

MINUTES
THE BOARD OF DIRECTORS OF
THE UNITED STATES BRIDGE FEDERATION
WEDNESDAY, MARCH 17, 2021
6:30 PM EDT
BY ZOOM CALL

Directors Present: Kate Aker, Mark Aquino, Lynn Baker, Dave Caprera, Steve Garner, Aaron Silverstein, Sheri Winestock,

Others Present: Jan Martel, Brad Moss, Josh Parker, Marty Harris, Julie Arbit,

I. CALL TO ORDER

The meeting was called to order by President Brad Moss at 6:30 pm EDT.

II. WAIVER OF 48 HOURS NOTICE FOR MEETING

Consent of all board members given to waive 48-hour notice for a board meeting.

III. NEGOTIATED RESOLUTION

Kate moves to approve the negotiated settlement with Curtis Cheek and the statement of discipline thereof. Once approved, Jan Martel is authorized to sign on behalf of the USBF. Dave Caprera seconds. Motion carries unanimously.

IV. NEW BUSINESS

Alex Kolesnik has taken over organization of the USBF Junior Training Program organization from Michael Rosenberg. A committee met by Zoom to discuss transitioning leadership, program organization and training formats, the scheduled upcoming championship in Salsomaggiore, and implications for the junior trials timeline.

V. DOCUMENTS ATTACHED TO MINUTES: NEGOTIATED RESOLUTION, CONFESSION AND SUMMARY FOR USBF WEBSITE.

VI. ADJOURNMENT

Meeting adjourned at 7:13pm EDT.

NEGOTIATED RESOLUTION BETWEEN CURTIS CHEEK AND USBF

THIS NEGOTIATED RESOLUTION, dated this ___ day of March 2021, is by and between Curtis Cheek (“Cheek”), an individual with a residence address of 1913 Bluejay Circle, Las Vegas, NV 89146, and the United States Bridge Federation (the “USBF”), a not-for-profit Tennessee corporation with a place of business at 1511 Portola St, Davis, CA 95616.

WITNESSETH

WHEREAS, Cheek is a member of the USBF; and

WHEREAS, the USBF ran an online Bridge tournament, the USBF Invitational 1 (“INV-1”), from May 30, 2020 through June 3, 2020; and

WHEREAS, Cheek played in INV-1; and

WHEREAS, based upon player allegations that Cheek had self-kibitized, the USBF Ethics Investigation Committee (the “EIC”) commenced an investigation into Cheek’s bidding, play and defense in INV-1; and

WHEREAS, if the USBF were ultimately to find Cheek guilty of self-kibitizing, he could be expelled therefrom and could receive a lifetime ban on re-applying for membership; and

WHEREAS, Cheek desires to confess to self-kibitizing before the EIC concludes its investigation; and

WHEREAS, the USBF is willing to agree to lesser sanctions in recognition of his Confession, a copy of which is attached hereto as Exhibit A (his “Confession”);

NOW, THEREFORE, based upon the above recitations and other good and valuable consideration, the adequacy of which are hereby acknowledged, it is agreed as follows:

1. Cheek hereby admits that he self-kibitized during INV-1 in violation of the Laws of Duplicate Bridge, the Conditions of Contest of INV-1, the USBF Competitor’s Agreement, duly signed by Cheek, and the rules and regulations of the USBF. He understands that, by entering into this Negotiated Resolution, he gives up his right to a formal hearing at which he would have had the following rights: (1) to have a hearing panel determine whether he was guilty or not, and (2) to present any defense he might have, including the right to submit evidence in his defense. Cheek further understands and agrees that he is giving up his right to further appeal, arbitrate or litigate this matter.
2. Cheek hereby authorizes the USBF to post his Confession on its website and to send a copy of his Confession to such organizations, including but not limited to other bridge organizations (such as the World Bridge Federation), as it, in its sole discretion, deems appropriate or necessary.
3. From the date hereof through June 30, 2022, Cheek is hereby suspended as a member of the USBF and shall not be eligible to compete in any Bridge competition or event sanctioned, sponsored or run by the USBF or to participate in any other Bridge tournament or event that requires the approval of the USBF or that requires Cheek to be a member in good standing of the USBF.

NEGOTIATED RESOLUTION BETWEEN CURTIS CHEEK AND USBF

4. From July 1, 2022 through June 30, 2025, Cheek will be on probation with the USBF. In addition to the usual terms of probation, Cheek shall not be eligible:
 - A. Until January 1, 2024, to compete in any USBF United States Bridge Championship (each, a "USBC") or to represent the USBF in any World Bridge Championship;
 - B. Until January 1, 2025, to compete in the Open USBC;
 - C. Until January 1, 2025, to serve as a non-playing captain of any USBF Bridge team;

Except as set forth in Sections 4.A through C above, Cheek shall be deemed to be a member in good standing of the USBF during the probationary period, assuming no independent violations of the terms of probation, and the USBF shall confirm that status to any bridge entity that requests confirmation.

