

Date: 5/21/2023
TO: USCA Board of Inquiry
FROM: Avi Cohen
RE: Charges against USCA Vice-President Michael Sweeney.

The following charges are being filed against USCA Vice-President Michael Sweeney based on events that occurred at the 2023 Working Dog Championships in Sturbridge, Massachusetts. Michael Sweeney, the current USCA Vice-President, has a duty to the organization that is greater than that of the "average" member and Michael Sweeney displayed conduct unbecoming of USCA officer and in violation of his fiduciary duty to the detriment of USCA. I am therefore filling charges against Mr. Sweeney for abandoning his fiduciary duties and behavior detrimental to USCA.

FACTUAL BACKGROUND:

- USCA Vice-President, Michael Sweeney, brought a non-member, Christian Mieck, to the USCA 2023 Working Dog Championship, fully aware that Mr. Mieck was planning to "start a fight" with Mr. Avi Cohen.
- On Wednesday the 3rd of May (Wednesday) at approximately 8:30 – 9:00 pm Mr. Avi Cohen was sitting for dinner with USCA volunteers Mr. Mike Harington and Mrs. Anne Pomeroy, in the hotel restaurant.
- Mr. Mieck was seated at another table with Michael Sweeney and others.
- In short time Mr. Mieck came over to Mr. Cohen and proceeded to posture over Mr. Cohen.
- From his mannerisms and language, it was obvious that Mr. Mieck was under the influence of alcohol.
- During this intense and still civilized exchange, Michael Sweeney came over and stated to Mr. Mieck that "he (Mr. Cohen) is not worth it."
- Mr. Sweeney was intentionally instigating and provoking Mr. Mieck into a confrontation with Mr. Cohen.
- A purely verbal exchange between Mr. Cohen and Mr. Mieck lasted approximately 30 minutes after which Mr. Mieck went back to his table.
- At draw night Thursday May 4th, USCA Vice-President Michael Sweeney was heard by Mr. David Wood laughingly stating out loud: "We will have a fight tonight and guess who will win?"
- Mr. Sweeney was fully aware that Mr. Mieck planned to physically assault Mr. Cohen that evening.
- Despite Mr. Sweeney's knowledge that Mr. Mieck wanted to physically harm Mr. Cohen, Mr. Sweeney brought Mr. Mieck to draw night and joked about the winner of a physical confrontation.
- Unfortunately, an assault on Mr. Cohen occurred that evening.

- After the completion of the draw, Mr. Cohen and Mr. Mieck were in an intense conversation in the back of the draw tent, when Michael Sweeney, visibly under the influence of alcohol because he was slurring his words, came between Mr. Cohen and Mr. Mieck and pushed Mr. Cohen with his shoulder. As a reaction Mr. Cohen moved Mr. Sweeney back and said, "Do not push me."
- While Mr. Cohen was addressing Mr. Sweeney, Christian Mieck struck Mr. Cohen in the throat.
- Mr. Christian Mieck is a young man in his thirties, and Mr. Avi Cohen is a senior citizen.
- Subsequently, criminal charges were filed against Mr. Mieck with the Sturbridge, Massachusetts Police Department.

CHARGES

Based on the information provided above, I (Avi Cohen), USCA Member #24769 respectfully request the USCA Board of Inquiry to consider my charges against USCA Vice-President Michael Sweeney for:

