

**ACBL Board of Directors
Online Meeting via Zoom
October 2, 2023
Special Meeting**

The Board of Directors Special Meeting was called to order by President Joann Glasson at 2:00 p.m. ET on October 2, 2023. At 2:03 p.m., the Board convened into Executive Session.

Present for executive session: Jonathan Steinberg R1, Mark Aquino R2, Margot Hennings R4, Dennis Carman R5, Barbara Heller R6, Larry Sealy R7, Jeff Overby R8, Paul Cuneo R9, Cindy Shoemaker R10, David Lodge R11, Jackie Zayac R12, Tim White R13, Carlos Muñoz D3, Joann Glasson D4, Georgia Heth D8, Deana Liddy D14, Stu Goodgold D21

Absent for executive session: Jonathan Steinberg R1 (left at 3:04 p.m.), Flo Belford D2

Also present during executive session: Executive Director Bronia Jenkins, Advisory Council Chair Doug Couchman, Administrative Coordinator Sabrina Goley

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The Board adjourned executive session and convened into open session at 3:41 p.m.

Present during open session: Same as executive session except David Lodge was not present at all times due to poor internet connection.

Absent during open session: Jonathan Steinberg R1, Flo Belford D2

Also present during open session: Same as executive session.

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23S3-01 Approval of Meeting Minutes

The July 2023 meeting minutes were approved.

Carried unanimously

23S3-02 Report on Hearings

In the Matter of Carol and Harold Emme, the Committee approved the Negotiated Resolutions entered into by the parties and ACBL Management in which the parties admitted to violation of CDR 301(A)(2) Collusive Cheating Online (CDR effective August 1, 2021). Ms. and Mr. Emme agreed to 18-month suspensions to begin on July 3, 2023, followed by 2 years probation. They are prohibited from playing with each other in ACBL sanctioned online games for the entire probationary period. Each forfeits 10% of their current Masterpoint® total. They further agreed

that if they play in any ACBL sanctioned games between July 3, 2023 and when the agreement is accepted by A&C the agreement is voidable by the ACBL. They will be members “Not in Good Standing” during the period of their discipline.

In the Matter of Gary Delestine and Ellie Pynes, the Committee approved the Negotiated Resolutions entered into by the parties and ACBL Management in which the parties admitted to violation of CDR 301(A)(2) Collusive Cheating Online (CDR effective July 15, 2022). Mr. Delestine agreed to a 6-month suspension to begin on June 24, 2023, followed by 2 years probation, and forfeiture of 5% of his Masterpoint® total. Dr. Pynes agreed to a 6-month suspension to begin on June 22, 2023, followed by 2 years probation, and forfeiture of 15% of her Masterpoint® total. A condition of their probations is that they are prohibited from playing in ACBL sanctioned online games with one another for the duration of the probation periods. Each further agreed that if they play in any ACBL sanctioned games between the beginning of their suspensions and when the agreements are accepted by A&C, the agreement is voidable by the ACBL. They will be members “Not in Good Standing” during the period of their discipline.

In the Matter of Larry Bazinett and Teresa Loftus, the Committee approved the Negotiated Resolutions entered into by the parties and ACBL Management in which the parties admitted to violation of CDR 301(A)(2) Collusive Cheating: Online (CDR effective August 1, 2021). Mr. Bazinett agreed to a 6-month suspension to begin on June 6, 2023, followed by 2 years probation, and forfeiture of 20% of his Masterpoint® total. Ms. Loftus agreed to a 6-month suspension to begin on June 6, 2023, followed by 2 years probation, and forfeiture of 30% of her Masterpoint® total. A condition of their probations is that they are prohibited from playing in ACBL sanctioned online games with one another for the duration of the probation periods. Each further agreed that if they play in any ACBL sanctioned games between the beginning of their suspension and when the agreements are accepted by A&C, the agreement is voidable by the ACBL. They will be members “Not in Good Standing” during the period of their discipline.

