

CCA Ethics Claims Procedure

A. Starting an Ethics Claim

1. Prior to filing an Ethics Claim, the person filing the Ethics Claim (the “Claimant”) must take steps reasonably calculated to attempt to resolve the matter with the person accused of an ethics violation (the “Respondent”).

2. Claimants must fill out a Claim Form.

a. *Creation of Claims Form.* Claim Forms are forms created by the CCA Board of Directors (“Board”) which have sections for, at a minimum, the following information:

- 1) Claimant’s name.
- 2) Claimant’s contact information.
- 3) The name of the Respondent.
- 4) A description of the steps Claimant took to attempt to resolve the matter prior to filing the Claims form, and the result of each such attempt.
- 5) The specific ethics rules the Claimant alleges the Respondent has violated.
- 6) A brief description of how the Respondent allegedly violated each rule listed.
- 7) Facts which support the allegation(s) that the Respondent violated ethics rule.
- 8) A list of witnesses that the Claimant would like the Investigator to interview, and a brief description of how they can assist in the determination of the claim.
- 9) An indication whether the Claimant is willing to waive conflict of interests rules and allow the Boards’ legal advisor to confer with both parties despite the potential for an actual conflict of interest.
- 10) An acknowledgment signified by a check, a signature or initials that the Claimant agrees to be bound by this Claims Procedure and all of the rules contained herein.

b. *Submission of Supporting Evidence.* Along with the Claims Form, Claimants should provide any evidence that supports their ethics violation claim(s).

c. *Modification of Claims Form.* The Board may modify the Claims Form upon a majority vote.

d. *Submission of Claims Form.* Claimants shall submit completed Claims Forms to the CCA Vice President (the “Vice President”) or the CCA Claims Director (the “Claims Director”).

e. *Failure to provide information required in the Claim Form.* If there is information missing from the Claim Form, the Board or Investigator must contact the Claimant and request the missing information. If the Claimant fails to provide the missing information, the Board or the Investigator may deny the claim

B. Recusal

1. *Claims Involving a Board Member.* If a claim is filed by or against a Board Member, that Board Member is automatically recused from participating in the claims procedure, except as a party to the claim. In most cases, all members of the Board should recuse themselves as well, due to potential bias. Recusal by Board Members other than the Board Member involved in the claim is voluntary.
2. *Claims Which Present Potential Bias by Board Member.* If a claim is filed in which any Board Member has a close relationship with any of the parties, that Board Member shall consider recusing themselves. Recusal is voluntary unless all Board Members other than the Board Member with a close relationship with a party vote for the potentially biased Board Member to recuse themselves.
3. *Claims in Which a Board Member May be a Witness.* If a claim is filed in which any Board Member is called as a witness during the investigation, that Board Member is automatically recused from participating any further in the claims procedure, except as a witness.
4. *Claims Where the Claims Director is Involved, Has a Potential Bias or May be a Witness.* If a claim is filed by or against the Claims Director, the Claims Director has a close relationship with any of the parties or the Claims Director is called as a witness, the Claims Director is automatically recused.
5. *Voluntary Recusal.* In cases where recusal is voluntary, the potentially conflicted person should consider the integrity of the Club, the integrity of the Board, the integrity of the claims process and not only whether there is the possibility of actual bias but also the perception of others about the possibility of actual bias.

C. Submission to the CCA Claims Director

1. *Initial Determination.* Once a Claims Form has been submitted and pre-processed in accordance with the provisions above, the Vice President shall determine if the claim warrants investigation. A Claim warrants investigation if the claim, if true, demonstrates a violation of the ethics codes sufficient to require that some action be taken against the Respondent.
 - a. *Written Admonition.* If the Vice President determines that a valid claim has been brought but that the violation is so minor that it does not warrant a significant remedy, the Vice President may recommend to the Board that he be allowed to issue a written admonition to the Respondent and close the matter without investigation. If a majority of the Board votes for admonition, the Vice President shall issue a written admonition to the Respondent and close the matter without investigation. If a majority of the Board votes against admonition, the matter shall be submitted to the Claims Director for investigation.

b. *Contents of Written Admonition.* The Vice President may include anything that is deemed to be appropriate, but must address the alleged offending behavior.

c. *Referral to a Third Party.* The Vice President may propose to the Board that a matter is of such a serious or sensitive nature that it should be investigated by a third party outside of the CCA. If the Board agrees by a majority vote, the Vice President may refer the matter to a third party to investigate and/or resolve.

