

GRIEVANCE

To the Secretary of USA Shooting, Inc.:

We, the undersigned members of USA Shooting, Inc., hereby file this written grievance, in the form of a complaint, pursuant to Article XXV, section "L" of the Bylaws of USA Shooting, Inc. ("USAS"), and respectfully allege as follows:

1. The election which took place at the meeting of the Board of Directors on March 16, 2015, was tainted and rendered invalid by the misconduct of ED-CEO Bob Mitchell and persons acting in concert with him (identified in the March 27, 2015 Code of Conduct filing as John Doe Nos. 1, 2, 3, etc., a copy of which is attached hereto and incorporated by reference as if fully set forth herein). By their actions, ED-CEO Bob Mitchell and John Doe Nos. 1, 2, 3, etc. violated the USAS Code of Conduct and Article XXI of the Bylaws of USAS, and also deprived the USAS membership of the valid, legitimate, and faithful representation and service of individuals on the Board of Directors to which they are entitled pursuant to Article XI of the USAS Bylaws.
2. The election which took place at the meeting of the Board of Directors on March 16, 2015, was tainted and rendered invalid by the wrongful participation in the election by Gary Anderson, notwithstanding that his term on the Board had expired by virtue of the term limits imposed by USAS Bylaw XI.W.2. ("No member of the Board may serve more than eight years without a two (2) consecutive year interruption of

service on the Board with the following exceptions: **** 2. The term of the Senior Representative to the ISSF may be extended by a 2/3 vote of the Board membership.”)

3. The election which took place at the meeting of the Board of Directors on March 16, 2015 was tainted and rendered invalid by the wrongful refusal of USAS President James Lally and USAS ED-CEO Bob Mitchell, acting in concert with each other, to allow a vote of the Board to take place on the question whether to extend the term of Mr. Anderson (which would require a 2/3 affirmative vote of the Board, see above). The reason the President and ED-CEO did not want a vote with respect to Mr. Anderson’s tenure on the Board to take place was because the President and the ED-CEO feared that Mr. Anderson would not receive the required 2/3rds vote to remain on the Board and, if he did not, he would not be able to vote for Dr. Lally (as they knew he would) in the contested At-Large position sought to be filled by Dr. Lally. The actions by the President and the ED-CEO of USAS in that regard, taken in conjunction of the additional actions of the ED-CEO to intimidate and instill fear of retaliation in the minds of Board members if they did not vote for James Lally (see the attached March 27, 2015 Code of Conduct) were in violation of USAS Bylaws XI.W; XV.A; and XXI; and were also in violation of the inherent requirements and standards imposed on all NGB officers, directors and paid employees of NGBs which provide that they should not, and may not, act in a corrupt, improper and wrongful manner.
4. The election which took place at the meeting of the Board of Directors on Mach 16, 2015, was further tainted and rendered

invalid by James Lally, a candidate for a Board position, voting for himself for that position, in contravention of well-known and established rule pertaining to Conflicts of Interest that no member should vote on a question in which he / she has a direct personal interest not common to other members of the organization.

WHEREFORE: on account of all the foregoing, the Grievants below respectfully demand the following relief:

- a) that the election of At-large Directors had on March 16, 2015 be declared invalid, null and void, and of no effect;
- b) that a new election for At - Large board members be re-noticed and held, and the outcome determined by secret ballot, and otherwise be free from threats of intimidation and reprisals, and conflicts of interest, following a valid nomination process;
- c) that the meeting of the Board of Directors of USAS now scheduled for April 18, 2015 be adjourned, *sine die*, pending the resolution of this Grievance and the holding of a new and valid election for At- Large Board members, in place and stead of the tainted and invalid proceedings had on March 16, 2015; and
- d) that Grievants be granted such other, further and different relief as may be deemed just and proper under the circumstances.

This Grievance may be signed by use of two or more separate signature pages, all of which when attached and taken together, shall constitute a single document.