In the Matter of Nell McInnish and Bobby Henderson, the Committee approved the Negotiated Resolutions entered into by the parties and ACBL Management in which the parties admitted to violation of CDR 3.20 Cheating and other Ethical Violations (CDR effective May 1, 2020). Ms. McInnish agreed to a 6-month suspension to begin on June 1, 2023, followed by 2 years probation, and forfeiture of 10% of her Masterpoint® totals. Mr. Henderson agreed to a 12-month suspension to begin on June 1, 2023, followed by 2 years probation, and forfeiture of 10% of his Masterpoint® A condition of their probations is that they are prohibited from playing in any ACBL sanctioned games with one another for the duration of the probation periods. Each further agreed that if they play in any ACBL sanctioned games between the beginning of their suspension and when the agreements are accepted by A&C, the agreement is voidable by the ACBL. They will be members “Not in Good Standing” during the period of their discipline.

In the Matter of Paul Birnbaum, Evan Markowitz and Jared Markowitz, the Committee approved the Negotiated Resolutions entered into by the parties and ACBL Management in which the parties admitted to violation of CDR 301(A)(2) Collusive Cheating: Online (CDR effective August 1, 2021). Mr. Birnbaum agreed to a 6-month suspension to begin on March 30, 2023, followed by 2 years probation with a prohibition against playing with Jared Markowitz and Evan Markowitz in ACBL sanctioned games online games for the duration of the probationary period and in ACBL sanctioned face to face games for the first year of the probationary period, and forfeiture of 200 Masterpoints®. Mr. Evan Markowitz agreed to a 9-month suspension to begin on March 1, 2023, followed by 2 years probation with a prohibition against playing with Paul Birnbaum and Jared Markowitz in ACBL sanctioned games online games for the duration of the probationary period and ACBL sanctioned face to face games for the first year of the probationary period, and forfeiture of 200 Masterpoints®. Mr. Jared Markowitz agreed to a 6-month suspension to begin on March 1, 2023, followed by 2 years probation with a prohibition against playing with Paul Birnbaum and Evan Markowitz in ACBL sanctioned games online games for the duration of the probationary period and ACBL sanctioned face to face games for the first year of the probationary period, and forfeiture of 200 Masterpoints®. Each further agreed that if they play in any ACBL sanctioned games between the beginning of their suspension and when the agreements are accepted by A&C, the agreement is voidable by the ACBL. They will be members “Not in Good Standing” during the period of their discipline.

In the Matter of Penny Marlin and Karen Kurzer, the Committee, pursuant to CDR 406(B)(3), rejected the Negotiated Resolution but provided the following condition for acceptance: Section 1 of both NRs be modified to specify the January 1, 2020 version of the CDR.

The Committee found that Section 1 of the executed Negotiated Resolutions specified the May 1, 2020 version of the CDR, whereas the Complaint is based on “evidence of illicit information being exchanged” during online play over the period April 2020 through December 2022. Specifying the May 1, 2020 version of the CDR, rather than the January 1, 2020 version, is a violation of provisions of CDR 403(A) CDR Version.

Ms. Marlin and Ms. Kurzer accepted the condition and a new Negotiated Resolution was executed and approved. The parties agreed to 6-month suspensions to begin on February 26, 2023, followed by 2 years probation, and forfeiture of 10% of their Masterpoint® totals. A condition of their probations is that they are prohibited from playing in ACBL sanctioned online games with one another for the duration of the probation periods. Each further agreed that if they play in any ACBL sanctioned games between the beginning of their suspension and when the agreements are accepted by A&C, the agreement is voidable by the ACBL. They will be members “Not in Good Standing” during the period of their discipline.

In the Matter of Detra Connolly and James Morin, the Committee approved the Negotiated Resolutions entered into by the parties and ACBL Management in which the parties admitted to violation of CDR 301(A)(2) Collusive Cheating: Other (CDR effective December 16, 2020). The parties agreed to 3-month suspensions to begin on August 21, 2023, to be followed by 2 years probation. They are prohibited from playing with each other in ACBL online games for the first

6 months of the probation and from playing with each other face-to-face for the entirety of the probationary period. Each forfeits 10% of their current Masterpoint® total. They further agreed that if they play in any ACBL sanctioned games between August 21, 2023 and when the agreement is accepted by A&C the agreement is voidable by the ACBL. They will be members “Not in Good Standing” during the period of their discipline.

