

ARTICLE I - NAME AND PURPOSE

SECTION I - NAME. The Association shall operate under the name of "Eastern United States Pipe Band Association" (hereinafter the "Association").

SECTION 2 - PURPOSES. Consistent with its Certificate of Incorporation, the Association shall engage in such activities and programs as will improve all aspects of bagpipe music, piping and drumming with respect to both pipe band playing and individual playing, provide means of communication and interaction for pipe bands, pipers and drummers, foster greater public appreciation and understanding of piping and drumming, create and promote bonds of fellowship and camaraderie among pipers and drummers, and devise and operate a comprehensive and equitable system for conducting and judging pipe band contests and individual piping and drumming contests. To accomplish these purposes, the Association may engage in such activities and programs as are not inconsistent with the Association's Certificate of Incorporation and which will promote higher standards and greater public appreciation of bagpipe music, piping and drumming.

ARTICLE II - MEMBERSHIP

SECTION 1 - QUALIFICATIONS FOR MEMBERSHIP. Membership in the Association shall be open to all pipe bands and individuals who are in accord with the aims, objectives, and purposes of the Association as set forth in the Association's Certificate of Incorporation and in these By-Laws. There shall be no membership restrictions solely with respect to race, creed, color, national origin or sex.

SECTION 2 - CLASSES OF MEMBERSHIP. The Association shall have the following classes of membership:

- (a) Member Bands. Member Bands are those pipe bands who support the purposes of the Association and who pay such annual dues for membership as are prescribed by the Executive Committee from time to time. Each Member Band shall submit to the Treasurer, at the time it pays its annual dues, a list of the playing members of the band.
- (b) Individual Members. Individual members shall be those persons who support the purposes of the Association and who pay such annual dues for membership as are prescribed by the Executive Committee from time to time.
- (c) Patron Members. Patron members shall be those organizations or individuals desiring to further the objectives of the Association who have contributed to the Association One Hundred Dollars (\$100) or more (or such other amount as may be designated hereafter by the Executive Committee) for the fiscal year of the Association in which patron membership is desired.
- (d) Honorary Life Members. Honorary Life Members are those individuals, as determined by the Executive Committee, who have made outstanding contributions to furthering Highland culture and the objectives of the Association.

SECTION 3 - TERMINATION OF MEMBERSHIP. The membership of any member (of any class of membership) may be terminated or suspended for just cause by a two-thirds (2/3) vote of the members of the Executive Committee in office. Just cause for the termination or suspension of a member shall mean only the failure to abide by the provisions of these By-Laws and the rules and regulations properly adopted by the Association, or conduct of the member prejudicial to the interests and purposes of the Association as stated in Section 2 of Article I hereof. No member may be terminated under this Section 3 unless the Executive Committee shall have given to the member prior written notice of its proposed action and afforded the member reasonable opportunity to be heard in opposition to such action.

SECTION 4 - BRANCH MEMBERSHIPS.

Creation of: The Executive Committee, in its sole discretion, shall have the authority to sanction and charter local Branches of the Association. The requirements for establishment and maintenance of a Branch shall be such requirements as the Executive Committee may from time to time establish and publish in writing, but in no event shall any Branch be chartered unless such Branch shall have purposes similar to those stated in Section 2 of Article I hereof. No Branch may be chartered by the Association unless such Branch shall adopt and agree to be bound by the provisions of a uniform governing instrument which shall be prepared by the Executive Committee and adopted by all Branches. Subject to the limitations and restrictions expressed in this Section 4, each Branch which is chartered by the Association shall have full responsibility and authority with respect to the activities of the Branch.

Termination of: In the event of the liquidation, dissolution or cessation of the existence of a Branch or any other sub-entity of the Association, whether voluntary or involuntary, all bona fide debts and liabilities of such branch or other sub-entity shall first be paid and all remaining assets of such branch or sub-entity, including all fees, receipts and monies due it, shall be remitted to the Treasurer of the Association, unless the Executive Committee of the Association shall, consistent with the provisions of the Association's Certificate of Incorporation, direct an alternative disposition of such assets, property, etc.