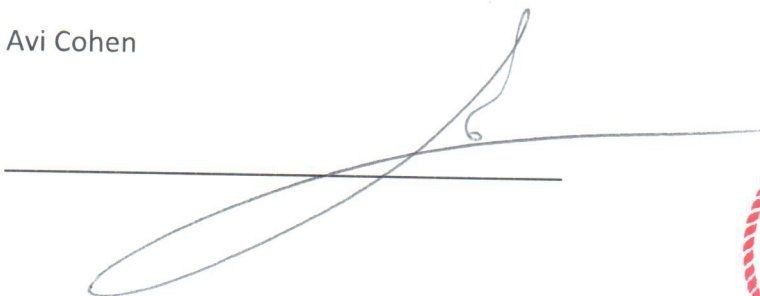
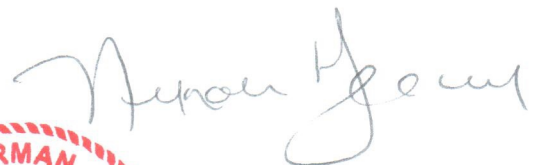
1. Behavior detrimental to the interest USCA.
2. Violation of fiduciary duty of a USCA officer.
3. Violation of USCA Bylaws **ARTICLE IV INDIVIDUAL MEMBERSHIP, SECTION 1 TYPES OF MEMBERSHIP**
USCA is committed to providing an inclusive and welcoming environment for all of its members, one in which each individual is treated with dignity and respect. Accordingly, it is the policy of USCA that no member should engage in behavior that constitutes harassment or discriminates against another based on race, color, religion, sex, national origin, gender, disability, or any other characteristic protected under applicable federal, state or local law. This policy applies to all USCA activities, publicity and any circumstance in which the member is identified as connected with USCA.

REQUEST FOR REMEDIE

Vice-President Michael Sweeney's conduct is extremely prejudicial to the interest of USCA. He participated in harassment of a senior citizen, brought Mr. Christian Mieck to a USCA activity, knowing that Mr. Mieck would physically harm me. I therefore request that the USCA Board of Inquiry protect the organization and its members from future incidents where a senior citizen can be assaulted with knowledge and enablement by Mr. Sweeney, an officer of the organization. Specifically, I request that Mr. Sweeney is removed from the office of USCA Vice-President and appropriately sanctioned for enabling a felonious-criminal act against me.

Sincerely,

Avi Cohen




Michele Elmore <secretary@germanshepherddog.com>

Re: IMPORTANT - Please read - BOI Charges

1 message

Mike Sweeney <mdsweeney3@yahoo.com>

Thu, Jul 13, 2023 at 7:32 PM

To: Michele Clubb - USCA Secretary <secretary@germanshepherddog.com>

Hi Michele,

Please forward my response to the BOI committee.

First I want to apologize to the committee for spending time over this allegation. This accusation is so far from the truth I was surprised the committee even heard it. I also am curious if there are statements written from the people that stated they heard me say things (Dave Wood was one of the names)?

Christian Mieck was invited to come to the WDC with my wife and I to help us train. No other reason. Avi Cohen has invited Christian to come stay at his house for holiday and training in the past. They had a fall out when Avi messaged Christian about how bad of a judge Frank Phillips was at the WUSV in 2021 and Christian showed me the messages. I then showed Vadim and Frank. I got threats from Avi after that via voicemail. He then later told people at 2021 Nationals he was going to get my wife kicked out of the country. I told him sternly after that to never threaten my wife again. After that myself, my wife, and Christian wanted no other contact with Avi. It's no surprise that he found this opportunity to attack me along with collaboration of others.

As far as the incident in question. After three attempts of trying to get avi and Christian to part their conversation (sometimes laughing sometimes intense) at draw night. I stepped between the two and said come on guys let's move on. At this point Avi shoved me backward and Christian shoved him back. From there other people came over and we all separated and that was it. Avi bragged to another person the next day that Christian tried to push him but he blocked it. I approached Avi the next day and asked he stay away from Christian and I had asked Christian the same thing.

I would be happy to answer any questions the committee has. I've been a loyal member of USCA since 2012. I've volunteered as a tracklayer, helper, Regional Director, and now Vice President. I believe my love and loyalty for USCA is apparent and I would never jeopardize my character or USCA's.

Sincerely,
Mike Sweeney

On Jul 13, 2023, at 9:54 AM, Michele Clubb - USCA Secretary <secretary@germanshepherddog.com> wrote:

The letter explained that you had 30 days to provide a response to be provided to the BOI. This is before they start their investigation

Michele Elmore
USCA Secretary
Cell 209-610-3502

Sent from my iPhone - *please excuse misspellings, grammatical errors, and occasional brevity.*

On Jul 13, 2023, at 06:44, Mike Sweeney <mdsweeney3@yahoo.com> wrote:

Hi Michele,

Response? Did I miss something. I was only asked to acknowledge I received them I thought.
Please advise. Thanks

Sincerely,
Mike Sweeney

On Jul 13, 2023, at 8:40 AM, Michele Clubb - USCA Secretary
<secretary@germanshepherddog.com> wrote:

Hi Mike

Just wanted to check in to see if you have a response for the BOI. 30 business days is tomorrow 7/14

Michele Elmore
USCA Secretary
Cell 209-610-3502

Sent from my iPhone - please excuse misspellings, grammatical errors, and occasional brevity.