In the Matter of Mary Brown and Emma Horrell, the Committee upheld the finding of the OEOC Panel that they violated CDR 301(A)(2) Collusive Cheating: Online (CDR effective August 1, 2021).

The Committee reviewed the following discipline assessed by the OEOC panel: 6 months suspension, followed by 2 years probation during which they are excluded from playing with one another in ACBL sanctioned games, and forfeiture of 10% of total Masterpoints®. The parties will be Members Not in Good Standing for the duration of their discipline.

The Committee modified the discipline imposed as follows based on its view of absence of aggravating factors corresponding to CDR 402(A) Primary Considerations and 402(B) Secondary Considerations: 6 months suspension, followed by 6 months probation during which they are excluded from playing with one another in ACBL sanctioned games, and forfeiture of 10% of total Masterpoints®. The parties will be Members Not in Good Standing for the duration of their discipline.

In the Matter of Rob and Ellen Crawford, the Committee upheld the finding of the OEOC Panel that they violated CDR 3.20 Cheating and other Ethical Violations (CDR effective January 1, 2020). The Committee also upheld (with a clarification of terms of probation) the discipline imposed by the OEOC panel. Accordingly, Mr. and Ms. Crawford will be suspended for a period of five years beginning March 22, 2023. Each will serve a period of ten years probation following their suspension, a condition of which is they are prohibited from playing with each other in ACBL sanctioned games during the entirety of the probationary period. Each will forfeit 50% of their total Masterpoint® holding. They will be members “Not in Good Standing” during the period of their discipline.

In the Matter of Shiree Shafir and J Wilmer Winsor, the Committee upheld the finding of the OEOC Panel that they violated CDR 301(A)(2) Collusive Cheating: Online (CDR effective August 1, 2021).

The Committee reviewed the following discipline assessed by the OEOC panel: 3 years suspension, followed by 3 years probation during which they are excluded from playing with one another in ACBL sanctioned games, and forfeiture of 50% of total Masterpoints®. The parties will be Members Not in Good Standing for the duration of their discipline.

The Committee modified the discipline imposed as follows based on its consideration of CDR 402(A) Primary Considerations, CDR 402(B) Secondary Considerations and proportionality and

consistency among cases: 2 years suspension, followed by 3 years probation during which they are excluded from playing with one another in ACBL sanctioned games, and forfeiture of 25% of total Masterpoints®. The parties will be Members Not in Good Standing for the duration of their discipline.

In the Matter of Melvin and Rhea Ward, the Committee, pursuant to CDR 406(B)(3), rejected the Negotiated Resolution but provided the following condition for acceptance: Section 1 of both NRs be modified to specify the July 15, 2022 version of the CDR.

The Committee found that Section 1 of the executed Negotiated Resolutions specified the August 1, 2021 version of the CDR, whereas the Recorder Complaint states: “A thorough investigation of Mr. and Mrs. Ward's online play beginning in April 2023 ...” and the Charge Letter specifies a CDR effective date July 15, 2022.

Specifying the August 1, 2021 version of the CDR, rather than the July 15, 2022 version, did not conform with provisions of CDR 403(A) CDR Version.

The parties accepted the condition and a new Negotiated Resolution was executed by the parties and accepted by the Committee.

Mr. Ward agreed to 1 year suspension to begin July 21, 2023, followed by 2 years probation, and forfeiture of 200 Masterpoints®. He further agreed that if he plays in any ACBL sanctioned games between July 21, 2023 and when this agreement is accepted by A&C, this agreement is voidable by ACBL.

Mrs. Ward agreed to 6 months suspension to begin on July 1, 2023, followed by 2 years probation, and forfeiture of 100 Masterpoints®. She further agreed that if she plays in any ACBL sanctioned games between July 21, 2023 and when this agreement is accepted by A&C, this agreement is voidable by ACBL.

