

MOTIONS OF THE USCF EXECUTIVE BOARD IN FY 2008 – 2009

Note: M = Meeting, C = Conference Call, E = E-Mail, I = Internet Conference, O = Objections Procedure

Motion #	Sponsor	Date/Method	Subject	Disposition
EB09-001	Goichberg	08/10/08 M	Forum Sanction Expirations (See also 09-019)	PASSED 5-0
EB09-002	Goichberg	08/10/08 M	Add Korey Kormick and Allen Priest to FOC	PASSED 5-0
EB09-003	Board	08/10/08 M	Chess Coach Certification Program	PASSED 5-0
EB09-004	Board	08/11/08 M	Committee Chairs and Liaisons	PASSED 5-0
EB09-005	Goichberg	09/06/08 E	Appoint Michael Khodarkovsky as acting FIDE Delegate for the Dresden meeting	PASSED 4-0-2
EB09-006	Goichberg	10/02/08 O	Survey, Ratings, and US Open Committees	PASSED no obj
EB09-007	Goichberg	10/24/08 E	Extend Executive Director's contract for 2 yrs	PASSED 4-2
EB09-008	Goichberg	10/26/08 O	Add Denis Strenzwilk to US Open Committee	PASSED no obj
EB09-009	Bauer	10/26/08 O	Finance Committee named	PASSED no obj
EB09-010	Hall	10/27/08 E	Fund Profit Sharing Plan	PASSED 6-0
EB09-011	Board	11/01/08 M	Termination of Profit Sharing Fund	PASSED 6-0
EB09-012	Polgar, Truong	11/01/08 M	Key Employees	FAILED 2-4
EB09-013	Polgar	11/01/08 M	College Chess Committee	PASSED 4-0-2
EB09-014	Hall	11/01/08 M	TDCC	PASSED 6-0
EB09-015	Hall	11/02/08 M	Recognize Sam Shankland and Darwin Yang for their results in the World Youth	PASSED 6-0
EB09-016	Board	11/02/08 M	Norm Based Title System	PASSED 5-1
EB09-017	Board	11/02/08 M	Credit Towards Titles from Previous Events	PASSED 6-0
EB09-018	Bauer	11/02/08 M	Grand Prix points for US Open	PASSED 6-0
EB09-019	Goichberg	11/02/08 M	Amendment to EB01-001 re: Sanctions	PASSED 4-0-2
EB09-020	Polgar, Truong	11/02/08 M	Transfer Website to USCF Staff by 01/01/09	PASSED 6-0
EB09-021	Board, Hall	11/02/08 M	Thank Rachel and Myron Lieberman	PASSED 6-0
EB09-022	Board, Hall	11/02/08 M	Thank Patricia Knight	PASSED 6-0
EB09-023	Goichberg	11/18/08 E	Changes to AUG	PASSED 4-0-2
EB09-024	Goichberg	11/19/08 O	Rev. Scholastic Guidelines	PASSED No Ob
EB09-025	Polgar	12/29/08 E	Set up five funds	FAILED 2-3
EB09-026	Truong	12/29/08 E	Obtain travel discounts for the SuperNationals	FAILED 2-4
EB09-027	Polgar, Truong	01/06/09 E	Documentation of Motions	FAILED 2-4
EB09-028	Berry	01/07/09 E	G/30 and G/60 Championships	PASSED 4-1-1
EB09-029	Goichberg	01/09/09 E	Confidentiality of Awards Discussions	PASSED 4-2
EB09-030	Hall	01/15/09 E	Refer matter to Legal Subcommittee	PASSED 4-2
EB09-031	Goichberg, Bauer, Hough, Berry	02/07/09 M	LMA/ Operations Financial Arrangement	PASSED 4-2
EB09-032	Board	02/07/09 M	Benefactor Membership	PASSED 6-0
EB09-033	Goichberg	02/07/09 M	Adoption of New Forum Guidelines	PASSED 4-0-2
EB09-034	Goichberg	02/07/09 M	Add Harry Payne to the FOC	PASSED 4-2
EB09-035	Goichberg	02/07/09 M	Add Joshua Snyder to the FOC	PASSED 6-0
EB09-036	Board	02/07/09 M	Allen Priest is appointed as Chair of the FOC	PASSED 6-0
EB09-037	Goichberg	02/20/09 E	Establish Phil LeCornu Memorial Olympiad Fund	PASSED 6-0
EB09-038	Bauer, Hall	03/28/09 E	Book and Equipment Contract Subcommittee	PASSED 4-2
EB09-039	Hall	04/18/09 E	Legal Subcommittee	PASSED 4-0
EB09-040	Goichberg	04/20/09 E	Zonal President Applications	PASSED 4-2
EB09-041	Board	05/16/09 M	Privacy Policy	PASSED 4-0
EB09-042	Board	05/17/09 M	501 (c) (3) Resolution	PASSED 4-0
EB09-043	Board	05/17/09 M	Awards	PASSED 4-0
EB09-044	Board	05/17/09 M	Beatriz Marinello named FIDE Zonal President	PASSED 4-0
EB09-045	Board	05/17/09 M	Rating Fees for FIDE events	PASSED 4-0
EB09-046	Hall	07/06/09 C	Notice of possible EB Action re: Susan Polgar	PASSED 4-0
EB09-047	Hall	07/06/09 C	Notice of possible EB Action re: Paul Truong	PASSED 4-0
EB09-048	Hall	07/13/09 E	Quebecor Contract Extension	PASSED 4-2
EB09-049	Hall	07/31/09 E	Time and place for hearing	PASSED 4-0
EB09-050	Hall	07/31/09 E	Manager of hearing	PASSED 4-0
EB09-051	Berry	08/06/09 M	Litigation Resolution	PASSED 4-0
EB09-052	Bauer	08/06/09 M	Budget	PASSED 4-0

EB09-053	Hough	08/06/09 M	Revised Rule 1 for College Chess	PASSED 4-0
EB09-054				
EB09-055				

The following motions were voted at the Board meeting on August 10-11, 2008, in Dallas, TX:

EB09-001 – Goichberg – Level one and two sanctions must be imposed in the order that the posts were made. All sanctions expire after a period of time and the participant's sanction level drops. The expiration periods are:

A one day or one week sanction expires in 6 months, an indefinite or one year sanction expires in 1 year. **PASSED 5 – 0** (Bauer not present) Note: Please see the Forum Acceptable Use Guidelines (Appendix B, which was revised in February, 2009) for more details on infractions and sanctions.

EB09 – 002 - Goichberg - Add Korey Kormick and Allen Priest to the Forum Oversight Committee. **PASSED 5 – 0** (Bauer not present)

EB09 – 003 - Board - The Chess Coach Certification program is approved. **PASSED 5 – 0** (Bauer not present)

EB09 - 004 – Board – USCF Executive Board Committee assignments and appointments are affirmed as shown in Appendix A below.

Please note: In the interest of having all committees in the same place, Delegate appointed committees are included in the list for information only. They are shown at the start of Appendix A. Delegate appointed Committees choose their own chair. The Board only considered EB appointed committee chairs and liaisons. The committee list is included as Appendix A. We have received no Office Liaison information as of this time. A new committee has been added and some chairs have changed. No changes were made in other appointed positions. They are shown at the end of Appendix A.

