

As per the USCF bylaws, this is a recall petition authorizing the USCF to issue a recall ballot to the general membership enabling USCF members to vote on the removal of Paul Truong from his position on the USCF Executive Board as soon as feasible.

The reasons for the recall follow.

1. **"Regardless of the merits of the claims, Mr. Truong has neglected his fiduciary duties, and based on discussions between him and our attorney, there seems little likelihood this situation will change in the near future."**

THE ABOVE EXCERPT WAS TAKEN FROM A POST MADE ON THE USCF ISSUES FORUM BY MR. BAUER:

<http://main.uschess.org/forums/viewtopic.php?f=5&t=6192&p=86558#p86558>

BY [RANDY BAUER](#) ON TUE JAN 15, 2008 7:51 AM #86558

Four members of the Committee appointed by the Executive Board to deal with issues surrounding the complaint, Randy Bauer, Bill Goichberg, Randy Hough and Jim Berry have authorized the release of the following statement:

The USCF Executive Board has received a complaint from Brian Mottershead alleging that Executive Board member Paul Truong is responsible for making a large number of defamatory internet posts under the guise of Sam Sloan and other individuals. This allegation has received widespread attention in national and local media and chess forums, and a federal lawsuit filed by former Executive Board member Sam Sloan alleges that the forged posts, some of which used his name, damaged his reputation and impacted the outcome of last year's Executive Board election.

This lawsuit names the USCF as an organization and each of the individual board members as defendants and seeks, among other things, payment for damages in the millions of dollars. As can be expected, the Executive Board takes these allegations and this lawsuit very seriously. As a result, the USCF Executive Board formed a Committee, consisting of Randy Bauer (chair), Bill Goichberg, Joel Channing, Randy Hough and Jim Berry to investigate the alleged wrongdoing. The USCF Executive Board also hired outside legal counsel with Internet law expertise, Kronenberger Burgoyne, to advise the Committee.

Because the allegations against Paul Truong include a period of time in which he was a member of the Executive Board, it is vitally important that he affirmatively assist the USCF in defending against this lawsuit. Based on the advice of counsel, a letter was sent via both email and Federal Express to Paul Truong on November 29, 2007, seeking information that counsel deems critical to the USCF, both for defending this lawsuit and any other legal actions that may arise based on the allegations.

Specifically, the USCF asked Paul Truong to provide, by December 7, 2007, the following:

1. Formally admit or deny, in writing, whether he was involved in the "Fake Sam Sloan" postings, or had knowledge of who made such postings;
2. Provide the IP address of all his home and work Internet connections since 2005, or provide consent for the Board to obtain and cooperate in the Board obtaining, such IP addresses from ISPs and other entities;
3. Provide all information that would support his argument that he was not located at his computer(s) at the time of alleged Fake Sam Sloan postings, to include information relating to his travel.

To date, the USCF has not received a formal response to items 1 and 2 and incomplete information relating to item 3.

As an Executive Board member, Paul Truong has a clear fiduciary duty to the USCF and its membership to cooperate in the USCF investigation and defense relating to the allegations. Regardless of the merits of the claims, Mr. Truong has neglected his fiduciary duties, and based on discussions between him and our attorney, there seems little likelihood this situation will change in the near future.

Given the many issues facing the USCF and the need to focus its time and attention on, among other things, its finances, organization of national events and support for US players in major international competitions, we believe that the interests of the USCF would best be served by Paul Truong voluntarily resigning from the Executive Board.

This is not and has not been our desired outcome. We each hoped that Paul Truong would cooperate with the USCF in a) formally denying the allegations, and b) expeditiously refuting the allegations that have been made, but this has not been the case. We also recognize that the original allegations against Truong were raised by Mr. Mottershead, despite a valid, written non-disclosure agreement that Mottershead entered with USCF.

Regardless of the circumstances, the fact is that a lawsuit has been filed, and all Executive Board members have a duty to help us defend against it. Given Paul Truong's unwillingness to do so, we believe that there is no other recourse than to ask that he resign from the Executive Board of the USCF.

Randy Bauer

2. February 3, 2008 Executive Board Meeting Motion:

EB08 – 026 – Bauer/Goichberg – Abolish all titles for EB members other than those specified in the Bylaws. It is further moved that Paul Truong is removed as liaison to any and all Board or Delegate appointed USCF committees. **PASSED 5-0-2** with Truong and Polgar abstaining.

3. Lawsuit filed by Sam Sloan:

Sloan v. Truong, et al., No. 07 CV 8537 (DC)

Mr. Sloan has filed a lawsuit against Mr. Truong and several other parties including the USCF seeking damages in the amount of \$20,000,000. plus punitive and exemplary damages. A copy of the lawsuit filed may be viewed at:

<http://groups.google.com/group/rec.games.chess.politics/msg/054e0596b9524e6c>

4. Lawsuit filed by Gordon Roy Parker, a/k/a “Ray Gordon”, a/k/a “Ray Gordon, Creator Of The Pivot”, d/b/a Snodgrass Publishing Group, v. Sloan, et al, Eastern District of Pennsylvania, Case #08-cv-829, Judge Joyner

2/20/08 – Mr. Parker posted on the internet that he had filed a lawsuit against Mr. Truong and several other parties including the USCF seeking relief in the amount of \$100,000,000. Since the copy of the lawsuit posted includes several graphic quotes of posts made on the internet, the link to this lawsuit is not listed herein.