A condition of Mr. and Mrs. Wards' probations is that they are prohibited from playing with one another in ACBL sanctioned online games for the duration of their probations. They will be members “Not in Good Standing” during the period of their discipline.

In the Matter of Kenneth and Sallie Abelson, the Committee upheld the finding of the OEOC Panel that they violated CDR 301(A)(2) Collusive Cheating: Online (CDR effective August 1, 2021). The Committee also upheld (with a clarification of terms of probation) the discipline imposed by the OEOC panel. Accordingly, Mr. and Ms. Abelson will each be suspended for a period of two years beginning May 3, 2023. Each will serve a period of five years probation following their suspension, a condition of which is they are prohibited from playing with each other in ACBL sanctioned games during the first two years of the probationary period. Each will forfeit 10% of their total Masterpoint® holding. They will be members “Not in Good Standing” during the period of their discipline.

In the Matter of Bill and Judy Farrar, the Committee upheld the finding of the OEOC Panel that they violated CDR 301(A)(2) Collusive Cheating: Online (CDR effective August 1, 2021). The Committee reviewed the following discipline assessed by the OEOC panel: 2 years suspension, followed by 2 years probation during which they are excluded from playing with one another in ACBL sanctioned games, and forfeiture of 25% of total Masterpoints®. The parties will be Members Not in Good Standing for the duration of their discipline. The Committee modified the discipline imposed by the OEOC panel and clarified terms of probation. Accordingly, Mr. and Ms. Farrar will each be suspended for a period of one year beginning May 13, 2023. Each will serve a period of two years probation following their suspension, a condition of which is they are prohibited from playing with each other in ACBL sanctioned games during the entirety of the probationary period. Each will forfeit 25% of their total Masterpoint® holding. They will be members “Not in Good Standing” during the period of their discipline.

In the Matter of Denis and Betty Taneri, the Committee upheld the finding of the OEOC Panel that they violated CDR 3.20 Cheating and other Ethical Violations (CDR effective March 1, 2015).

The Committee reviewed the following discipline assessed by the OEOC panel: one year suspension, followed by 5 years probation the first three years of which they are excluded from playing with one another in ACBL sanctioned games, and forfeiture of 25% of total Masterpoints®. The parties will be Members Not in Good Standing for the duration of their discipline.

The Committee modified the discipline imposed by the OEOC panel and clarified terms of probation. Accordingly, Mr. and Ms. Taneri will each be suspended for a period of two years beginning April 27, 2023. Each will serve a period of five years probation following their suspension, they are prohibited from playing with each other in ACBL sanctioned games during the first three years of the probationary period. Each will forfeit 25% of their total Masterpoint® holding. They will be members “Not in Good Standing” during the period of their discipline.

In the Matter of Marc and Cathy Nathan, the Committee approved the Negotiated Resolution entered into by the Parties in which 1) the Charging Party agrees to withdraw the single charge submitted December 5, 2022 against the Charged Party, CDR 3.20 Cheating and Other Ethical Violations (CDR effective January 1, 2020); 2) the Charged Parties agree that the charge submitted on December 5, 2022 is dismissed without prejudice; 3) the Charged Parties and the Charging Party agree to bear their own costs related to the charge submitted on December 5, 2022; 4) The Charged Party and the Charging Party waive their rights to a hearing before the ACBL Online Ethical Oversight Committee; 5) The Charged Parties waive their rights to further litigate, arbitrate or appeal this matter.

This report was received by the Board.

23S3-03 Reconsider 232-BR02 GNT Conditions of Contest

The Advisory Council submitted a motion to reconsider 232-BR02 GNT Conditions of Contest. The concern was the continued lack of a requirement for proctoring of remote sites in GNT District games.

The Board discussed the authority the district has in the GNT Conditions of Contest to make the decision to require proctoring.

The Board unanimously confirmed its original decision to accept the GNT Conditions of Contest as voted on during the July 2023 regular meeting.