On Jun 3, 2023, at 19:18, Michele Elmore
<secretary@germanshepherddog.com> wrote:

Hi Mike

We had to replace two members on the BOI Committee as per the bylaws they were not eligible to be on the BOI. With this change, Trish Sansbury is the Chair. As per the bylaws, please send any response you have to me. I will then forward it to the BOI

If you have any questions please let me know.

[Michele Elmore](#)
[USCA Secretary](#)
[Cell# 209-610-3502](#)

On Thu, Jun 1, 2023 at 7:31 AM Mike Sweeney
<mdsweeney3@yahoo.com> wrote:

Hi Michele,
Received. Thanks.

Sincerely,
Mike Sweeney

On May 29, 2023, at 10:00 PM, Michele Elmore
<secretary@germanshepherddog.com> wrote:

Hi Mike

Please find the attached BOI charges filed against you. The bylaws now allow for notification by email. Please respond that you have received this email by 6/2/23. If you do not respond by then, I will send the charges via mail with a tracking number. The Bylaws no longer require you to sign for the BOI charges.

If you have any questions, please let me know.

[Michele Elmore](#)
[USCA Secretary](#)
[Cell# 209-610-3502](#)

<Sweeney BOI Charges Notification.pdf>

United Schutzhund Clubs of America

Board of Inquiry Decision and Recommendations

Re: Charges against USCA Vice President Michael Sweeney filed by Avi Cohen

Date: 09/02/23

Charges and Investigation

Charges were filed on May 21, 2023 by Avi Cohen against USCA Vice President Michael Sweeney based on events that occurred at the 2023 Working Dog Championships in Sturbridge, Massachusetts. Mr. Cohen provided a detailed statement of the factual background of the Charges. Based on the statement of facts provided, Mr. Cohen accused Mr. Sweeney of the following: (1) behavior detrimental to the interests of USCA; (2) violation of the fiduciary duties of a USCA officer; and (3) violation of Article IV, Section 1 of the USCA bylaws for harassment of an individual based on age.

The Board of Inquiry conducted a thorough and extensive investigation. The BOI interviewed every witness identified by the parties as well as Mr. Cohen and Mr. Sweeney. The BOI interviewed and/or collected statements from nine people, including Mr. Cohen and Mr. Sweeney. The BOI interviewed four people multiple times, including Mr. Cohen and Mr. Sweeney. The Board was in constant communication by email discussing evidence and interviews. We held three investigative meetings and two more meetings to discuss evidence and make a determination.

Findings and Decisions

After consideration of all of the available evidence and discussion of the requirements of the USCA bylaws and the responsibilities of USCA officers in positions of leadership, the BOI has unanimously decided as follows:

1. Charge of behavior detrimental to the interests of USCA – SUSTAINED
2. Charge of violation of duties of a USCA officer – SUSTAINED
3. Charge of violation of Article IV, Section 1 of USCA bylaws – NOT SUSTAINED

Recommendations

The USCA Board of Inquiry recommends the following disciplinary action against Vice President Michael Sweeney:

1. Suspension of Mr. Sweeney's role, duties and privileges as Vice President for 60 days, including during the Annual Meeting.

2. A written warning issued by the President of USCA stating that the President will file additional Charges against Mr. Sweeney and seek further disciplinary action if any of the conduct reoccurs or if any member complains again that Mr. Sweeney has acted inappropriately in violation of the bylaws or in ways detrimental to the interests of USCA.

Respectfully submitted,

A handwritten signature in cursive script that reads "Trish Sansbury". The signature is enclosed in a thin black rectangular border.

Trish Sansbury

Chair, USCA Board of Inquiry

For the DAL:

1.