Signed and dated as of the 2nd day of April 2015:

Walton Glenn Eller, Jr.
Walton Glenn Eller, Jr. - USA Shooting Vice President

Signed and dated as of the 3 day of April 2015:



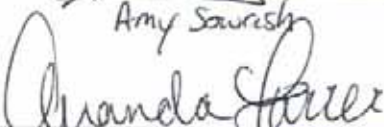
Vladimir Cusackou



Kirtin Sanderson



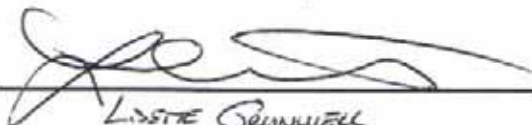
Amy Saurish



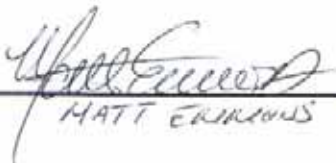
Amanda Aerrer



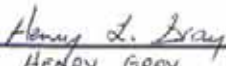
Brad Balsley



Lisette Greenwell



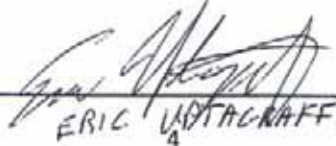
Matt Erikson



Henry L. Gray



Sarah Beard



ERIC VOTACRAFFT



Joe Hein



LTC Bret A. Tecklenburg

The aforesaid Grievants reserve the right to revise, supplement and amend this Grievance as additional facts relevant to this Grievance become known to them, and also to further amend this Grievance by adding such other members of USAS who may wish to join as Grievants in this complaint.

Attachment: Code of Conduct submission dated March 27, 2015

Justin Taylor

Austin Odom

Mark L. Weeks

Mark L. Weeks

The aforesaid members reserve the right to revise, supplement and amend this Grievance as additional facts become known, and also to further amend the Grievance by the addition of additional members of USAS who may wish to join as Grievants in this complaint.

Attachment: Code of Conduct submission dated March 27, 2015

Jeffrey Holguin HOLGUIN, JEFFREY

Mark Staffen Staffen, Mark

Joshua Richmond RICHMOND, Joshua

Richard Hadden Hadden, Richard

Glenn Eller Eller, Glenn

Hayden Stewart Stewart, Hayden

Seth Inman INMAN, SETH

Derek Haldeman Haldeman, Derek

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Signed and dated as of the 2 day of April 2015:

Corey Cogdell Unrien Corey Cogdell
Unrien

L.M.H. Bonds Sean McNeiland

Dubell/Tropce Amber Fryman

[Signature]

Nancy Ann Haley Dunn

[Signature] Casey Wallace

[Signature] Laura Barr

[Signature] Jason Turner

[Signature] Nick Cozer

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Signed and dated as of the 2nd day of April 2015:

Aley Rennert

Aley Rennert

b) that a new election for At - Large board members be re- noticed and held, and the outcome determined by secret ballot, and otherwise be free from threats of intimidation and reprisals, and conflicts of interest, following a valid nomination process;

c) that the meeting of the Board of Directors of USAS now scheduled for April 18, 2015 be adjourned, ~~and~~ pending the resolution of this Grievance and the holding of a new and valid election for At- Large Board members, in place and stead of the tainted and invalid proceedings had on March 16, 2015; and

d) that Grievants be granted such other, further and different relief as may be deemed just and proper under the circumstances.

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Signed and dated as of the 2 day of April 2015:



Kim Rhode
Harryman

 Vincent Hancock

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Attachment: Code of Conduct submission dated March 27, 2015

CERTIFICATION OF FILING

This Grievance, with attachment, has been sent by the undersigned to the Secretary of USAS by certified mail, return receipt requested, with a courtesy copy also sent by email to the Secretary on this 3rd day of April, 2015.

Certified as true: Walton Glenn Elbert
Walton Glenn Elbert

CODE OF CONDUCT VIOLATION

**To: James M. Lally, DO. MMM
President of USA Shooting, Inc.**

The undersigned member of USA Shooting, Inc. ("USAS") submits the following report of misconduct by ROBERT MITCHELL, the Executive Director / CEO of USA Shooting, Inc. and JOHN DOES 1, 2, 3, etc (whose identities are presently unknown) in accordance with USAS's CODE OF CONDUCT (dated as of April 11, 2011), and respectfully requests that a neutral individual be appointed to promptly conduct an investigation with respect to the offenses charged, and to render a report and decision thereon, together with recommended disciplinary actions.