ARTICLE III - FISCAL YEAR AND DUES

SECTION 1 - FISCAL YEAR. The calendar year shall be the fiscal year of the Association.

SECTION 2 - DUES. The Executive Committee shall have the power to levy, assess, and collect annual dues from Member Bands and Individual Members. The annual dues for Member Bands shall be greater than the annual dues for Individual Members. All dues shall be paid to the treasurer not later than the first day of March of each fiscal year. After that date, any Member Band or Individual Member not having paid the full assessed annual dues shall be considered delinquent and shall lose all rights and privileges (including voting privileges) in the Association. The membership in the Association of any Member Band or Individual Member delinquent on the last day of any fiscal year shall terminate on that date.

ARTICLE IV - MEETINGS OF MEMBERS

SECTION 1 - ANNUAL MEETING. The Annual Meeting of the members of the Association, for the purpose of transacting any business which may come before the meeting, shall be held at such time (during the month of November of each year) and place, either within or without the State of Delaware, as may be designated by the Executive Committee.

SECTION 2 - NOTICE. It shall be the duty of the Executive Secretary to give written notification stating the time, place, and, in general terms, the business to be transacted at each Annual Meeting. Such written notice shall be mailed to the last known address of each member of the Association, at least thirty (30) days prior to such Annual Meeting.

SECTION 3 - ORGANIZATION. The President, or in his/her absence or disability, the Vice President, shall call meetings of the membership to order and shall serve as Chairman of such meetings, provided, however, that the Executive Committee may appoint any member to serve as Chairman of any meeting in the absence of the President and Vice-President of the Association. The Recording Secretary shall record the minutes of all meetings of the members. In the absence of the Recording Secretary at any meeting of the members, the presiding officer may appoint any member to act as Recording Secretary pro-tem of such meeting.

SECTION 4 - SPECIAL MEETINGS. Special meetings of the members shall be held promptly whenever called by the Executive Committee. Notice of each Special Meeting stating the time, place, and, in general terms, the purpose or purposes thereof, shall be sent by the Executive Secretary by mail to the last known address of each member at least ten (10) days prior to such meeting.

SECTION 5 - VOTING. Only Member Bands and Individual Members shall be entitled to vote at meetings of the Association. Each Member Band shall be entitled to seven (7) votes at each meeting of the Association. Each Member Band shall furnish to the Recording Secretary, in writing, the names of one (1) individual and three (3) alternatives who are members of such band who shall be authorized to cast the unanimous ballot of the Member Band. Each Individual Member shall be entitled to one (1) vote at each meeting of the Association. At each meeting of the members, a full, true and complete list, in alphabetical order, of the names and addresses of all members, both Member Bands and Individual Members, in good standing and entitled to vote at such meeting, shall be certified and furnished by the Recording Secretary. Only the Member Bands and Individual Members whose names are listed in the membership records of the Association on the date of such meeting, as evidenced by the list of members so furnished, shall be entitled to vote at such meeting. Except as otherwise provided in Article IX hereof, voting by absentee ballot or by proxy shall not be permitted at Association meetings.

SECTION 6 - QUORUM. A quorum for any regular or special meeting of members of the Association shall be fifteen percent (15%) of the total voting membership, and a majority in amount of such quorum may decide any question within the limits of these By-Laws which may come before the meeting.

ARTICLE V - EXECUTIVE COMMITTEE

SECTION 1 - COMPOSITION AND ELECTION. The power and authority of the Association rests in the Executive Committee. Only the Executive Committee shall have the authority and control of the external communications relating to Association policy or policy changes. Therefore, it shall be considered prejudicial to the interests and purposes of the Association for any member or committee of members to communicate with outside entities in any matter of Association policy without Executive Committee approval. Thus, all business and affairs of the Association shall be managed by the Executive Committee which shall consist of seven (7) members, the seven (7) executive officers of the Association listed in Section 1 of Article VI hereof.

BY-LAWS OF THE EASTERN UNITED STATES PIPE BAND ASSOCIATION amended, March 2007

The term of office of all officers shall be two years. Such officers are divided into two groups so that the term of office of the one group will expire one year and the expiration of the term of office of the other group the following year, providing staggered turnover of officers. One group shall consist of the Executive Secretary, the Treasurer and an Officer-at-Large. The other group shall consist of the President, the Vice-President, the Recording Secretary and one Officer-at-Large. Only a voting member shall be eligible to hold office.

