

LEAGUE COUNSEL REPORT

SPENCER V. ACBL

Facts: On February 28, 2012 Cynthia Spencer and Richard Spencer filed a lawsuit in Providence, Rhode Island Superior Court against the League, Marriott and various other persons and entities, claiming that she was injured in a fall at a tournament “operated” by the League. In fact, the tournament was a 2009 Massachusetts Regional operated by District 25. Insurance counsel in Providence, Rhode Island has been appointed to represent the ACBL.

Insurance counsel reports that “...it does not appear that plaintiff has any documentation that would support a theory against the insured [the ACBL]. Counsel then filed jurisdictional motions to dismiss the matter from the Rhode Island Superior Court based on the facts that the plaintiff is a Massachusetts resident, the League is a New York corporation, based in Mississippi, and the tournament was held in Massachusetts.” Subsequently, The Rhode Island Judge dismissed this complaint for lack of personal jurisdiction. On December 10, 2013, Mrs. Spencer filed a similar complaint this time in the Massachusetts Superior against the League, Marriott and the New England Bridge Conference, again claiming that she was injured in a fall at a bridge tournament “operated” by the League. The insurance company has appointed a new attorney to represent the League in Massachusetts. Insurance counsel has filed an answer on behalf of the League. Insurance counsel reports that Plaintiffs' depositions are scheduled for November 19, 2014. Discovery is scheduled to conclude in March, 2015. We will evaluate the case for dispositive motions at that time.

Status: Discovery has been completed. Insurance Counsel is now in the process of preparing and filing a motion for summary judgment on behalf of the League which will be opposed by Plaintiff. The motion will be heard in December, 2015 or January, 2016. If the motion is denied, the matter will proceed to trial. No trial date is currently set.

Signed:

A handwritten signature in black ink, appearing to read "Peter Rank", written over a horizontal line.

Peter Rank, Esq.

Dated: November 5, 2015