23S3-04: Election Procedures – Board Administration

Chapter IV, Board Procedures, A. Administration, Section 3-Elections was modified as follows:

Section 3 – Elections

3.1 Nominations

- 3.1.1 An eligible ACBL Board member desiring to be a candidate for an ACBL Board officer position, 401k Trustee, or ACBL nominee to the WBF Executive Council shall declare his own nomination by notifying the Director of Elections via email.
- 3.1.2 An ACBL member in good standing desiring to be a candidate for a position elected by the ACBL Board of Directors that is not listed in 3.1.1 above shall declare his own nomination by notifying the Director of Elections via email.
- 3.1.3 Candidates may declare interest in running for more than one position. Candidates are required to declare their interest in an elected position by submitting a declaration of intent, not to exceed one page, to the Director of Elections via email at least ten business days in advance of said election. In addition, candidates may submit a resume if desired. If there are no declared candidates for a position by the deadline, then and only then will nominations from the floor be accepted.
- 3.1.4 A person elected by the Board of Directors may only serve as ACBL President, Vice-President, Treasurer, or 401K Trustee if he is also serving as a member of the Board of Directors.

3.2 Voting Procedures

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- 3.2.2 Elections for ACBL Board officer positions shall be conducted in the following order: President, Vice-President, Treasurer. Candidates who have formally declared their interest to the Director of Elections in more than one of these positions and who are not elected may retain or withdraw their candidacy for successive elected positions.
- 3.2.3 For all elected positions, if there is only one declared candidate for a position, no vote is necessary; the declared candidate is deemed elected.
- 3.2.4 For all elected positions, if there is more than one declared candidate for a position, an election will be held. The candidate receiving the majority of votes cast is elected.
 - 3.2.4.1 If the vote is tied after the first ballot, each candidate (or a proxy speaker if the candidate for a non-Board-officer position is not present) will be given two minutes to address the board and the vote will be retaken after a short break.
 - 3.2.4.2 If the vote is tied after the second ballot, a third vote will be taken no later than the end of that same day.
 - 3.2.4.3 If the vote is still tied after three ballots, the tie will be broken by a coin flip by the Director of Elections, with heads being assigned to the candidate whose last name is alphabetically first.
- 3.2.5 If more than two candidates run for a Board officer, 401K Trustee, or Representative to the WBF Executive Council position, and neither receives a majority of the votes cast, then the field shall be reduced to two candidates. The candidate(s) receiving the lowest number of votes cast, shall be eliminated and a run-off election will be held between the top two.
- 3.2.6 When two or more candidates declare for the two positions of ACBL NABF Representative, the two candidates receiving the majority of votes cast are elected. In the unlikely event of a tie among all candidates, the process detailed in 3.2.4.1 through 3.2.4.3 will be used until there are two clear winners.

Carried unanimously
Effective October 2, 2023

23S3-05: Hall of Fame Operating Procedures – Nomination Criteria for Open Award

Codification Appendix 4-D2, Hall of Fame Operating Procedures, was amended as follows:

4. Nomination Criteria, Rules and Procedures

Nomination Criteria

Open Award

The ACBL Hall of Fame Open Award shall be given annually to ~~living~~ individuals who have achieved prominence in the game of bridge and have an outstanding tournament record. Living nominees must have attained the age of 60 by January 1st of the year of the induction ceremony. They shall be elected by electors, as described in Section 5 below.

Carried unanimously
Effective immediately

23S3-06: Bylaws - Membership Meeting First Reading

Bylaws Article 4.1 be amended.

4.1 Time and Place. An annual membership meeting shall be held during the Summer North American Bridge Championships. The meeting may be held at a physical location and/or online. Notice of the date, time, place (if held at a physical location), and agenda of the meeting shall be published in the official publication of the ACBL not less than thirty (30) days nor more than sixty (60) days prior to the meeting.

Carried unanimously
Effective immediately upon ratification by the Advisory Council

Discussion Item DI23S3-01: NAP/GNT Grass Roots

Mark Aquino prepared materials for the Board to review regarding the current fund distribution for GNT and NAP. He addressed the history of participation and requested the Board to consider adding a fourth flight to the NAP. The Board will review the material and be prepared to discuss it in Atlanta.

The meeting adjourned at 4:44 p.m. ET.