2. *Submission for Investigation.* If the Initial Determination is that the claim warrants investigation, the Claims Form and all supporting evidence shall be submitted to the Claims Director to investigate.

3. *Recusal of the Claims Director.* If it is determined that the Claims Director is a party to the claim(s), may be called as a witness during the investigation or has a close relationship with any of the parties, the Claims Director should recuse himself or herself and should not be involved any further in the investigation in any way.

3. *Creation of Alternate Claims Panel.* If the Claims Director is recused from the claim, the Board shall choose a panel comprised of three or five CCA Members to investigate and determine the resolution of the claim(s). If the Board has also recused themselves, the Board's legal advisor shall choose the panel members. The identity of the panel members shall not be disclosed to the parties or the general membership of the CCA.

D. The Investigation

1. *The Investigator.* The Claims Director shall act as the Investigator unless the Claims Director has been recused. If the Claims Director has been recused, the Board's legal advisor shall act as the Investigator. If the legal advisor acts as the Investigator, the legal advisor shall confer with the Alternate Claims Panel and shall follow the direction of the Alternate Claims Panel to conduct the investigation in accordance with the wishes of the Alternate Claims Panel.

2. *Phase 1: First Contact With Respondent.* It is the job of the Investigator to investigate the ethics claim thoroughly. This means that once the Investigator has received and reviewed the ethics claim, the Investigator should then contact the Respondent, present the Respondent with the claim and all supporting evidence and ask the Respondent for a written response and any evidence the Respondent wishes to provide to support the Respondent's defense. The Investigator should also ask the Respondent for a list of witnesses the Respondent would like the Investigator to contact and a list of documents the Respondent would like the Investigator to get from other sources.

3. *Phase 2: Follow Up With Claimant.* After receiving the Respondent's response, the Investigator should send the Claimant the response to the claim along with any supporting evidence and ask if the Claimant has any written comments he would like to

offer concerning the response. At the same time, the Investigator should make sure that the Claimant has given the Investigator all of the evidence the Claimant would like to offer and has given the Investigator a list of all of the witnesses the Claimant would like the Investigator to contact.

4. *Phase 3: Interviews and Follow Up.* The Investigator should then review all of the written evidence in front of the Investigator. If the Investigator feels that any evidence is missing, the Investigator may request that information from any source. Once all documentary evidence has been collected, the Investigator interviews both parties separately. The Investigator should ask the Parties any questions the Investigator has about their positions. This means not simply asking the Parties to repeat what is set forth in their written submissions; instead asking about anything relevant to their positions that the Investigator would like to ask, anything the Investigator believes is missing from the record, clarification of anything confusing or anything that the Investigator may not be convinced by, so the Parties have a chance to provide additional information and explanations and answer the Investigator's concerns. At or near the end of every interview, the Investigator should ask, "Is there anything else that you would like us to know?" After interviewing both parties, the Investigator should determine whether there is any disagreement between the parties about what happened. If not, the Investigator may determine that there is no need for additional investigation and proceed to draft the written recommendation described in Phase 4. Otherwise, the Investigator should interview the witnesses the Parties have recommended.

5. *Phase 4: Written Recommendation.* Finally, after the investigation has concluded, if the matter has not been settled, the Claims Director or Alternate Panel should draft a written recommendation setting forth: (1) a recommended decision; and, should the Claimant prevail, (2) a recommended remedy (if the claim prevails, the action the Investigator recommends that the Board should take against the offending party). The Investigator should thoroughly explain what significant facts the Investigator is relying upon, what the Claims Director or Alternate Panel concludes actually happened and why those conclusions should result in the decision and remedy suggested.

6. The Claims Director or Alternate Panel may confer at any time with the Board's legal advisor for advice about any part of the Claims Procedure.

E. Communication with Claimant and Respondent

1. The Claims Director or Alternate Panel shall provide each party with a status update no less than once a week.

F. Settlement.

1. At any time prior to adoption by the Board of a Final Decision, the Investigator may attempt to resolve the claim informally by facilitating an agreement between the parties. If the parties agree to settle, that settlement shall be set forth in writing and signed and dated by both parties and the Claim shall be considered resolved.