By affirmative vote of six (6) of the Executive Committee, an office on the Committee may be declared "vacated" if there is determined to be a serious default of responsibilities and/or attendance at regular meetings by the officer in question.

The Executive Secretary shall send to the last known address of each member of the Association in good standing and entitled to vote, at least thirty (30) days prior to each Annual Meeting, the written ballots prepared by the Nominating Committee for the election of members of the Executive Committee. Such written ballots shall be mailed to the voting members at the same time the Executive Secretary mails the notice of Annual Meeting required by Section 2 of Article IV.

The election of the members of the Executive Committee shall be accomplished by the following procedure: The Executive Secretary shall send to all members the written ballots for the election of the members of the Executive Committee whose terms are expiring as of the date of the Annual Meeting. Those Individual and Honorary Life Members selected for such offices on the greater number of written ballots returned to the Executive Secretary prior to five (5) days before the next scheduled Annual Meeting shall be elected to such offices.

Each member of the Executive Committee so elected shall take office at the next Annual Meeting and shall serve until his/her term expires. A President of the Association who shall have been elected to serve in such office for two (2) consecutive terms shall not be eligible to serve in that same office for one (1) year thereafter. There shall not be any restrictions on the tenure of any other member of the Executive Committee.

SECTION 2 - VACANCIES. In the case of any vacancy in the membership of the Executive Committee through death, resignation, disqualification or other cause, the remaining members of the Executive Committee, by affirmative vote of the majority thereof, may elect a successor to hold office for the unexpired portion of the term of the member whose place shall be vacant. Such successor member of the Executive Committee shall serve in the office to which he/she is elected until the election of his/her successor, who shall take office at the next Annual Meeting.

SECTION 3 - REGULAR MEETINGS. The Executive Committee shall meet for the transaction of business at such place as it may designate from time to time.

SECTION 4 - SPECIAL MEETINGS. Special meetings of the Executive Committee may be called by the President or by three (3) members of the Executive Committee for any time or place. Reasonable notice of the time, place and business to be transacted at the special meeting shall be provided each member of the Executive Committee before the time appointed for any such meeting.

SECTION 5 - QUORUM. The members of the Executive Committee shall act as a committee only, and the individual members shall have no power as such. A majority of the members of the Executive Committee in office shall constitute a quorum for the transaction of business, but a majority of those present at the time and place of any regular or special meeting, although less than a quorum, may adjourn the same from time to time without notice until a quorum be at hand. The act of a majority of the members of the Executive Committee present at any meeting at which there is a quorum shall be the act of the Executive Committee, except as otherwise provided by law. In the event a quorum is not present at any meeting but at least two (2) members of the Executive Committee attend such meeting and the business conducted thereat is ratified in writing by a sufficient number of other members of the Executive Committee to constitute a quorum, the business conducted at such meeting shall be binding upon the Executive Committee.

SECTION 6 - ANNUAL REPORTS. The Executive Committee shall submit to the members of the Association, at each Annual Meeting of the Association, a written Annual Report. to be prepared by the Executive Secretary, summarizing the activities of the Association during the past year. The Annual Report shall incorporate the Treasurer's Annual Financial Statement required by Section 6 of Article VI hereof.

SECTION 7 - COMPENSATION OF OFFICERS AND MEMBERS OF THE EXECUTIVE COMMITTEE. The Executive Committee shall be authorized to approve a stipend for the Recording Secretary, but in no event shall such stipend exceed an amount which would constitute reasonable compensation for the services actually rendered by the Recording Secretary. No compensation shall be paid to the Officers of the Association (other than the Recording Secretary) for services rendered by them to the Association during their respective terms of office. Any Officer or member of the Executive Committee may, however, be reimbursed for out-of-pocket expenses and for disbursements made by him/her on behalf of the Association, but

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only upon the submission to the Treasurer of a detailed statement listing such expenses and disbursements and the purposes therefore.