US FIDE Delegate Don Schultz will be unable to attend the upcoming FIDE meeting in Dresden but is not resigning his position. Bill Goichberg offered the following motion by e-mail on September 06, 2008. The vote was complete by 09/08/2008.

EB09-005 – Goichberg – I move that we appoint Michael Khodarkovsky to be acting USCF delegate for the Dresden meeting. **PASSED 4-0-2** with Susan Polgar and Paul Truong abstaining.

Bill Goichberg moved the reappointment of the existing members of the Ratings, US Open, and Survey Committees by e-mail objections procedure on October 2. There were no objections. As there were no objections, the motion passed on October 7.

EB09-006 – Goichberg – I move by objections procedure that the Ratings Committee, US Open Committee, and Survey Committee continue with the same membership as last year. **PASSED** without objection.

Bill Goichberg moved by e-mail on October 24 to extend the ED contract for two years. The motion passed the same day.

EB09-007 – Goichberg – Moved, that the contract to extend Bill Hall's employment as Executive Director for two years beginning November 8, 2008, be approved. **PASSED 4-2** with Susan Polgar and Paul Truong opposed.

Two objections procedure motions involving committee assignments were made on October 21. They passed without objection on October 26.

EB09-008 – Goichberg – Add Denis Strenzwilk to the US Open Committee. **PASSED** without objection

EB09-009 – Bauer – The Finance Committee members are as follows: Chuck Unruh, chair, Allen Priest, CPA, Jon Haskel, CPA, Patrick Farley, CPA, Mike Swatek, Tim Redman **PASSED** without objection

Bill Hall moved by e-mail on October 24 to ask the LMA Committee for a 6 month loan to fund the Profit Sharing plan. The motion passed on October 27

EB09-010 – Hall– I move that the USCF Executive Board asks the LMA Committee to loan up to \$50,000 for up to six months at a 4% interest rate to Operations for the purpose of funding the USCF Profit Sharing Plan. **PASSED 6-0**

NOVEMBER, 2008 USCF EXECUTIVE BOARD MEETING

The Executive Board met in Nashville on Nov 1 and 2, 2008. All Board members were present in person except for Susan Polgar and Paul Truong who were present through a phone connection. Pat Knight, Mike Nolan, Mike Nietman, and Joe Nanna also attended the meeting. The following motions were made at the meeting.

EB09-011 - Executive Board - RESOLUTIONS FOR TERMINATION OF THE USCF PROFIT SHARING PLAN

RESOLVED, that the United states of America Chess Federation Profit Sharing Plan & Trust (the Plan”) to be terminated effective as of November 1, 2008 and that the Plan be liquidated and final benefit distribution be processed to all participants and beneficiaries as soon thereafter as may be administratively practicable.

FUTHER RESOLVED, that the Plan be amended to bring it into compliance with the statutory and regulatory changes commonly referred to as the “EGTRRA” requirements and that the Plan be further amended to incorporate and other changes the Internal Revenue Service may deem necessary for the written from of the Plan to be deemed a qualified plan upon termination.

FURTHER RESOLVED, that the Executive Director of the Corporation is hereby authorized to execute such documents and to perform such acts as he may deem appropriate and in the best interest of the Corporation to effect the amendment, termination and liquidation of the Plan and to otherwise implement the foregoing resolutions. **PASSED: 6 – 0**

EB09-012 - Susan Polgar, Paul Truong - Key Employees

At this time the only key employee truly identified that the USCF cannot operate without is Mike Nolan. Key employee insurance is reserved only for employees of an organization and not a contractor / consultant.

Seek to convert Mike Nolan to an employee and insure. If not financially possible then enter discussions with insurance agencies to determine if Mike Nolan can acquire the insurance himself and bill the USCF for it. Prior to this occurring, the USCF must be given guarantees that the insurance agency would provide the coverage and make USCF a beneficiary. Additionally prior to occurring factor in costs of the insurance being passed through by Mike Nolan, plus his consulting fees and determine if less than hiring him plus the direct cost of insurance to the USCF. **FAILED: 2 – 4** with Susan Polgar and Paul Truong in favor. Please note that Mike Nolan indicated that this type of insurance is usually not recommended.

EB09-013 – Polgar - College Chess Committee - Reappoint previous members of the College Chess Committee. Bill Hall offered a friendly amendment accepted by Susan Polgar to remove Gregory Alexander from the College Chess Committee. **PASSED 4-0-2** with Susan Polgar and Paul Truong abstaining.

EB09-014 – Hall - Add Joshua Snyder to the TDCC Committee and reappoint previous years’ members. **PASSED 6-0.**

EB09-015 – Hall - Move that the USCF recognizes and congratulates Sam Shankland for tying for 1st Place and receiving the Bronze Medal in the Under 18 section of the World Youth Championship. The USCF would also like to recognize Darwin Yang for his Bronze metal performance in the Under 12 section. **PASSED 6-0.**

EB09-016 - Executive Board - Norm based title system - To encourage more frequent play and provide cumulative recognition for life time achievement, USCF implements the norm based Titles System suggested by the Ratings Committee and approved by the Delegates. Each title requires 5 norms with a performance above the title level based on a formula (the shorter the event, the higher the required performance).

Titles available:

Senior Life Master (level 2400): Requires 5 norms plus current or former rating of 2400 or above.

Life Master (Level 2200): Requires 5 norms plus current or former rating of 2200 or above.

Candidate Master (Level 2000): Requires 5 norms plus current or former rating of 2000 or above.

1st Category (Level 1800): Requires 5 norms only.

2nd Category (Level 1800): Requires 5 norms only.

3rd Category (Level 1800): Requires 5 norms only.

4th Category (Level 1800): Requires 5 norms only.

The norm based title system shall begin by crediting all play recorded in our computer, which goes back to 1991.

Note: The title of “Original Life Master”, based on playing 300 games at a level of 2200 is continued without change. Players may achieve the Life Master title, Original Life Master Title, or both. **PASSED: 5 – 1** with Susan Polgar opposed

EB09-017 – Executive Board - The Executive Board asks the Ratings Committee in consultation with the office to investigate devising a procedure for awarding appropriate credit towards titles for results or ratings achieved prior to those in our

computer. The idea is that such credit would be assigned only on request and that the office would charge a research fee to cover costs. **PASSED 6-0**

EB09-018 – Bauer - The US Open shall award 300 Grand Prix Points. **PASSED 6-0**

EB09-019 – Goichberg – Amend EB09-001 - Level one and two sanctions must be imposed in the order that the posts were made. All sanctions expire after a period of time and the participant's sanction level drops. The expiration periods are:

A one day or one week sanction expires in 6 months, and indefinite or one year sanction expires in 1 year.

- 1) Omit "Level one and two"
- 2) Add "after the sanction went into effect" after "period of time" **PASSED 4-0-2** with Susan Polgar and Paul Truong abstaining.

