



WO ADJUDICATORY BOARD

JUDICIAL DECISION FORM J-03.052024

Written by:

_____ Chapter Judicial Committee
 X Cluster Adjudicatory Board
_____ Global Judicial Chamber

Date: July 24, 2024

Case No. 2024-001

Adjudication Board of the Western Overseas Cluster of Tau Gamma Phi Global

Case No. 2024-001: New York Triskelions (NYT) v. The Empire State Triskelions (TEST) and Bro. Hector Concepcion

Case Title

New York Triskelions (NYT) v The Empire State Triskelions (TEST)/Hector Concepcion

Legal Citation:

This case is adjudicated under the authority of the Western Overseas Cluster of Tau Gamma Phi Global and its implementing guidelines and bylaws, particularly Article V, Penal Code, Sections 3 and 4.

Introduction:

The case before the Adjudication Board involves two components: the establishment of The Empire State Triskelions (TEST) and the alleged sabotage of the New York Triskelions' (NYT) Facebook page by Bro. Hector Concepcion. The Grand Triskelion Val Evangelista of the New York Triskelions initiated the complaint. This board, after three hearings, has reached a final decision on these matters.



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Procedural History:

The complaint was filed by Grand Triskelion Val Evangelista of NYT. The adjudication process included a preliminary hearing and three subsequent hearings. The preliminary hearing addressed the legitimacy of TEST's establishment, while the following hearings focused on the sabotage claim against Bro. Hector Concepcion.

Facts of Case:

The New York Triskelions challenged the legitimacy of the establishment of TEST and accused Bro. Hector Concepcion of sabotaging their Facebook page. The first complaint was squashed during the preliminary hearing, allowing TEST to co-exist with NYT due to geographical and historical factors. The second complaint involved allegations of Bro. Hector Concepcion misusing his administrative rights on NYT's Facebook page, a matter complicated by claims of rightful ownership and the responsibilities attached thereto. Bro Danny Escueta's ownership of the name "New York Triskelions" and his authorization for Bro Hector Concepcion to manage the page was also in question. Bro Danny Escueta denied ownership of the page and claimed liability only after receiving a tax deficiency bill from the IRS. Bro Hector Concepcion admitted to managing the page but claimed ignorance of the ownership implications until the second hearing.

Issues:

1. Whether the establishment of TEST was legitimate.
2. Whether Bro. Hector Concepcion sabotaged the NYT Facebook page and should be sanctioned for his actions.



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Holding and Rationale:

Issue 1: Establishment of TEST

Holding: The establishment of TEST is legitimate.

Rationale: The board reviewed the complaint against TEST's existence based on historical coexistence, geographical boundaries, and the formation of new charters by members of the Western Overseas in the USA. Key points included:

- Historical Coexistence: Similar precedents like the Brooklyn Triskelions coexisting with NYT.
- Geographical Boundaries: NYT operates in Queens, while TEST is based in Uptown New York, making geographical distinctions reasonable for both entities to operate without conflict.
- Formation of New Charters: The practice of forming new charters due to differing views aligns with the establishment of TEST.

Given these factors, Complaint #1 was found to be without merit.

Issue 2: Sabotage of NYT Facebook Page by Bro. Hector Concepcion

Holding: Bro. Hector Concepcion is found guilty of sabotaging the NYT Facebook page.

Rationale: The jury unanimously voted 5-0 for a guilty verdict. Bro Hector Concepcion's actions demonstrated bad behavior and disrespect towards fellow Triskelions. Despite Bro Danny Escueta's denial of ownership and Bro Hector Concepcion's late realization of the implications, his management of the page led to legal complications for NYT. Additionally, Bro Hector Concepcion's behavior falls under Severity 5 offenses as per the Penal Code.



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The third hearing revealed conflicting claims about ownership and responsibilities for the Facebook page. Bro. Danny Escueta clarified that he was not the owner and had not authorized Bro. Hector Concepcion to act on his behalf. The board considered:

- The lack of a binding contract between NYT and the page creator.
- The expert witness testimony regarding legal implications.

Despite NYT's dissolution, the board determined that Bro. Hector Concepcion's actions warranted sanctions due to his misbehavior and disrespect toward fellow Triskelions, as outlined in the ratified bylaws and penal code.

Sanction for Bro. Hector Concepcion:

- Suspension: 3 months, which may be reduced to 2 months under conditions:
- Attendance at an orientation on TGP Tenets and Codes of Conduct by Bro. Ray Ramirez.
- Demonstration of good behavior across all social media platforms.

This sanction falls under Section 3.4, Article V, of the Penal Code for Severity 5 offenses, with consideration for mitigating circumstances as Bro. Hector Concepcion admitted his mistakes without malice and sought to protect NYT's name. His acknowledgment of error and willingness to comply with conditions influenced the final decision.

Conclusion

The Adjudication Board hereby upholds the establishment of TEST and sanctions Bro. Hector Concepcion for his actions regarding the NYT Facebook page. This decision is aimed at maintaining integrity and harmony within the fraternity.

Appeal

If dissatisfied with this decision, the parties may appeal to the Global Judiciary with a filing fee of \$200. Hardship provisions are available for those unable to afford the fees, as per the Adjudication Board's house rules.



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Note: During the third hearing, no NYT representative was present due to their withdrawal of support from TGP Global. Furthermore, NYT did not respond to the complaint filed against them by TEST, showing disrespect to the Adjudication Board which resulted in the suspension of all their officers.

By order of the Adjudication Board of the Western Overseas Cluster.

IN WITNESS WHEREOF, we have hereunto set our hands this 24th day of July 2024.

Adjudicator's Name

Signature

Sis. Angelita Davis

Bro. Paul Astrologo

Bro. Art Liguiligid



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Bro. Arnel Lorenzo

Bro. Loy Loyola

Bro. Zaren Makalintal

Bro. Ray Ramirez

Bro. Gabby Riomaslos

Bro. Ferdie Sacluti