G. Final Decision

1. The Board, except in cases of full Board recusal, shall by a majority vote agree whether to accept the Written Recommendation or shall draft its own Final Decision. The Final Decision shall set forth the remedy if Claimant has prevailed. In cases of full Board recusal, the Written Recommendation of the Alternate Panel shall be automatically adopted as the Final Determination except that the identities of the Alternate Panel Members shall be removed.

H. Remedies

1. Where it is determined that the Claimant has prevailed, the Board, except in cases of full Board recusal, shall determine the remedy (the action to be taken against the Respondent).

2. The Board, or Alternate Panel, may impose any remedy it sees fit.

3. When determining the appropriate remedy, the Board or Alternate Panel shall take into consideration the following:

- a. The seriousness and magnitude of the claims violation.
- b. Any damaged Claimant has actually incurred.
- c. Maintaining the perception of justice and fairness amongst the Club members.
- d. The best interests of the Club.
- e. Prior determinations.
- f. Whether the parties have any prior disputes between them.

4. Failure by any party to follow the remedy set forth in the Final Determination, after all appeals, if any, have been fully processed, may result in the termination of that party's CCA Club membership.

I. Appeal

1. Appeals are submitted by a party to the Vice President.

2. Appeals are decided by the Board's legal advisor.

3. Appeals will only be accepted if the Appellant includes significant new information not available to the Appellant during the investigative process.

4. Appellants must submit a letter to the Board's legal advisor setting forth facts and arguments intended to show that the Final Determination was completely unsupported by the facts and/or that the remedy was unwarranted given the determination, taking into consideration the best interests of the Club.

5. If an appeal is successful, the legal advisor shall set forth in writing how the Final Determination was unsupported or unwarranted, and shall direct the Board to revise its Final Determination to conform with the facts and/or modify its remedy.

6. If an appeal is unsuccessful, the legal advisor shall set forth in writing that the appeal has been denied.

J. Confidentiality

1. The Claim, the Investigator's Written Recommendation, the Final Determination and Written Appellate Determination will be considered private and confidential and will not be made public by the Board, the CCA Claims Director or the Board's legal advisor.

2. The parties may discuss or disclose the Claim, the Final Determination and the Written Appellate Determination publicly or privately.

K. Modification of This CCA Ethics Claim Procedure

1. This CCA Ethics Claim Procedure may be revised only by following the rules for revising the CCA By-Laws.

CCA Ethics Claims Form Instructions

The CCA's Board of Directors considers the ethical behavior of its members to be extremely important. The Board takes all ethics claims seriously and makes every effort to resolve such claims fairly for all involved.

The Board strongly recommends that both parties work to resolve their dispute, in the best interests of the CCA and the hobby, and to only utilize this claims process when there is no other option remaining. The Board also requests that you consider whether your claim is of sufficient magnitude to warrant the time and effort required to conduct a full investigation.

The Board recognizes that in most instances, a speedy claims procedure is important. Claims parties should consider, however, that time will be needed to reasonably and fairly process the claim by volunteers who have other Club obligations. Nonetheless, every effort will be made to resolve each claim in a timely fashion.

The Board will not entertain requests or demands for specific rules, conditions or penalties and such requests or demands should not be included in your claims form. The Board, the Administrator and the Investigator shall follow the process set forth in the CCA Ethics Claims Procedure. Any demands by either party concerning the timeline, the manner of processing the claim or the final remedy will not be considered. Moreover, threats to the Board may be considered unethical behavior and could result in disciplinary action.

Administrator

For all filed claims, the CCA Vice President serves as the Claims Administrator and processes the Claim and presents it to the remaining Board members. The Administrator then submits all valid claims to the Claims Director to investigate. Where a Claim has been filed against the Vice President, the President acts as the Administrator. If a Claim has been filed against both the President and Vice President, the Club's legal advisor shall act as the Administrator.

Filling Out the Form

A. Claimant's Information

Please fill out the information requested. All requests should be self-explanatory.

B. Alleged Offender's Information

Please fill out the information concerning the person being accused of violating the CCA's Code of Ethics. If you do not have the information requested, please indicate that you do not have that information.

C. Acknowledgment

Initial on the line to indicate that you are agreeing to be bound the CCA Ethics Claims Procedure.