EB09-020 – Polgar, Truong – Website - The Executive Director and USCF Web Site contractor are to develop and execute a 2 month plan for completion and transfer of control and maintenance of the USCF Web Site to the USCF staff. Finalization is to occur by January 1, 2009. **PASSED 6-0.**

EB09-021 – Executive Board, Hall - The Executive Board and Bill Hall would like to thank Rachel and Myron Lieberman for their years of dedication and service to the USCF, past, present, and future. **PASSED 6-0.**

EB09-022 – Executive Board, Hall -The Executive Board and Bill Hall would like to thank Pat Knight for her assistance with the planning of the Executive Board meeting, during the meeting, and tour of the Gaylord Opryland Resort and Convention Center. **PASSED 6-0.**

ACTION ITEMS FROM THE NOVEMBER MEETING

JN09-001 – CFO – The CFO is to provide upon immediate receipt of monthly financial reports, copies of financial worksheets to all members of the Executive Board and Finance Committee.

JN09-002 - CFO – Membership Reports should be sent with more detail to the Executive Board.

BHJN09-001- The ED and CFO will create, distribute, and implement a policy statement, supportive processes, and procedures for the handling of deferred memberships and to ensure an accurate monthly schedule is provided in tandem with monthly USCF financial reports.

BH09-002 – The ED will look into offering Military discounts for USCF membership.

BH09-003 – The ED will pursue the possibility of seeking volunteers to seek sponsors and grant writing.

Please note: These Action Item numbers are sequential for the year. BH09-001 was agreed to at the August meeting.

Mike Nolan suggested changes that should be made to the Acceptable use guidelines (AUG) for the forums. Bill Goichberg moved their adoption on 11/14/08 by e-mail. The motion passed without on 11/18/08.

EB09-023 – Goichberg The Executive Board modifies the Acceptable Usage Guidelines (AUG) for the USCF Forums as follows:

Posts to the Forums which contain links to external sites with filings in pending legal actions involving the USCF are acceptable under the AUG if all of the following apply:

1. The subject heading does not violate the AUG.
2. The contents of the post other than the link do not violate the AUG.
3. When displayed, the content of the legal filing in the link appears to be complete and unmodified. This means, for example, that addresses and other personal information, if part of the legal filing, do not need to be redacted.
4. If the link is to a site maintained by or on behalf of the USCF, the court (including 3rd party reporting services) or any of the lawyers representing any of the parties involved in the legal action, the link is by definition acceptable.
5. If the link is to a site other than one maintained by or on behalf of the USCF, the court (including 3rd party reporting services) or any of the lawyers representing any of the parties involved in the legal action, the document should appear to be complete and unmodified. The moderators may use their personal judgement to decide if such a link is acceptable.
6. Bringing up the link does not bring up anything other than the legal filing which would violate the AUG. For example, any discussion of or commentary on the legal filing on that page must be in compliance with the AUG. Any subsequent

discussion of the legal filing on the Forums still needs to remain within the AUG. **PASSED** 4-0-2 with Paul Truong and Susan Polgar abstaining.

Mike Nietman provided a revised set of Scholastic Regulations to the Board. The revision documented the changes that the Board requested at the meeting. Bill Goichberg moved on Nov. 14, 2008, that the revised Scholastic Regulations be adopted. The motion passed on Nov. 19, 2008. The revised regulations can be found online.

EB09-024 – Goichberg - I move that we approve them (the revised Scholastic Guidelines) by 5 day objections procedure. **PASSED** with no objections.

The next two motions were submitted and discussed through e-mail.

The first (EB09-025) was sponsored by Susan Polgar on December 18 and would set up five funds with separate committees appointed to oversee them. The other (EB09-026) was sponsored by Paul Truong and would require the Executive Director to locate airline discounts for travel to the SuperNationals. Executive Director Bill Hall indicated that he had already agreed to do that as an action item and, in fact, had already contacted some airlines. He said that a motion was not needed because it is already being done and asked the sponsor to withdraw the motion. The sponsor did not withdraw the motion. Both motions failed.

EB09-025 – Polgar - Motion to create the following five (5) funds:

- * U.S. Championship (Open and Women) Fund
- * U.S. National Scholastic Championships Fund
- * U.S. Aspiring Chess Professionals Fund
- * U.S. Olympiad Fund
- * U.S. World Championship Fund

Donations, sponsorships, and estate bequests made to these funds are forbidden to be utilized for general operations, pension, employee benefits, or legal expenses of the USCF.

Each fund will consist of 4 committee members plus the Executive Director of the USCF. Committee members will be voted upon by the delegates at the annual meeting of delegates every third year from the time of inception of the funds. Each fund will carry its own individual bank account with dual signatory requirement (committee head and Executive Director).

All minutes of committee meetings are to be made available (via USCF website) to any USCF member in good standing within 72 hours after committee meeting has adjourned. No more than 25% of each fund can be invested in stocks (75% must be kept in low risk financial instruments).

No sitting USCF Executive Board member can be part of any committee. No committee members, except for the USCF Executive Director, may be seated to more than one of the four committees. The USCF Executive Director is the liaison between the committees and the Executive Board and may voice the opinions / concerns of the USCF EB.

Prior to seating committee members, exploratory committees to be created to expand upon the purpose, goals, and guidelines for each. Exploratory committees to be created by the Feb 2009 EB meeting. Exploratory committee reports due by the May or June 2009 EB meeting. Nominations for committee members due by the printing of the delegates call for the August 2009 Annual Meeting of Delegates. Voting to occur by the delegates at the August 2009 Annual Meeting of Delegates. **FAILED 2-3** with Susan Polgar and Paul Truong in favor and Bill Goichberg, Jim Berry, and Randy Hough opposed. No vote was received from Randy Bauer.

EB09-026 – Truong - Given the current state of the economy and wanting to assist with reasonable travel rates in order to make Supernationals as affordable to all scholastic families as possible, I move that the ED or volunteer(s) selected by the ED make contact with various national and regional airline carriers to investigate the potential for USCF discount programs for the Supernationals.

The individual(s) contacting the airline carriers would need specific information on past Supernationals in order to relay statistics to the airline carriers. Some vital information would include but not be limited to: break down of out of town travelers (out of town in relation to the venue) by state and if possible by city. This is vital to the success of the upcoming Supernationals. **FAILED 2-4** with Susan Polgar and Paul Truong in favor and Bill Goichberg, Randy Bauer, Randy Hough, and Jim Berry opposed.

Susan Polgar and Paul Truong cosponsored a motion by e-mail vote on January 6, 2009, to include the votes and the reasoning behind each Board member's vote in the minutes.

EB09-027 – Polgar, Truong - We move that upon completion of voting on motions made by the EB members, a summation of the vote (who voted, how, and who did not vote) along with the reasoning behind each persons vote will be compiled and added to the USCF corporate minutes. **FAILED 2-4** with Susan Polgar and Paul Truong in favor and Bill Goichberg, Randy Bauer, Randy Hough, and Jim Berry opposed.

Jim Berry moved by e-mail on January 7, 2009, to award the G/30 and G/60 championships to Sevan Muradian for five years if the ED has not already awarded it. The motion was amended on January 9, 2009 by Randy Hough, accepted by the sponsor, to authorize the ED to negotiate a five year contract with Sevan Muradian for the G/60 and G/30.

