ‘welcome back’ bonuses that I started looking for ways to help C Pairs place in a very limited field. The award amounts may have been small; but some of my methods were not proper. This led to the complaints against me – the most recent being the two complaints about Bidwell Club Games held in May. In those instances, an assumption of insularity for our small club environment clouded my judgment.

“On May 1<sup>st</sup>, my initial disciplinary case was not yet settled and the proposed resolution was 30-days suspension. With 31 days in May, I could have one last game and still be suspended for 30 days in May. Granted, it was a contorted view. I didn’t care about masterpoints and substituted a non-member for my name. Within a few hours, I realized that was a mistake! I understand ACBL received a complaint about that May 1<sup>st</sup> incident. Any kind of warning would have been a monumental shock and would have put the “Fear of God” in me. (Even so, as Charged Party’s Disclosure stated at the beginning of this Discourse, there was no compelling justification for my action.)

“The May 29<sup>th</sup> Case is the story of a great intention being executed poorly. When the Bridge Calendar comes to the end of May, Sacramento holds the only Regional convenient for our Players. In the past, we have always cancelled the Wednesday Bidwell Club Game as nearly all of our better players are at the Regional including the two Club Directors. But this year it was different – an opportunity to hold a supervised Game for the remaining inexperienced players. The prospect of being able to do that on the only day of the year it was possible really got me excited. However, there was still a challenge to get three or four tables. Even restricting the Game to Players under 5000 mps would only muster the same 15 participants. If I were to fill in with one of my novice non-member students as an Ineligible Pair we would have no sit out. If I had exercised common sense, I would have realized that I actually did not need to hold an ACBL-sanctioned Game! The Players would have understood and just enjoyed playing with a reduction in the angst that accompanies competing against the top players. I would just love to forever remove that game from the sanctioned Bidwell Club results.

“The Complaint filed on the May 29 Game is directed toward the unfortunate falsification of two names. The bigger picture was the intent of the Game – to allow local Beginner/Intermediate Players to have the rare chance to play with their peers. No one was wronged, no one received any special benefit. The consequence of discipline toward me should preclude any negative effect on the Bidwell Club. The fact



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that anyone would choose to file a complaint over the May 29 game continues to be quite devastating to me personally.

“IV. As I stated at the beginning, I have no convincing argument supporting my actions. Mr Myers and Mr Edelstein were extremely kind to support me over my initial Conduct Violation. It was unconscionable to betray their trust. I may have set an ACBL record for a Fall from Grace (at least for a Director). I currently lack the good sense to be a Director. I have let a lot of people down – something totally out of character when compared to my entire life.

“I am aware of the outpouring of support that a majority of Unit Players and bridge students have expressed for me. I am not your ordinary participant -- I am heralded for my personality and enthusiasm for creating a fun Bridge environment. Those nice people seek leniency toward me because they just want the return of my congeniality and sense of humor. Allowing me to somehow return to just be a club player will benefit ACBL. I have no aspirations of achieving any notoriety as a Player. If it is at all feasible, allowing me to participate on some conditional basis would greatly help the fragile Bidwell Club environment where we sometimes are left with just seven pairs for a Game. In addition, I hope to come out of all of this with some level of personal enthusiasm remaining and to be able to focus more intently on teaching Bridge and recruiting some new members from the local community.

“Besides the Bidwell Club, a serious concern exists for the viability of the Land Cruise Club I formerly managed (Sin City Bridge). The Club meets once a year (in January) for a four-day Tournament in Las Vegas. For the past 10 years, I have literally transported the entire Tournament (including 13 tables) from my home in Northern California 600 miles to Las Vegas. Besides being the Director, I have served as standby player to insure all participants would have a Partner. Without my participation, the ability to hold the Sin City Tournament will be in serious jeopardy.

“Sincerely, Steve Kaessner.”

Neither party provided any new evidence during the hearing - both relied on their disclosure. Mr. Kaessner only attempted to provide his rationale for violating three sections of the CDR.

#### **PANEL’S DECISION:**

When the original case against Mr. Kaessner was in negotiation, the Panel was swayed by arguments that his local club might not be able to survive if he was not allowed to direct during the Probationary phase of his discipline. A Negotiated Resolution that allowed directing of those games after his Suspension ended (during the Probation). The panel was not swayed by any of these similar arguments for this (new) case. We believe he understood the ramifications and knowingly violated three sections of the CDR because he did not expect his local club to break a “cone of silence” that he expected from them.



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We see no reason to be lenient this time. Therefore, we unanimously agreed to a Suspension of 18 months, followed by and 18-month Probationary period, during which time he will be a “Member not in Good Standing.”

**DISCIPLINE IMPOSED:**

	Discipline	Start Date	End Date	Comments
	Suspension	May 1, 2024	Oct 31, 2025	18 Months
	Probation	Nov 1, 2025	Apr 30, 2027	18 Months
	Other			

/s/ *Larry Sealy*, Appeals and Charges Committee, Chair

Dated: July 8, 2024