

Decision no. 30 of the Special Ethics Committee

Members of the Committee: Adv. David Fohrer, Committee Chairman

Adv. Asher Axelrod

Mr. Modi Kenigsberg

Mr. Eitan Levy

Mr. Adrian Shwartz

Decision

1. On August 7, 2016, the Committee's decision was given (Decision no. 29) in which it was held that Mr. Lotan Fisher and Mr. Ron Schwartz engaged in fraud by transferring prohibited information to one another by means of board placement.
2. Parties wishing to do so were given the opportunity to submit their opinions regarding the sanctions to be imposed upon Mr. Fisher and Mr. Schwartz. The Committee received responses on behalf of the Israel Bridge Federation (Hereinafter: "**IBF**") as well as on behalf of two additional individuals.
3. The IBF Stated that it has complete faith in the Committee's decision, whatever it may be.
4. In the additional submissions made to the Committee, the Committee was asked to give weight to the earlier disciplinary incidents with regards to Mr. Fisher and Mr. Schwartz, to the harm caused to other players who played against both Mr. Fisher and Mr. Schwartz, including; lost victories, staining the good name of Israeli bridge in Israel and the world, the harm to the IBF's reputation, to the fact that throughout this entire period the pair pled innocence and did not express regret for their actions, and more.
5. These submissions were provided to both Mr. Fisher and Mr. Schwartz for review and they were given an opportunity to respond to them.
6. Both Mr. Fisher and Mr. Schwartz submitted separately their response to the sanctions that are to be imposed upon him.

7. Mr. Fisher emphasized his past in the world of bridge, his love of the game. He asked that consideration be given to the doubt which he claims remains as to the element of fraud, to the financial and psychological harm he sustained throughout the proceedings, the expected financial harm and to the future damage to be caused to his future professional career, his cooperation with the IBF during these proceedings expressed, *inter alia*, in his desire to keep the matter in the hands of the IBF and not the court, his right to return to playing bridge in the future and to prove that this matter will not recur, his expressing deep regret for tarnishing the image of Israeli bridge in Israel and the world, and the fact that a long-term ban is bound to cause him to lose forever the thing he knows best to do and most important to him.
8. Mr. Schwartz described his past in the world of bridge as a player, an instructor, a certified tournament director and as a coach. He expressed his motivation to contribute to the advancement and development of bridge in Israel; in bridge clubs, as well as with young players. Mr. Schwartz asked that the Committee take into account that he has not been actively playing bridge since the end of August 2015, and an additional period of time will be required - if at all - before he returns to playing in the international arena, considering all of the above he asks to return to playing bridge in Israel as soon as possible (not with Mr. Fisher as his partner).
9. The Committee held several discussions regarding the sanctions to be imposed on Mr. Fisher and Mr. Schwartz.
10. The members of the Committee unanimously agreed that serious acts were committed which require significant sanctions in order to achieve the objectives of retribution, prevention, deterrence and justice. As well, all of the Committee members agreed that there was a significance to the fact that both Mr. Fisher and Mr. Schwartz were previously found separately guilty of disciplinary offenses; and suspension periods were imposed on them in the past.
11. A review of Mr. Fisher's past disciplinary record includes in short, the following events:

In 2003, Mr. Fisher was found guilty of falsifying results and unsportsmanlike behavior and was suspended for a year. In the appeal with regards to the severity of the his punishment, it was decided that suspension from the Israeli championship finals would suffice, including as well a one-year conditional suspension.

In 2004, Mr. Fisher was found guilty of unsportsmanlike behavior for which he was suspended for a month, including suspension from an international competition which took place in Tel Aviv and the suspension was extended conditionally for an additional year.

In 2005, Mr. Fisher was found guilty of cheating and unsportsmanlike behavior and as a result, he was suspended for two years from all activities within the IBF and was suspended for 18 months from all activities relating to the Israeli national team in addition to a conditional suspension for five years.

12. Mr. Schwartz's disciplinary history consists of an event in 2005 regarding falsifying results. As a result of this event, Mr. Schwartz was suspended for one year from all activities within the IBF, he was suspended for two years from all activities related to the Israeli national team in addition to a conditional suspension for five years.
13. The actions of Mr. Fisher and Mr. Schwartz are serious and shameful. Both Mr. Fisher and Mr. Schwartz, through their actions have caused sorrow and have brought dishonor onto a large community of people. Mr. Fisher and Mr. Schwartz once again betrayed the trust placed in them.
14. The members of the Committee were divided with regards to the sanctions to be imposed on Mr. Fisher and Mr. Schwartz. Below are the agreements and differences of opinion regarding the sanctions.

Ban from playing together - the Committee has decided unanimously that Mr. Fisher and Mr. Schwartz will be permanently banned from playing together within the IBF. The Committee has unanimously decided that this period may not be shortened, reduced or limited.

Ban from playing on Israeli national teams - the Committee has decided unanimously that Mr. Fisher and Mr. Schwartz (both together and individually) will be permanently banned from playing on Israeli national teams. The Committee has unanimously decided that this period may not be shortened, reduced or limited.

Ban from directing tournaments, bridge instruction or any other activity of this kind in any framework connected to the IBF - The Committee has unanimously decided that Mr. Fisher and Mr. Schwartz (both together and individually) will permanently not be permitted to direct tournaments, teach, instruct, train or take any action of a similar nature within the IBF or in connection therewith. The Committee has unanimously decided that this period may not be shortened, reduced or limited.

Ban from playing within the IBF - Regarding this matter the Committee members were of different opinions.

The position of the majority of Committee members - This position is decisive and constitutes the Committee's decision - both Mr. Fisher and Mr. Schwartz are to be permanently banned playing bridge within the framework of the IBF (this is in addition to the prohibition on them playing together, which was unanimously imposed by the Committee).

Nevertheless, ten years from commencement of the temporary suspension (09/24/15) Mr. Fisher and Mr. Schwartz may petition the IBF to reduce solely this component of the sanctions (but not with regards to the permanent ban imposed on them from playing together and not in relation to any of the other prohibitions specified above).

At that time, if a petition is submitted to shorten the component of the sanctions, the IBF will consider the petition and may or may not accept it.

During this period of time and until decided otherwise - to the extent it is otherwise decided after 10 years have passed - Mr. Fisher and Mr. Schwartz will not be allowed to renew their membership with the IBF.

The minority Committee opinion (two members) held that concerning this component, a ban from playing within the IBF for a period of five years would suffice, and that it would be appropriate to allow both Mr. Fisher and Mr. Schwartz to return to playing within the IBF (not together and not on Israel's national team) five years after commencement of the temporary suspension. The minority opinion held that this would achieve a proper balance between the seriousness of the acts on the one hand and compassion on the other. The minority opinion also found support for its position in the penalties imposed by the EBL (European Bridge League).

As aforesaid, in this matter, the decision rendered by the majority of the Committee members is the binding decision.

15. The Committee wishes to express before the community of bridge players its sorrow for the actions taken by both Mr. Fisher and Mr. Schwartz and thanks all those who have assisted in the Committee's work.



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Special Ethics Committee

February 14, 2017