EB09-028 – Berry - USCF EB approves the 5 year bid for the G/60 & G/30 Championships for Sevan Muradian and authorizes the ED to negotiate a five year contract with Sevan Muradian for the G/60 and G/30. **PASSED 4-1-1** with Randy Bauer opposed, Bill Goichberg abstaining.

Paul Truong moved by e-mail on January 8, 2009, to make all confidential BINFOs and recordings public. Bill Goichberg offered an amendment to make only 2008 awards discussions public. The amendment was not accepted, however it passed by a 4-0 vote. Another amendment was proposed by Paul Truong to make awards discussions for 2006, 2007, and 2008 public. The amendment was not accepted and it failed to pass by a 2-4 vote with Susan Polgar and Paul Truong in favor. The final vote was on the wording of the Goichberg amendment as follows:

EB09-029 – Truong/Goichberg – USCF open up all 2008 confidential awards discussions and make them available for all USCF members to examine. **PASSED 4-2** with Susan Polgar and Paul Truong opposed.

Bill Hall introduced a motion to refer the Chess Cafe/USCF Sales issue to the Legal Subcommittee.

EB09-030 – Hall – Matters relating to Chess Cafe and USCF Sales be referred to the USCF Legal Subcommittee with the power to act on behalf of the Executive Board. **PASSED 4-2** with Susan Polgar and Paul Truong opposed.

A meeting was held by teleconference on February 7. All Board members were present. The following motions arose:

EB09-031 – Goichberg, Bauer, Hough, Berry – Operations will use part of the LeCornu bequest by some amount in the \$100,000-\$150,000 range. The LMA Committee will make available the same sum from the Oberweis ac count as an ongoing line of credit to Operations. It can be drawn from starting June 1 of each year and must be fully paid down, including interest, by May 1 of the following year. This will be a fixed, ongoing arrangement. Operations will pay to the LMA an interest rate 1% less than the prevailing bank rate to a line of credit (last I heard it was about 8%). The prevailing rate will be determined by agreement between the staff liaison to the LMA (currently Joe Nanna), the Chair of the LMA Investment Sub-Committee (currently Fred Townsend), and either the Chair or the Vice-Chair of the LMA (currently Redman and Dubeck). The further advantage of this arrangement is that we're paying interest to ourselves, instead of to a bank. **PASSED 4-2** with Susan Polgar and Paul Truong opposed.

EB09-032 – Board - USCF initiates a Benefactor Membership at cost of \$3000, which will be a life membership including a permanent hard copy of Chess Life option. The revenue from Benefactor Memberships will be split evenly between Operations & LMA. Benefactor Members will be listed on the USCF website and periodically in *Chess Life* magazine. Existing Life Members will be credited with \$1500 toward a Benefactor Membership so they can convert from Life to Benefactor Membership for \$1500. **PASSED 6-0**.

EB09-033 – Goichberg - Moved that the following forum guidelines be adopted. **PASSED 4-0-2** with Susan Polgar and Paul Truong abstaining. Please note: The new guidelines can be found in the revised Appendix B.

EB09-034 – Goichberg – Add Harry Payne to the Forum Oversight Committee (FOC) **PASSED 4-2** with Susan Polgar and Paul Truong opposed.

EB09-035 – Goichberg – Joshua Snyder will be added to the Forum Oversight Committee (FOC). **PASSED 6-0**

EB09-036 – Goichberg – Allen Priest is appointed to serve as Chairman of the FOC. **PASSED 6-0**.

The Board voted by e-mail on February 20, 2009, to recognize the late Phil LeCornu for his generous bequest and establish and

provide funding for a Phil LeCornu Memorial Olympiad Fund.

EB09-037 – Goichberg – To recognize the late Phil LeCornu for his generous bequest and to provide a perpetual source of financing to support the US Olympiad Team and US Women's Olympiad Team, USCF establishes the Phil LeCornu Memorial Olympiad Fund and will allocate \$50,000 towards this fund in 2009.

Each two years, when the Chess Olympiad is held, up to 10% of this fund shall be available for payment of Olympiad expenses or honoraria. If a US Team qualifies to play in the World Team Championship or World Women's Team Championship, up to 4% of this fund per team shall be available for payment of those expenses or honoraria.

The fund shall be invested according to recommendations made by a committee appointed by the USCF Executive Board.
PASSED 6-0.

Randy Bauer moved by e-mail on March 23, 2009, that The USCF EB appoint a subcommittee consisting of Bill Goichberg, Jim Berry and Bill Hall to make recommendations to the EB on a new contract for the books and equipment franchise for the USCF. Bill Hall offered an amendment to clarify the function of the subcommittee. The sponsor accepted the amendment, which added explanatory wording. The final wording was as follows. The motion passed on April 5, 2009

EB09-038 – Bauer / Hall - The USCF EB appoint a subcommittee consisting of Bill Goichberg, Jim Berry and Bill Hall to make recommendations to the EB on a new contract for the books and equipment franchise for the USCF. The committee be authorized to select the best bid and sign a letter of intent with the entity offering the winning bid, which would allow us to conduct exclusive negotiations leading to a finished product contract to be presented to the EB for a final vote. This would allow us to start up the business of USCF Sales as quickly as possible giving the bidder an initial period in order to begin selling and allow us to maintain a cash flow of commissions. I suggest June 1 for a contract start date because it would match our fiscal year, give us time to make sure we have a good contract, provide a nearly two month period for the new vendor to get up to speed before any guarantees or performance clauses kick in, and provide time for residual mail orders going to Connecticut to wind down. The key is to minimize the down time for USCF Sales (presently expected to be about one week), and to provide confidentiality of the bids for the individuals submitting. **PASSED 4-2** with Susan Polgar and Paul Truong opposed.

Bill Hall moved by e-mail on April 18, 2009, to ratify actions of the Board's investigative subcommittee to and formally create a legal subcommittee which consists of the same members and to clearly define its function. The motion passed on April 23, 2009.

EB09-039 – Hall - WHEREAS, the United States of America Chess Federation, Inc. (“USCF”) was sued in 2007 by Sam Sloan alleging, among other things, that Executive Board member Paul Truong (“Truong”) had defamed Sam Sloan in Internet postings, and as a result of such litigation the USCF need to investigate the alleged wrongdoing of Truong;

WHEREAS, starting in 2007 and continuing into mid-2008, the USCF received multiple threats of litigation by Executive Board member, Susan Polgar (“Polgar”), who is married to Truong;

WHEREAS, in August of 2008, Polgar sued the USCF and all of the Executive Board members, except for Truong, in Lubbock County, Texas;

WHEREAS, Polgar and Truong have been accused of engaging in very serious misconduct that potentially exposed the USCF to significant liability;

WHEREAS, due to allegations against Truong, the conflict of interest of Polgar being married to Truong, the potential conflict of interest created by Polgar’s threats and Polgar’s later litigation against the USCF, and due to the issues created by the Sloan and other litigation, the USCF needed (i) legal counsel to investigate the claims being made against Truong, (ii) legal counsel to defend the USCF in litigation against Polgar, and (iii) legal counsel to advise the USCF about matters related to the Sloan litigation and threats by Polgar, and (iv) confidentiality in consultations with counsel on issues related to all of the foregoing;