1) **The person filing the report:** LTC Bret A. Tecklenburg

2) **The identity of the person(s) who violated the Code:**

- a) Bob Mitchell, the Executive Director/ CEO of USAS;
- b) John Doe # 1 (acting in concert with Mr. Mitchell);
- c) John Doe # 2, etc. (others acting in concert with Mr. Mitchell)

The Identities of John Doe #s 1, 2, etc. are presently unknown, but were referred to by Mr. Mitchell in his threatening call to

me on March 13, 2015 (see below and attached) as “us” and “we”.

d) Statement of the Facts: Mr. Mitchell, through his words and actions, directed to both the complainant herein, and others, has intentionally, purposefully and wrongfully abused his position, both as Executive Director of USAS and as a member of the Board of Directors of USAS, to intimidate (and attempt to intimidate) both me and others to vote at a March 16, 2015 Special Meeting of the USAS Board, for Dr. James Lally, a candidate for election for the contested position of President of USAS (and against Mr. Mike English, also a candidate for election as President of USAS). In addition to speaking directly to me to make his desires known (and the possible adverse consequences which would result to me and the Army Marksmanship Unit I command, if his desires as to voting were not followed), Mr. Mitchell has also, by his actions and words, created an atmosphere of fear of retribution among board members and employees of USAS, if his wishes were not followed. This has caused a toxic and unhealthy atmosphere of fear among board members and employees of USAS, which has caused emotional distress to those who are beholden to, and subject to, the whims of Mr. Mitchell, by virtue of their position as an actively competing athlete and / or their (or a family member’s) status as an employee in USAS.

Mr. Mitchell, as part of his acts of intimidation and coercion, made derogatory statements, as fact (as opposed to opinion)

during his March 13, 2015 call to me regarding Mr. English leaving the employ of the US Olympic Committee, which cast Mr. English in a poor and unfavorable light. Upon information and belief, these statements were and are false, and were intended to demean the reputation of Mr. English and attempt to persuade me to vote against Mr. English, and in favor of Dr. Lally.

A secret ballot election, where only the voter knows how he or she has voted, is a crucial way of ensuring fair elections, free from intimidation and fear of reprisals and retribution. Mr. Mitchell, as part of his lobbying for Dr. Lally (and scheme to ensure the election of Dr. Lally through his threats of reprisals if I and others did not vote for Dr. Lally at the March 16, 2015 Board meeting), made it clear that he and others (...the "we" and "us" ...) would not permit a secret ballot. On account of the refusal of Mr. Mitchell and others acting in concert with him (John Does # 1, 2, 3 etc.) a secret ballot was not held at the March 16, 2015 vote, thereby dissuading Board members from voting for Mr. English as their preferred candidate on account of the fear of reprisals that would befall them if they did not vote for Dr. Lally in the open vote. Mr. Mitchell (and John Does # 1, 2, 3 etc.) insisted on having.

As noted, Mr. Mitchell was not acting alone in connection with his acts of intimidation. He repeatedly referred, during his March 13, 2015 call to me, to "us" and "we" wanting the vote to go in favor of Dr. Lally (and against Mike English) but never identified the individuals with whom he was acting in concert with. The independent investigation that is to be

conducted in response to the filing of the Code of Conduct will disclose the identity of those individuals.

Memorandum for the Record: Attached hereto, as direct evidence of the foregoing, is a Memorandum for the Record I prepared promptly following the call I received from Mr. Mitchell, on March 13, 2015.

- e) **Relief (Discipline) Requested:** USAS's Code of Conduct lists, at subsection E.5 thereof, a number of disciplinary "options" in the event of a finding of a violation of the Code of Conduct, among them "counseling", "appropriate letter from the staff member addressing the violation"; "letter of apology"; "other such non-monetary action appropriate for the situation"; "fines" ranging from between \$100 to \$1,000; and "suspension".

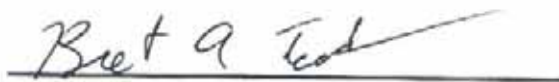
None of these "options" are appropriate here. Rather, it is respectfully submitted that the appropriate disciplinary "option" for the egregious violation by Mr. Mitchell of the USAS Code of Conduct by his intentional interference with what should have been the neutrality of the electoral process is nothing short of termination of employment, for cause.

Short of that, Mr. Mitchell should at least be removed as a member of the Board, placed on "probation" with respect to his employment, counselled with respect to his inappropriate actions, and closely supervised to ensure that he does not engage in any further acts of intimidation or any other actions

inappropriate to his position as Executive Director/ CEO of USAS.