D. Waiver of Conflicts of Interest

Lawyers are bound by certain rules. Lawyers cannot represent two parties who have or may have conflicts of interest unless the two parties are made aware of those potential conflicts and agree to waive the rules and allow the lawyer to represent both parties. The Board offers the parties the opportunity to consult with the CCA legal advisor, but only if both parties waive their right to object on the basis of potential or actual conflicts of interest. Please note that the legal advisor will keep all communications with each party confidential unless specifically authorized by one party to discuss particular matter with the other. Indicate whether you are waiving your right to object and will allow the legal advisor to consult with both parties by initially one of the two statements.

E. Code of Ethics Provisions

List the specific provisions of the CCA Code of Ethics that you are alleging have been violated. Please include the Code number and the relevant text from that code.

F. The Basis for Complaint

Write a brief one or two sentence summary of each of your claims. This does not include a statement of facts. For example: X knowingly sold me a forgery as a real casino chip.

G. Supporting Facts

For each claim, explain in detail what happened to make you believe a violation of the Code of Ethics occurred. Include sufficient facts to support each part of your claim. For example, if you claim that X knowingly sold you a forgery as a real casino chip, you must explain why you believe they knew the chip was a forgery, what language was used when the chip was sold that indicated that the chip was a real casino chip, how you can tell the chip is a forgery, and all information concerning the sale itself. You may also include facts which show how you were harmed by the alleged ethics violation. Please note that all facts included must either be from your own first-hand knowledge or you must state otherwise. If a fact is not based upon your personal knowledge, you must identify the source of that information or state that it is based upon your personal belief.

H. Supporting Evidence

List here all evidence of any kind that demonstrates the facts set forth in the prior section. Evidence may be in the form of written documents, electronic documents or other files, photographs, recordings, videos, e-mail messages, texts or any other thing which you believe

demonstrates that a violation occurred or that shows how you were harmed by the alleged ethics violation.

I. Resolution Attempts

The CCA Ethics Claims Procedure requires that you make a reasonable attempt to try to resolve this matter. Set forth each and every action you have taken to resolve this matter and the result of each action.

J. Potential Resolution Suggestion

Please state what you would consider accepting as an offer from the accused ethics violator in order to settle this matter without need for an investigation. You will not be bound to accept your suggested resolution if it is offered. Note that this will not affect any final resolution of this matter and may not be considered when determining the appropriate remedy.

K. Signature

Your claims form will not be accepted unless it is signed and dated. By signing your claims form, you are confirming that all of the information on your form is accurate to your best knowledge and belief and that all facts stated are based upon your own personal first-hand information unless specifically stated otherwise. If you knowingly and intentionally provide false or misleading information, your claim will be denied and your membership in the CCA may be revoked.

**PLEASE SUBMIT YOUR COMPLETED FORM TO
VICEPRESIDENT@CCGTCC.COM AND MAIL THE ORIGINAL TO**

**“Jim Follis
CCA Vice President
5466 Jacobs Field St.
Las Vegas, NV 89148”**

CCA ETHICS CLAIMS FORM

In order to file a claim for a violation of the CCA Code of Ethics you must fill out a claims form in its entirety. Intentionally filing false information may result in the revocation of your membership.

CLAIMANT'S INFORMATION

Name: _____ Club Number: _____

Address: _____

Telephone Number (Day): _____ (Evening): _____

E-Mail Address: _____

ALLEGED OFFENDER'S INFORMATION (Complete all known information)

Name: _____ Club Number: _____

Address: _____

Telephone Number (Day): _____ (Evening): _____

E-Mail Address: _____

ACKNOWLEDGEMENT (Please sign your initials to the left of the acknowledgment)

_____ I hereby acknowledge by my initials that I agree to be bound by the CCA Ethics Claims Procedure and all of the rules contained therein.

WAIVER OF CONFLICTS OF INTEREST (Please sign your initials next to the statement of waiver that you prefer)

Understanding that Michael Siskin, Esq., is an advisor to the Board of Directors of the CCA, having considered the possibility of conflicts of interest that may arise, and knowing that I am entitled to separate representation, by my signature below:

_____ I agree to allow all parties to consult with Michael Siskin, Esq., for purposes of the present claim. I further understand that the individual parties may only consult with Michael Siskin, Esq. if all parties agree to allow such consultation..

_____ I do not agree to allow all parties to consult with Michael Siskin, Esq., for purposes of the present claim. No party may consult with Michael Siskin, Esq..

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CCA Vice President
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