WHEREAS, Article VII, Section 3B of USCF Bylaws authorizes the Executive Board “to appoint such subcommittees of the Board or committees as it deems appropriate”;

WHEREAS, at a meeting of the Executive Board on November 4, 2007, a majority of the Executive Board authorized the creation of a subcommittee to address allegations made by Mr. Brian Mottershead (i.e. the Mottershead Report), which is at the core of the Sam Sloan litigation and related to litigation filed in California against at the time unknown criminal actors;

WHEREAS, pursuant to Article VII, Section 4 of the USCF Bylaws, the Executive Board has authority to hire legal counsel;

WHEREAS, the subcommittee which is made up of a majority of the Executive Board approved the hiring of the law

firms of Kronenberger Burgoyne, LLP, Hirsch & Westheimer, P.C., Giffin, Winning, Cohen & Bodewes PC and Jones, Flygare, Brown & Wharton, P.C., for the above purposes;

WHEREAS, the subcommittee made of a majority of the Executive Board authorized (i) defending the USCF in litigation filed by Polgar,(ii) filing a “John Doe” action to determine the identity of, at the time, unknown criminal actors who had gained unauthorized access to Executive Board emails, and (iii) filing an action in Illinois court seeking the removal of Polgar and Truong from the Executive Board;

WHEREAS, the USCF Delegates on August 8, 2008 ratified all the prior actions of the Executive Board;

WHEREAS, on December 16, 2008, a majority of the Executive Board acting as the subcommittee ratified (i) the defense of the USCF in Texas litigation initiated by Polgar, (ii) the Doe litigation (as filed and as later amended) in California and (iii) the litigation in Illinois seeking the removal of Truong and Polgar;

WHEREAS, on April 13, 2009, the Honorable Marilyn Patel, presiding in the case of *USCF v. Polgar, Alexander*, in District Court for the Northern District of California, has expressed concern, due to excessive litigation, for the viability of the USCF as an organization and accountability of the USCF Executive Board to the membership of the USCF. As a result, Judge Patel has requested a clear record of corporate authorizations for the Executive Board’s actions in defending itself against Polgar’s litigation and initiating other litigation to protect the interests of the USCF;

WHEREAS, despite the prior authorizations of the forgoing corporate actions by a majority of the Executive Board, in the abundance of caution, and in response to Judge Patel’s requests, the Executive Board desires formally to ratify all prior actions of the Executive Board and the subcommittee of the Executive Board established on November 4, 2007;

NOW, THEREFORE, BE IT RESOLVED, that all actions heretofore taken by the Executive Board subcommittee established at the November 4, 2007 Executive Board Meeting (RB 08-022) are hereby ratified, confirmed and approved in all respects; and

BE IT FURTHER RESOLVED, that the Executive Board hereby creates a subcommittee to be known as the Legal Subcommittee and consolidates all prior actions and duties of the subcommittee established by RB 08-022 therein. The Legal Subcommittee members shall be Executive Board members Randy Bauer (Chair), Jim Berry, Bill Goichberg, Randy Hough, and Bill Hall (non-voting). The Legal Subcommittee shall have the following authority:

- To address all legal matters concerning USCF;
- To investigate and consider issues related to the charges made by B. Mottershead, which include, among other things, a) allegations that Truong impersonated former Executive Board member Sam Sloan and others, b) allegations that the USCF, in assessing the Mottershead Report, defamed Polgar, and c) allegations of theft of confidential and privileged emails related to the allegations in a) and b) ;
- As long as the membership of the Legal Subcommittee constitutes a majority of the Executive Board, to exercise authority of the Executive Board and act on behalf of the Executive Board including, but not limited to, a) the appointment of legal counsel, and b) the ability to sue, and complain and defend ,in the name of USCF, its agents and employees;
- To determine the time and place of Legal Subcommittee meetings and the notice required therefore. **PASSED 4-0** with Susan Polgar and Paul Truong not voting.

Bill Goichberg moved by e-mail on April 20, 2009, to post an announcement regarding applications being sought for the FIDE Zonal President position. It passed on April 26, 2009.

EB09 – 040 - GOICHBERG - I move that a notice be posted on the USCF website that applications for FIDE Zonal President are being accepted, the Zonal President is expected to pay his or her own expenses to FIDE meetings, and the Executive Board expects to make this appointment at its May meeting. **PASSED 4-2** with Susan Polgar and Paul Truong opposed.

A meeting of the Executive Board was held on May 16 and 17, 2009, in conjunction with the US Championship in St. Louis. Present were Randy Bauer, Jim Berry, Bill Goichberg, Randy Hough, Executive Director Bill Hall, and Patricia Knight Smith. Congratulations to Patricia Knight on her marriage to Phil Smith. Board members Susan Polgar and Paul Truong were not present in person or by phone.

The Board first voted on adoption of a formal Privacy Policy for the handling of personal contact information.

EB09-041 – BOARD - Privacy Policy

The United States Chess Federation (USCF) maintains records of the names and addresses of its members. To help further the

promotion of chess, this information is available for a small service charge to USCF-affiliated tournament organizers, chess clubs, and other chess promoters. USCF may also make that list available for commercial uses with affiliated promotional offers. USCF may also provide single addresses on request to its affiliates for legitimate reasons, such as the distribution of unclaimed prizes. If you are a member or plan to become one, and do not want your name and address to be available for any such affiliated groups or commercial purposes, please notify us.

Note: Members who are Delegates as defined in USCF's Bylaws are subject to some policies which may differ from this Privacy Policy, as described in [USCF's Privacy Policy with respect to Delegates](#).

USCF will not make available the email addresses of its members to chess promoters. However, the USCF may use email addresses of its members for USCF or other chess-related promotions and may use a third-party email distribution service. Members who provide an e-mail address to the USCF will be able to exclude their email addresses from categories of use and from USCF e-mailings that are part of a commercial promotion.

USCF does not currently make available the names, addresses, or email addresses of its non-member customers to outside groups, and it is unlikely this will be done in the future. If this policy should change, we will provide 90 days advance notice on this page.

If USCF requests your phone number, this is in order to be able to contact you if there is a problem with your membership. Your phone number will not be used for marketing. If USCF should decide to promote its memberships or sales by phone, we will provide 90 days advance notice on this page, and you will be able to have your information deleted from such lists at that time.

USCF will not make your phone number available to other groups. It is unlikely that this policy will change, but if it does, we will provide 90 days advance notice on this page.

USCF operates www.uschess.org and other chess websites. When you visit our sites, our server recognizes your domain name, but not your email address unless there is a specific request for an e-mail address and you provide one.

For purposes of verifying identity and eligibility, USCF maintains a record of the date of birth of its members. The USCF is required by FIDE to supply birthdates for players in FIDE-rated events held in the USA as part of the process of submitting those events for rating by FIDE. This information is not shared with other groups, although chess promoters are able to order lists of names and addresses of players over or under a specified age. With such requests, USCF requires documentation to ensure the purpose behind the request is reasonable.