ARTICLE VI - OFFICERS

SECTION 1 - EXECUTIVE OFFICERS. The executive officers of the Association shall be a President, a Vice-President, an Executive Secretary, a Recording Secretary, a Treasurer, and two (2) Officers-at-Large. All officers shall be elected annually in the manner described in Section I of Article V. Only Individual Members and Honorary Life Members in good standing in the Association shall be eligible to be elected officers, and no individual may serve in more than one (1) office at any given time. Further, no individual may serve as an officer of the Association while, at the same time, holding office in the Branch or similar entity as chairperson or in a similar leadership position, respectively.

SECTION 2 - THE PRESIDENT. The President shall preside at all meetings. Subject to the direction of the Executive Committee, the President shall be the Chief Executive Officer of the Association and shall perform such other duties as from time to time may be assigned to him/her by the Executive Committee. The President shall be an *ex officio* member of all committees, except the Nominating Committee.

SECTION 3 - THE VICE PRESIDENT. The Vice President shall have such powers and perform such duties as shall be assigned to him/her by the Executive Committee or by the President. In the case of the absence or disability of the President, the duties of the office of the President shall be performed by the Vice President.

SECTION 4 - THE EXECUTIVE SECRETARY. The Executive Secretary shall: (a) have custody of the corporate seal and of such books and papers as the Executive Committee may direct; (b) be responsible for all correspondence of the Association; (c) notify the members, in advance, of all meetings of members of the Association, including thirty (30) days' written notice of Annual Meetings and ten (10) days' written notice of Special Meetings of the members of the Association; (d) mail to the members the written ballots for the election of members of the Executive Committee (e) prepare and submit to the Executive Committee for approval an Annual Report summarizing the year's activities of the Association; (f) in general, perform all the duties incident to the office of Executive Secretary, subject to the control of the Executive Committee and the President; and (g) perform such other duties as from time to time may be assigned to him/her by the President or by the Executive Committee.

SECTION 5 - THE RECORDING SECRETARY. The Recording Secretary shall: (a) keep the minutes of all proceedings of the Executive Committee and the minutes of all members' meetings in books provided for such purposes; (b) maintain a complete and accurate list of all members of the Association; (c) register all new members; (d) compile and maintain records of competition results among bands and individuals, and (e) perform such other duties as from time to time may be assigned to him/her by the President or by the Executive Committee.

SECTION 6 - THE TREASURER. The Treasurer shall keep correct accounts and books showing the financial affairs of the Association and: (a) provide for proper custody of all the receipts, funds and securities of the Association and perform all other duties incident to the office of the Treasurer, subject to the control of the Executive Committee and the President; (b) collect and receive, or provide for the collection and receipt of, all monies in any manner due to or received by the Association; (c) deposit in the name of the Eastern United States Pipe Band Association all Association funds in such bank or banks or other places of deposit as from time to time may be designated by the Executive Committee; (d) provide a written financial report showing receipts, disbursements and bank balance giving a true account of the financial status of the Association at all Executive Committee meetings and at the Annual Meeting of the Association. Further, immediately following each calendar quarter submit to the president a copy of the most recent bank statement(s) involving all accounts of the Association showing reconciled balance(s) on hand; (e) prepare the Annual Financial Statement, to be included in the Annual Report prepared by the Executive Secretary and to be submitted to the Executive Committee for approval; (f) at such additional times as shall be required by the Executive Committee, render detailed accounts showing the financial status of the Association and his/her transactions as Treasurer; and (g) perform such other duties as from time to time may be assigned to such individual by the Executive Committee or by the President.

If required by the Executive Committee, the Treasurer shall give bond for the faithful discharge of his/her duties in such sum as the Executive Committee may require.

SECTION 7 - OFFICERS AT LARGE. The two (2) Officers-at-Large shall at the direction of the President, assist the other members of the Executive Committee in the management of the affairs of the Association and shall have such authority and perform such duties as from time to time may be prescribed by the Executive Committee or by the President.

ARTICLE VII - COMMITTEES

SECTION 1 - GENERAL PROVISIONS.