5. Articles on Gambit – The New York Times Chess Blog:

[The Lawsuit Against Polgar and Truong: A Closer Look](http://gambit.blogs.nytimes.com/2007/10/07/the-lawsuit-against-polgar-and-truong-a-closer-look/)

<http://gambit.blogs.nytimes.com/2007/10/07/the-lawsuit-against-polgar-and-truong-a-closer-look/>

[The Lawsuit Against Polgar and Truong, et al](http://gambit.blogs.nytimes.com/2007/10/08/the-lawsuit-against-polgar-and-truong-et-al-a-forum/)

<http://gambit.blogs.nytimes.com/2007/10/08/the-lawsuit-against-polgar-and-truong-et-al-a-forum/>

[Interview With the U.S.C.F. President; a Chess Sponsor Says He's Had Enough](http://gambit.blogs.nytimes.com/2007/10/10/interview-with-the-uscf-president-a-chess-sponsor-says-hes-had-enough/)

<http://gambit.blogs.nytimes.com/2007/10/10/interview-with-the-uscf-president-a-chess-sponsor-says-hes-had-enough/>

[Founder of AF4C: The Chess Federation Needs a New Structure](http://gambit.blogs.nytimes.com/2007/10/19/founder-of-af4c-the-chess-federation-needs-a-new-structure/)

<http://gambit.blogs.nytimes.com/2007/10/19/founder-of-af4c-the-chess-federation-needs-a-new-structure/>

[Polgar Responds on Her Blog: Texas Tech Voices Its Support](http://gambit.blogs.nytimes.com/2007/10/23/polgar-responds-on-her-blog/)

<http://gambit.blogs.nytimes.com/2007/10/23/polgar-responds-on-her-blog/>

[Second Computer Expert Offers Opinion on Report at Base of USCF Lawsuit](http://gambit.blogs.nytimes.com/2008/01/24/second-computer-expert-offers-opinion-on-report-at-base-of-uscf-lawsuit/)

<http://gambit.blogs.nytimes.com/2008/01/24/second-computer-expert-offers-opinion-on-report-at-base-of-uscf-lawsuit/>

[New Lawsuit Against Chess Federation](http://gambit.blogs.nytimes.com/2008/02/23/new-lawsuit-against-chess-federation/)

<http://gambit.blogs.nytimes.com/2008/02/23/new-lawsuit-against-chess-federation/>

6. Articles in NY Times:

Chess Group Officials Accused of Using Internet to Hurt Rivals

<http://www.nytimes.com/2007/10/08/nyregion/08chess.html?ref=nyregion>

A Year of Great Chess Stories, Some True and Some Fictional

<http://www.nytimes.com/2007/12/30/crosswords/chess/30chess.html>

Member of U.S. Chess Federation's Board Is Asked to Resign in Dispute Over an Election

<http://www.nytimes.com/2008/01/15/crosswords/chess/15chess.html>

7. **Evidence that Paul Truong is the "Fake Sam Sloan"**
Report Submitted to the United States Chess Federation
by Brian Mottershead

Excerpt follows from 1: Background:

In addition to impersonating Sam Sloan and Ray Gordon (who are real participants in the newsgroups) as well as others, these posts, which will be referred to here collectively as the Fake Sam Sloan (FSS) posts, attacked and/or libelled the USCF, Sam Sloan, Ray Gordon, Brian Lafferty, Bill Goichberg, Erik Anderson, Beatriz Marinello, Hal Bogner, Paul Hoffman, Jennifer and Greg Shahade, and numerous other officials, sponsors, staff, and members of the USCF in language that was frequently extremely profane, obscene, indecent, racist, and misogynist.

Excerpt follows from 6: Conclusion:

The odds against all of these correlations occurring by chance are overwhelming. The only reasonable inference that can be drawn from the evidence is that Paul Truong and the person behind the Fake Sam Sloan posts on Usenet are one and the same person.

(The 13 pages of this report may be viewed at <http://chesspals.com/USCF%20Issues.html>)

8. **Assessment of Brian Mottershead's Report on Faked Usenet Postings Regarding the US Chess Federation**
Robert Jones, Craic Computing LLC
5th December 2007

This is an assessment by an independent party asked to review the Mottershead report and its findings.

http://craic.com/forensics/uscf_usenet_analysis/USCF_Usenet_Abuse_Report_20071206.pdf

9. **Opinion of Mottershead report submitted to the USCF**
David Ulevitch
December 17, 2007

Excerpt:

Conclusion

The report provides over a dozen different data points from IP addresses to locations to user-agents and more that all lead to a single conclusion with an overwhelming amount of evidence. The methods used by Mr. Mottershead were appropriate and accurate. There is also far too much public evidence for it to have been tampered with. Even if the forum logs were compromised, that doesn't change the Usenet postings and the surrounding evidence, which could not have been altered.

It's my belief that this report has been compiled in an accurate way that deserves recognition for its comprehensive depth and detail.

(This report may be viewed at <http://chesspals.com/USCF%20Issues.html>)

At this point in time, it has become obvious that USCF's best interests are no longer being served by the presence of Mr. Truong on the Executive Board. This petition will enable the USCF membership to decide the future course of their organization by allowing a recall vote to take place as soon as feasible in accordance with the bylaws of the USCF.

Signed By:

Date: _____

(Name of Delegate – Printed)

USCF Delegate - _____
(Name of State)

Street Address

USCF #

City, State, Zip Code

Phone #