SECTION 3 BOARD OF INQUIRY ACTION a. The Board of Inquiry shall make a determination about the relevancy of the charges and whether the charges shall be considered within fifteen (15) business days of receipt of the charges. If not relevant, the accuser and accused shall be notified by the Secretary within seven (7) business days of the decision of the Board of Inquiry. If the charges are determined to be relevant, the Board of Inquiry shall conduct a confidential investigation of the charges. By a majority vote, the Board of Inquiry shall, within sixty (60) business days of receipt of the response to the charges, vote sustain or not sustain the charge(s). **The Board of Inquiry shall issue a determination letter setting out its findings; which shall be sent to the accused, the charging party, and the Executive Board with within the sixty (60 business days of receipt of the response to the charges. (GBM 2022)**

Please refer to section BOLDED and highlighted from the bylaws. I acknowledged the charges on June 1, 2023 and was given the BOI determination on September 9, 2023. That is 70 business days and a direct violation of USCA Bylaws.

2. The DAL's should also be made aware of the multiple committee changes that happened once this case was received. After receiving the charges Deb Krsnich and Michele Scarberry were replaced after the committee had a discussion regarding the case. USCA Secretary notified the board that Deb and Michele were not eligible. Deb because she is a USCA Judge and Michele because she is a GSDCA Member, however I've seen no proof that Michele is a GSDCA member and Mark and Michele claim only Mark is a member. John Horan and Lisa Clark replaced them. Lisa was then told by Trish that she was not allowed to serve on this case because we are club members. Nobody notified me of this, and we are **NOT** club members. I am in the club OG Westfalen (Host of USCA 2023 Nationals) and Lisa Clark is in OG Indianapolis. To me the committee should not be able to change who serves on this case once it has been presented and then hand pick replacements.

3. Christian Mieck who was in the middle of these "allegations" where Avi threatened me to step down as VP or he would file assault charges on Christian. On September 20, 2023 a Judge in Worcester County, MA court ruled there are no charges to be heard on Avi Cohen's assault charges against Christian Mieck. Case dismissed.

4. In the findings the first charge says "detrimental to the interests of USCA" I would like someone to define what harm I caused to the organization per the definition. Did USCA lose members? Did we get sued like in the Nagy vs Alloway case from the WDC? Or do they mean I was detrimental by standing in the blind all day for members during WDC practice? Putting go out balls up for competitors? Carrying trash bags to the dumpster? Finding helper tryout dogs and making sure they were available at the right time? Helping competitors with extra practice? Helping defuse the T Floyd situation after he gave 4 out commands? Don Yelle (Head Judge) literally asked me if I would talk to T about potentially pulling (although he made it clear USCA was not telling T he had to).

5. I also find the timing and duration of suspension is suspect. Clearly someone finds it important that I am not at the Annual Meeting.
6. So if I am suspended during this time because I am detrimental to the organization, why am I being asked to put on our biggest event of the year, USCA Nationals?
7. I never put my hands on Avi Cohen but was aggressively shoved by him. Avi also called me and tried to blackmail me by telling me to step down as Vice President or he would file BOI charges and criminal charges on Christian Mieck. Members should never be allowed to threaten or blackmail officers of the Organization. Let me reiterate, I was shoved, and I was blackmailed by Avi Cohen, not the other way around.
8. The 2nd recommendation from the BOI “stating the President will file additional charges against Mr. Sweeney and seek further disciplinary action...etc”. This is redundant and doesn’t need to even be listed. The President or any member for that matter can file BOI charges at any time against any member.
9. Avi Cohen has been the center of several issues within USCA. He was a big part of Stefan Schaub being banned from USCA events and Jim Chrisp having his judges license suspended. He was used to share information to make USCA Judge Zoltan Nagy eventually sue the organization and lose his judging license and membership. At the 2021 Nationals he was told by a restaurant manager to leave the bar after he insulted the tracklayers and got into a heated argument with the tracking coordinator Mark Chaffin. As Jim Alloway once said paraphrasing “Avi is gasoline to a fire”.

Sincerely,

Mike Sweeney

Vice President USCA