NOTIFICATION. Should any of the above policies substantively change, we will post notice of the change on this page at least 90 days before the change takes effect. **PASSED 4-0.**

The Executive Board considered the question of filing for 501 (c)(3) status and moved a resolution for the Delegates to consider.

EB09-042 – BOARD - The Executive Board supports the resolution - to change the Articles of Incorporation for the purpose of obtaining 501 (c) (3) STATUS AND HEREBY SUBMITS THE FOLLOWING RESOLUTION TO THE Board of Delegates for their consideration: (Please note: The full text of the resolution can be found in the 2009 "Delegates' Call") **PASSED 4-0.**

The Executive Board announced the winners of the 2009 awards.

EB09-043 – BOARD - Awards are as follows:

Chess City of the Year (1983): St. Louis

Chess Club of the Year (1999): Fresno Chess Club

Committee of the Year (1982): LMA

Distinguished Service Award (1979): John McCrary and Beatriz Marinello

Gold Koltanowski Medal (1979): Rex Siquefield

Grandmaster (GM) of the Year (1997): Yury Shulman

Frank J. Marshall Ambassador Award (1994): John Fedorowicz

Meritorious Service Award (1980): Jennifer and Mike Skidmore, Steve Steppe

Organizer of the Year (1994): Tony Rich

Outstanding Career Achievement (1986): Tim Sawmiller, Gary Fox, Tim Just

Scholastic Services Award (1994): Aviv Fredman, After School Activities Partnership

Special Services Award (1983): Calvin Olsen, David Moeser

Tournament Director of the Year (2004): Francisco Guadalupe.

Chess College of the Year: University of Utah, Miami University (Ohio).

PASSED: 4-0

Beatriz Marinello was named FIDE Zonal President

EB09-044 - BOARD - The Board names Beatriz Marinello as Zonal President. **PASSED 4-0**

The Executive Board documented current USCF fees for rating FIDE events.

EB09 – 045 - The fees for rating FIDE events will be as follows:

Swiss Tournaments: the higher of \$1.50 per player or \$60.00.

Round Robin Tournaments: the established FIDE charges plus 10%. This is to be set by the USCF office semiannually.

PASSED 4-0

A conference call was held on July 6, 2009, to consider two motions by Bill Hall.

EB09-046 - Hall – Notice of possible action by the Executive Board for suspension or revocation of the USCF membership of Susan Polgar.

RESOLUTION DIRECTING NOTIFICATION OF POSSIBLE MEMBERSHIP SUSPENSION OR REVOCATION

Moved, that the Executive Board of the United States of America Chess Federation (USCF) immediately notify Susan Polgar in writing that her USCF membership may be revoked or suspended pursuant to Article III, Section 12 of the USCF Bylaws, which states in pertinent part "The Executive Board, subject to the provisions of Article III, Section 12 [13], may revoke or suspend the membership of any member for good cause". Good cause for such action is outlined on the attachment hereto and incorporated herein. Pursuant to Article III, Section 13 of the USCF Bylaws, Susan Polgar, no later than thirty (30) days following said written notice, may submit in writing to the Executive Board reasons why such action should not be taken. The Executive Board may thereafter, if it sees fit, act upon the written suggestion provided by Susan Polgar or set a date for a hearing to be held at or prior to the next Annual Meeting of the Federation, but before the meeting of the Board of Delegates. Further, the Executive Board shall meet thirty (30) days following the written notice, on or about August 6, 2009, at the US Open in Indianapolis, Indiana, to either act upon the written suggestions of Susan Polgar or to hold a hearing to decide upon revocation or suspension of the USCF membership of Susan Polgar. The precise date, time and location for said meeting shall be determined later with reasonable notice given to Executive Board members and Susan Polgar. Susan Polgar is hereby further informed that, pursuant to Article III, Section 13 of the USCF Bylaws, any person aggrieved by any action of the Executive Board may appeal to the Board of Delegates at the said Annual Meeting if the action is taken at the said meeting, or at the next meeting of the Board of Delegates. The Board of Delegates shall affirm, reverse or modify the action of the Executive Board. Only Delegates present in person may vote on any such appeal. **PASSED 4-0**

EB09-047 – Hall – Notice of possible action by the Executive Board for suspension or revocation of the USCF membership of Paul Truong.

RESOLUTION DIRECTING NOTIFICATION OF POSSIBLE MEMBERSHIP SUSPENSION OR REVOCATION

Moved, that the Executive Board of the United States of America Chess Federation (USCF) immediately notify Paul Truong in writing that his USCF membership may be revoked or suspended pursuant to Article III, Section 12 of the USCF Bylaws, which states in pertinent part "The Executive Board, subject to the provisions of Article III, Section 12 [13], may revoke . or suspend the membership of any member for good cause". Good cause for such action is outlined on the attachment hereto and incorporated herein. Pursuant to Article III, Section 13 of the USCF Bylaws, Paul Truong, no later than thirty (30) days following said written notice, may submit in writing to the Executive Board reasons why such action should not be taken. The Executive Board may thereafter, if it sees fit, act upon the written suggestion provided by Paul Truong or set a date for a hearing to be held at or prior to . the next Annual Meeting of the Federation, but before the meeting of the Board of Delegates. Further, the Executive Board shall meet thirty (30) days following the written notice, on or about August 6,2009, at the US Open in Indianapolis, Indiana, to either act upon the written suggestions of Paul Truong or to hold a hearing to decide upon revocation or suspension of the USCF membership of Paul Truong. The precise date, time and location for said meeting shall be determined later with reasonable notice given to Executive Board members and Paul Truong. Paul Truong is hereby further

informed that, pursuant to Article III, Section 13 of the USCF Bylaws, any person aggrieved by any action of the Executive Board may appeal to the Board of Delegates at the said Annual Meeting if the action is taken at the said meeting, or at the next meeting of the Board of Delegates. The Board of Delegates shall affirm, reverse or modify the action of the Executive Board. Only Delegates present in person may vote on any such appeal. **PASSED 4-0**

Bill Hall moved by e-mail on July 13, 2009, and passed on July 22, 2009, to extend the Quebecor contract for up to three years.

EB09-048 – Hall - I move that the USCF Executive Board authorizes the Executive Director to sign an extension to the Quebecor contract for Chess Life for up to a three year period. **PASSED 4-2** with Susan Polgar and Paul Truong opposed.

Bill Hall moved two motions related to the hearing by e-mail on July 31, 2009. They passed on August 5, 2009

EB09-049 – Hall - I move that the hearing regarding Paul Truong's and Susan Polgar's membership action be scheduled for Friday, August 7, 2009 at 5:00 pm at the Marriott East in Indianapolis, IN (host hotel for the US Open). **PASSED 4-0** with Susan Polgar and Paul Truong not voting.

EB09-050 – Hall - I move that the Executive Director, Bill Hall, is appointed as the manager for the USCF for the hearing relating to the memberships of Paul Truong and Susan Polgar. **PASSED 4-0** with Susan Polgar and Paul Truong not voting.

The 2009 Board met for its last meeting on August 06, 2009. The following motions were made:

EB09-051 - Berry - Move to adopt the Resolution (re: litigation). **PASSED 4-0** with Susan Polgar and Paul Truong absent. Please note: The resolution can be found at the end of this file. There are several exhibits that it describes. Those exhibits can be found on the USCF website.