In addition, those individuals identified as a result of the investigation that is to follow the filing of this Code of Conduct charge (i.e., John Does #s 1, 2, 3, etc.) should also be sanctioned, in accordance with their culpability in acting in concert with Mr. Mitchell to deny Board members their right to participate in a free and fair election for President of USAS, absent intimidation and fear of reprisals for voting their conscience.

Signed and dated as follows:



Date: March 27, 2015

LTC Bret A. Tecklenburg

US Army Marksmanship Unit
7031 Bills Street
Fort Benning, GA 31905-5810
Tele: (334) 224-6649
Email: bret.a.tecklenburg.mil@mail.mil

Cc: Robert Mitchell, CEO
USA Shooting, Inc.

Attachment: Memorandum for the Record dated March 13, 2015



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY MARKSMANSHIP UNIT
7031 BILL STREET
FORT BENNING, GEORGIA 31905-5810

MRSB-MUC

13 March 2015

MEMORANDUM FOR RECORD

SUBJECT: Phone Conversation between the USA Shooting Executive Director-Chief Executive Officer (Robert "Bob" Mitchell) and the U.S. Army Marksmanship Unit (USAMU) Commander LTC Bret Tecklenburg

1. Purpose. Purpose of this memorandum is to capture this conversation as closely as possible.
2. Specifics. This was a return call for a missed call and in response to a voice mail from Bob Mitchell to LTC Tecklenburg. LTC Tecklenburg called Bob at 1:53pm (Eastern) on Friday, 13 March and the call lasted 14-minutes.
3. Conversation. The following comments are captured from memory so they are accurate; however, they are not exact quotes.
 - a. Bob Mitchell – "I hear that you have been campaigning for the upcoming vote. And I just want to let you know that campaigning is highly discouraged by our bylaws."
 - b. Bret Tecklenburg – "I have talked with a few board members asking their opinions' of Dr. Lally and Mike English since they are running for the only opposed seat and I don't know either one very well. Over the course of those discussions Mike English has become my preference."
 - c. Bob Mitchell – "I need you to support us on this and vote for Dr. Lally. Listen, I supported you on hosting a Shotgun Selection Match at Ft. Benning and I need you to support us on this."
 - d. Bret Tecklenburg – "Actually, you didn't support me on the match, you resisted it."
 - e. Bob Mitchell – "That's not true, I did support you and you need to support us on this if you want to see another Shotgun Match at Ft. Benning."
 - f. Bret Tecklenburg – "OK, I will ask you the same thing I asked others since I believe that both Doc and Mike English are capable and good men, tell me something about them."
 - g. Bob Mitchell – "Mike and I worked well together during his terms as a USAS director but he did not support me and has been critical following his departure which I did not understand. Mike had an influential position at USOC and left on less than favorable terms and that his presence. His presence on the USAS board will cause us problems with USOC and we don't want that."
 - h. Bret Tecklenburg – "That sounds like personal bias and hyperbole, I am looking for some factual information on these two that will help with my decision."

MRSB-MUC

SUBJECT: Phone Conversation between the USA Shooting Executive Director-Chief Executive Officer (Robert "Bob" Mitchell) and the U.S. Army Marksmanship Unit (USAMU) Commander LTC Bret Tecklenburg

i. In response to this Bob Mitchell did provide some positive and specific comments about Dr. Lally. This was followed by another round of demands for supporting "us" by voting for Dr. Lally and repeated references to the upcoming Shotgun match and "if" we wanted to host future matches.

j. Bret Tecklenburg – "Let me ask you a question, since Gary Anderson has remained on the board longer than the 8-years that is permitted have we ever conducted the required vote to extend his tenure on the board."

k. Bob Mitchell – "No, never, we don't follow our bylaws anyway. By our bylaws we are also suppose to receive written notification from AMU, NSSF, and NRA for their reps and that never happens."

l. Bret Tecklenburg – "Why don't we just hold the required vote for Gary at the start of our meeting on Monday and take care of it instead of ignoring it."

m. Bob Mitchell – "We aren't doing that. Listen, you have to support us on this thing." This ended the phone call. After this call Bob Mitchell called my senior civilian employee (Bob Aylward) who intern relayed some indirect threats against AMU based on not "supporting" Gary Anderson specifically.

5. Point of contact for this memorandum is the undersigned, LTC Bret A. Tecklenburg, USAMU Commander at (334) 224-6649, or bret.a.tecklenburg.mil@mail.mil.


BRET A. TECKLENBURG
LTC, IN
Commanding