5. If, after the date hereof, Cheek publicly withdraws or disavows his Confession, paragraphs 3 and 4 of this Negotiated Resolution shall become null and void and Cheek will be deemed expelled by the USBF. All other provisions of this Negotiated Resolution will remain in full force and effect.
6. Cheek shall not challenge the fairness of the process used by the USBF or dispute the reciprocal discipline imposed by the ACBL.
7. Cheek has read this Negotiated Resolution and has had the assistance and advice of counsel from Maciej Klis of the Law Office of Maciej Klis, ul. Smolki 11A, 30-513 Krakow, Poland. Cheek has discussed his Confession and this Negotiated Resolution with Mr. Klis as well as with such of his friends and family as he chose, and he fully understands this Negotiated Resolution and the implications of his Confession. He is fully satisfied with the Negotiated Resolution and with the way the USBF has handled this case.
8. This Negotiated Resolution may be amended, supplemented or modified only by a written agreement executed by all parties.
9. This Negotiated Resolution constitutes the entire agreement among the parties hereto with respect to the subject matter hereof, superseding any and all prior negotiations, discussions, agreements and understandings, whether oral or written, relating to such subject matter.
10. This Negotiated Resolution may be executed by the parties hereto in counterparts, or by separate signature page or instrument, each of which shall be considered an original, and all of which shall together constitute one and the same agreement.
11. This Negotiated Resolution shall be governed by, and construed in accordance with, the laws of the State of New York, without regard to principles of conflict of laws.

WHEREFORE, this Negotiated Resolution is entered into as of the date first written above.

NEGOTIATED RESOLUTION BETWEEN CURTIS CHEEK AND USBF

Curtis Cheek, ACBL #K931060

THE UNITED STATES BRIDGE FEDERATION

By: _____
Jan Martel, Chief Operating Officer

ACBL Agreement to honor this Negotiated Resolution

The American Contract Bridge League, a not-for-profit New York corporation ("ACBL") agrees to honor the discipline imposed by this Agreement. Therefore:

1. From the date hereof through June 30, 2022, Cheek is hereby suspended as a member of the ACBL and shall not be eligible to compete in any Bridge competition or event sanctioned, sponsored or run by the ACBL.
2. From July 1, 2022 through June 30, 2025, Cheek will be on probation with the ACBL, and will not be an ACBL member in good standing.
3. If, after the date hereof, Cheek publicly withdraws or disavows his Confession, paragraphs 1 and 2 of this Agreement to honor the Negotiated Resolution shall become null and void and Cheek will be deemed expelled by the ACBL.

THE AMERICAN CONTRACT BRIDGE LEAGUE

By: _____
Joe Jones, Executive Director

Curtis Cheek Discipline after Negotiated Resolution

USBF DISCIPLINE IMPOSED

The USBF and Curtis Cheek have reached a Negotiated Resolution based upon Cheek's confession that he cheated during the USBF INV-1. Accordingly, the USBF has imposed the following discipline:

1. Curtis Cheek is not eligible to compete in any United States Bridge Championship or to represent the USBF in any World Bridge Championship until January 1, 2024.
2. Curtis Cheek is not eligible to compete in the Open United States Bridge Championship until January 1, 2025.
3. Curtis Cheek is suspended by the USBF from July 1, 2020 through June 30, 2022, and is not eligible to compete in any other online or in-person USBF events during this time (e.g., JLALL or Invitational events).
4. Curtis Cheek is on probation with the USBF from July 1, 2022 through June 30, 2025.
5. Curtis Cheek is not eligible to serve as a non-playing captain of any USBF Bridge team until January 1, 2025.

CURTIS CHEEK'S CONFESSION

An apology to fellow competitors

In June, 2020 I played in an online tournament hosted by the USBF, now called INV-1. I cheated and would like to apologize to my fellow competitors. Daniel Korbel and I had a history of playing on the same teams with common partners, just not with each other. This tournament was open notes and was originally called a Practice Trials so Daniel and I did not take our preparation as seriously as we should have. The outcrop of this was that rather than dig through my notes when I couldn't remember our agreements or if we even had one I occasionally yelled at my vugraph junkie wife, Phyllis, to make sure we were on the same page. While I was playing she would typically be watching my match on her phone, cycling through every other match on her laptop, and be watching three recorded TV shows at the same time.

In one instance I remember Daniel overcalling LHO's 1NT with 2S. Although I was sure we'd discussed it I couldn't remember if we had agreed to change from 2D showing a good 2M overcall and 2M showing a bad one to 2D showing any major 1-suiter and 2M showing a Major-minor 2-suiter (which we soon did). Instead of searching my notes I yelled at Phyllis 2 rooms away, "is he 1-suited or 2-suited?". When she answered 1-suited I knew he was playing the former. I had a 3-card limit raise, so passed, and Daniel went plus. Had I been unsure of his hand type I probably would have raised and gone minus. I never went through our notes to see if they reflected that agreement, but the point is I didn't have to. Nor did I take the risk that Daniel had gotten it wrong.

Unfortunately, these indiscretions paved the way to looking at some deals in real time (self-kibitzing), though in no way did I cheat on every hand. I took advantage of unauthorized information in the event, and I am really sorry. The bridge world has been my second family for over 40 years, and I deeply apologize for my actions, which do not represent who I am.

Given my actions, I also voluntarily relinquish the 2019 Lazard Sportsmanship Award that I was honored with.

I apologize to my competitors for having taken advantage of illegal knowledge of the hands. Again, I realize this was cheating and I'm sorry it took this long to come clean.