EB09-052 – Bauer – Move that the Board recommend the budget to the Delegates. **PASSED 4-0** with Susan Polgar and Paul Truong absent.

EB09-053 – Hough – Move to accept Rule 1 as proposed by the College Chess Committee. **PASSED 4-0** with Susan Polgar and Paul Truong absent.

APPENDIX A : COMMITTEE CHAIR AND LIAISON ASSIGNMENTS.

Committees appointed by the USCF Delegates at the 2008 Annual Meeting in Dallas, TX:

Audit – Jon Haskell, Grant Perks, Allen Priest

Bylaws – Jerry Hanken, Guy Hoffman, Gary Kitts, Richard Koepeke, Myron Lieberman, Joe Lux, John McCrary, David Mehler, George Mirijanian, Mike Nolan (co-chair), Robert Persante, Allen Priest, Ernie Schlich, and Harold Winston (co-chair)

Election – Roger Gotschall, Woody Harris, Myron Lieberman, and Mike Nolan (Chair). Alternates are Ernie Schlich and Polly Wright

Ethics – Richard (Buck) Buchanan, Jim Gray, Al Losoff, James Mennella, Kenneth Sloan (Chair), Andrew Thall, and Ken Thomas

LMA Management – Jack Adamo, Frank Camaratta, Leroy Dubeck, Peter Dyson, Jim Eade, Beatriz Marinello, Grant Perks, Tim Redman, Mike Swiatek, Fred Townsend, and Chuck Unruh

Committees appointed by the 2009 USCF Executive Board per motion EB08-004:

COMMITTEE	CHAIR	LIAISON
CHESS IN EDUCATION	John Buky, Dr. Joseph P. Eberhardt Co-Chairs	S. Polgar
COLLEGE CHESS	James Stallings, Chair	S. Polgar

CORRESPONDENCE	Harold Stenzel, Chair	R. Hough
CRAMER AWARDS	Dr. Frank Brady, Chair	S. Polgar
DENKER TMT COMM	Dewain Barber, Chair	S. Polgar
POLGAR TMT COMM	Dewain Barber, Chair	S. Polgar
FINANCE	Charles Unruh, Chair	R. Bauer
HALL of FAME	Harold Winston, Chair	J. Berry
INT'L AFFAIRS	Michael Khodarkovsky, Chair	S. Polgar
MILITARY	Matthew Nemmers, MSGT Stephen Rollins Co-Chairs	J. Berry
OUTREACH	Myron Lieberman, Chair	S. Polgar
PPHBF MGMT	Chair currently vacant	J. Berry
PUBLICATIONS	Jonathan Hilton, Chair	R. Hough
RATINGS	Mark Glickman, Chair	B. Goichberg
RULES	David Kuhns, Chair	R. Hough
SCHOLASTIC COUNCIL/COMMITTEE	Mile Nietman, Steven Shutt Co-chairs	S. Polgar
SENIOR	Charles Hatherill, Chair	J. Berry
SPONSORSHIP AND MARKETING	Tom Braunlich	J. Berry
STATES	Guy Hoffman, Chair	R. Hough
SURVEY	Tony Pabon, Chair	B. Goichberg
TOP PLAYERS	Greg Shahade, Chair	S. Polgar
TD CERTIFICATION (TDCC)	Tim Just, Chair	R. Hough
US OPEN COMM	Jerry Hanken, Chair	B. Goichberg
WOMEN'S	Polly Wright, Chair	S. Polgar

No changes were made to appointed liaisons to other groups, which include but may not be limited to:

FIDE VICE PRESIDENT – Bill Kelleher
 FIDE DELEGATE – Don Schultz
 FIDE ZONAL PRESIDENT – John Donaldson

DIRECTOR OF PREVENTION PROGRAMS – Rachel Lieberman (Liaison to health and social agencies)

APPENDIX B – USCF FORUMS – ACCEPTABLE USE GUIDELINES AS REVISED FEBRUARY, 2009

Be respectful of the community and its members

The Forums are provided to be a constructive resource for the USCF and its members. All users share in the responsibility to maintain its decorum. The following are examples of acceptable and unacceptable conduct. They are not meant to be an exhaustive list, and users should continually be guided by the need to respect the community and its members.

Do not make personal attacks or defamatory or disparaging comments about anyone in the chess world. Factually oriented posts critical of a person, group or company are generally permitted, at moderator discretion. Criticism of those outside the chess world, if relevant to the discussion, may be permitted without supporting evidence.

Do not post suggestions, without specifically identified substantial proof, that a person may have committed an unethical or criminal act.

Do not post allegations without checking your facts first. If your post is about USCF, the governance section of uschess.org is a good source to consult, and you may also ask the USCF office or an EB or committee member for information. Search engines can also be valuable. If facts you post are challenged, address this before making further Forum posts.

If you refer to someone by name, use their actual name, not a made up or sarcastic name.

Do not use vulgar, violent or obscene language. Do not flame or troll. No bullying, threats, or intimidation. No libelous, defamatory, offensive, bigoted, racist or sexist remarks. No name calling. Do not post in all capital or all bold letters.

No advertising, no chain letters, no threats to take legal action, no impersonation of others.

Do not post phone numbers, email addresses or other personal information of others. Do not post private correspondence without permission. Posting a link to a website or document is not automatically prohibited because someone's phone number is there; the moderators should use judgment.

Do not accuse anyone of lying, telling a lie, or being a liar. This is considered a personal attack, even if true. You can get the point across just as well by saying, and supporting with evidence, that statements are false, untrue, incorrect, etc. or the person you think is lying is wrong, mistaken, careless with facts, insincere, etc.

Posts critical of and quoting statements made by chess leaders or candidates are generally acceptable, even if such statements would violate the AUG if posted directly. Moderators may reject such posts if they feel their objective is to publicize the statement rather than to criticize it.

Do not post material that could constitute or encourage a violation of copyright or other law.

Do not sign your posts with commercial web sites or company names. You can put the link to your website in your profile. Do not use your signature for messages of a political or argumentative nature.

No solicitations of funds. However, appeals for funds for worthy charitable causes may be permitted with advance approval by the USCF Executive Director.

Posts unrelated to Chess are discouraged. Keep your posts to the topic of the thread. Do not post the same or a similar message more than once in a forum or in multiple forums. Start new topics for a new discussion.

Dealing with moderators

Moderators have the right to remove, edit, move or close any topic at any time as well as to issue warnings. Send a PM to a moderator if you have a question about a post or wish to report a violation of the guidelines.

Moderators are not investigators, and should not be expected to decide on the truth of posts, except in obvious cases.

Do not post a complaint that a post was removed, as those who can't see the post will not understand. Posts complaining about moderation in general may be acceptable if not repetitive.

Moderation Actions

Any moderator may remove material, propose a sanction, issue a warning, and/or request the editing of material.

The Moderation Committee (MOC), consisting of 3 persons, is appointed by the Executive Director. At least two are current moderators, and the third a current or past moderator or another person with relevant experience. There is also one alternate, a current or past moderator or someone with relevant experience. A committee member who is unavailable shall be replaced by the alternate.

The MOC may issue sanctions at its discretion. For relatively minor violations of these guidelines, the MOC may take no action, or issue a warning instead of a sanction.

The MOC chair is expected to try to conclude voting on each proposed sanction within 10 days of the removal or rejection of the most recent associated post. After 10 days, if the vote is in favor of or against the sanction with at least two votes for the majority position, the appeal is decided. If the sanction has less than two votes, and not all have voted, the chair should extend voting for another 5 days. After 15 days, if the sanction has less than two votes in favor, it shall

not be imposed.

The MOC may restore a post. In voting on restoration, the moderator who removed the post, if on the committee, shall be replaced by the alternate.

Sanctions may be appealed to the Forum Oversight Committee (FOC). In the event of an appeal, the sanction does not go into effect until the appeal is decided. MOC decisions regarding the removal of posts are not appealable.

Standard Sanctions

Level 1: Suspension of posting privileges for 3 days. May be assigned to any poster.

Level 2: Suspension of posting privileges for 7 days. May be assigned to any poster with a sanction level of at least 1.

Level 3: Poster is placed in a moderation queue, requiring prior approval of posts. May be assigned to any poster with a sanction level of at least 2. This status may be rescinded at the discretion of the MOC. If queue status is rescinded, the poster reverts to level 2.

Level 4: A poster in a moderation queue who repeatedly submits posts that violate the AUG may be suspended from posting for 30 days. May be assigned to any poster with a sanction level of at least 3.

Maximum sanctions: Longer or indefinite sanctions may be imposed by the USCF Executive Director.

All sanctions must be imposed in the order in which the posts were made.

Special sanction: In the event of an especially flagrant violation of the AUG, a poster with sanction level below 2 may be given a level 3 sanction.

All decisions of the Moderation Committee are by majority vote, except for the special sanction or the Level 4 sanction, which require a unanimous vote.

Except for maximum sanctions, each sanction is removed from the poster's record after 6 months. The poster's sanction level is equal to the highest level of sanction received during the past 6 months.

Forum Oversight Committee (FOC)

The FOC's role is to consider appeals to sanctions enacted by the MOC. The FOC is intended to have 7 members, but may have fewer on occasion. The FOC and its chair are appointed by the Executive Board.

The FOC chair is expected to try to conclude voting on each appeal within 10 days. After 10 days, if the vote is in favor of or against the appeal with at least 3 votes for the majority position, the appeal is decided. If the vote is tied or both positions have less than 3 votes, and not all have voted, the chair should extend voting for another 5 days. After 15 days, if the appeal has less than 3 votes in favor or does not have more in favor than opposed, the appeal is denied.

The FOC may either approve a sanction as issued, deny it, or approve it at a lower level.

When comparing previous posts in order to evaluate moderator consistency, the FOC should not go back further than 30 days.

APPENDIX C – Litigation resolution

RESOLUTION OF THE USCF EXECUTIVE BOARD

Dated August 6, 2009

WHEREAS, the United States of America Chess Federation (“USCF”) is a party to litigation in Texas, California and Illinois, respectively entitled, POLGAR v. UNITED STATES OF AMERICA CHESS FEDERATION et al., No. 5-08-CV-00169-C (N.D. TX); UNITED STATES OF AMERICA CHESS FEDERATION, INC. and RANDALL D. HOUGH v. SUSAN POLGAR, et al., No. 3:08-cv-05126 MHP (N.D. CA); and UNITED STATES OF AMERICA CHESS FEDERATION, INC. v. POLGAR et al., Case No. 2008 MR-751 (7th Jud. Cir. IL), (collectively referred to as the “Litigation”);

WHEREAS, there have been numerous assertions and Court filings questioning the actions of the USCF Executive Board, Executive Board subcommittees, the Executive Directors and Executive Board members on the grounds, including but not limited to: lack of authority, lack of proper procedure, *ultra vires* actions, defective or irregular execution, improper expenditure of funds relating to the Litigation, and nondisclosure of adverse or conflicts of interests of any director, officer, employee, attorney or member and nondisclosure of such adverse or conflicts of interests;

WHEREAS, the Court filings in the Litigation referenced in the preceding paragraph include those attached hereto and incorporated herein as:

Exhibit A: Notice of Motion and Motion for Summary Judgment or, In The Alternative, Summary Adjudication of Defendant Susan Polgar’s Affirmative Defense of *Ultra Vires* Act Against Plaintiff United States of America Chess Federation, Inc., filed in the United States District Court for the Northern District of California, San Francisco Division Case No. 3:08-cv-051267-MHP);

Exhibit B: Defendant and Counter-Plaintiff Susan Polgar’s Second Amended Answer to First Amended Complaint for Violation for: 1. Violation of the Electronic Communications Privacy Act; 2. Violation of the Computer Fraud and Abuse Act; 3. California Statutory Computer Fraud; 4. Conversion and Amended Counter-Claim for: 1. Abuse of Process, 2. Breach of Fiduciary Duty, filed in the United States District Court for the Northern District of California, San Francisco Division Case No. 3:08-cv-051267-MHP);

Exhibit C: Motion to Dismiss Complaint, filed in the Circuit Court for the Seventh Judicial Circuit, Sangamon County, Illinois, Case No. 2008-MR-751;

Exhibit D: Memorandum and Argument in Support of Motion to Dismiss, filed in the Circuit Court for the Seventh Judicial Circuit, Sangamon County, Illinois, Case No. 2008-MR-751; and

Exhibit E: Plaintiff's First Amended Complaint filed in the United States District Court for the Northern District of Texas, Lubbock Division, Case No. 5 – 08 CV 00169 – C.

WHEREAS, due to Karl Kronenberger and Kronenberger Burgoyne, LLP being named as defendants in the Texas Action, USCF Executive Director Bill Hall, after legal advice from independent California counsel, signed a comprehensive conflict of interest waiver with Karl Kronenberger and Kronenberger Burgoyne, LLP.

WHEREAS, it is in the best interest of and fiscally responsible for USCF to get beyond these questions and get to the merits of the Litigation and resolve the underlying merits of the Litigation in an expeditious manner,

NOW THEREFORE BE IT RESOLVED, that the Executive Board hereby ratifies, adopts, confirms and approves all actions taken by the USCF Executive Board, USCF Executive Board subcommittees, the USCF Executive Director and USCF Executive Board members relating to said Litigation and specifically including, but not limited to, those actions challenged in the Court filings attached hereto and incorporated herein as if the questioned actions had been originally duly authorized and properly implemented, and said ratification shall be binding upon the USCF and its members and shall constitute a bar to any claim or execution of any judgment in respect of such questioned actions; and

BE IT FURTHER RESOLVED, that the action of the USCF Executive Director signing a comprehensive conflict of interest waiver with Karl Kronenberger and Kronenberger Burgoyne, LLP, due to Karl Kronenberger and Kronenberger and Burgoyne, LLP being named in the Litigation is hereby ratified, adopted, confirmed and approved in all respects.

I HEREBY CERTIFY THE VOTE HAVING PASSED/FAILED (circle one) with
4 voting AYE and 0 voting NAY.



SECRETARY OF USCF