- (a) Each Standing Committee of the Association shall be headed by a Chairman appointed by the President, subject to the approval of the Executive Committee, and each Chairman shall, except in the case of the Nominating Committee, have power to make rules for the governing of his/her committee.
- (b) The members of each Standing Committee, other than the Advisory and Nominating Committees, shall be selected by its Chairman who shall advise the Executive Committee promptly of the composition of such Committee.
- (c) Each Standing Committee, other than the Advisory and Nominating Committees, shall consist of such number of members as shall be selected by its Chairman, and of that number a majority shall constitute a quorum.
- (d) The Executive Committee shall have the power to revise or amend the decision of any Committee, except the decisions of the Nominating Committee with respect to nominations for the election of members of the Executive Committee, when conducted within the parameters of these By-Laws and approved guidelines.
- (e) Each Committee, except the Nominating Committee, shall have the power to adopt such rules as it shall deem proper but in no case in violation of the text or spirit of these By-Laws. With approval of the President, the Committee may establish subcommittees and delegate to those subcommittees such parts of its duties and responsibilities as it may desire.

SECTION 2 - STANDING COMMITTEES. The Standing Committees shall be as follows:

- (a) **ADVISORY COMMITTEE.** (i) The Executive Committee shall present to an Advisory Committee all proposed rules and regulations, or changes thereto, pertaining to (1) conducting and judging pipe band contests and individual contests, and (2) grading pipe bands and individual competitors, based on the recommendations of the Grading Subcommittee as constituted hereunder. The Advisory Committee shall consider all proposed rules and regulations, or changes thereto, and submit its findings in the form of recommendations to the Executive Committee for final approval or disapproval. The Advisory Committee shall be appointed by the President of the Association and shall serve at the pleasure of the Executive Committee. Any member of the Association may serve on the Advisory Committee, except that no member of the Executive Committee other than the President *ex officio* shall be eligible to serve on the Advisory Committee.
(ii.) Grading Subcommittee. As of January 1 of each year, the Chairman of the Advisory Committee shall, with the approval of the President, establish a grading subcommittee which shall (a) consist of five members (b) all of whom shall be members of the Association's judges' panel, representing the various playing disciplines (piping and drumming) and (c) whose function shall be to meet as often as necessary to review the competitive grading of individual and band competitors, and to make recommendations to the Advisory Committee regarding such matters, all of which shall be subject to final review and approval or modification by the Executive Committee. Such changes must be determined by mid-December for the succeeding year, and all notifications of grade changes for bands and/or individuals must be made in writing to those bands and individuals by January 1 preceding the season.
- (b) **NOMINATING COMMITTEE.** The Nominating Committee shall be responsible for nominating Individual Members and Honorary Life Members in good standing for election to the Executive Committee. The Nominating Committee shall be appointed annually by the Executive Committee and shall consist of (1) member representing each Branch of the Association and no more than two (2) members representing the Executive Committee.

The Nominating Committee shall, at least forty-five (45) days prior to each scheduled Annual Meeting, furnish to the Executive Secretary written ballots to be mailed to the Individual Members and Member Bands, all in good standing, containing the names of the individuals nominated for election pursuant to Article V, Section 1.

In making nominations for the election of members of the Executive Committee, the Nominating Committee may nominate more individuals than the number of vacancies to be filled. The written ballots prepared by the Nominating Committee shall contain places for the Member Bands or Individuals, as the case may be, to indicate their preferences for the election of eligible Individual Members and Honorary Life Members not nominated for office by the Nominating Committee. The Nominating Committee shall conduct its responsibilities in accordance with these By-Laws and the Guidelines approved by the Executive Committee. Such Guidelines shall not, however, be in conflict with the By-Laws set forth herein.

- (c) **BY-LAWS COMMITTEE.** This Committee shall recommend to the Executive Committee such changes and amendments to the By-Laws as it shall deem appropriate.
- (d) **PROPERTY COMMITTEE.** This Committee shall be responsible to the Executive Committee for the management and maintenance of the property of the Association, real and personal, and shall make recommendations to the Executive Committee in such regard from time to time as it deems appropriate.

BY-LAWS OF THE EASTERN UNITED STATES PIPE BAND ASSOCIATION amended, March 2007

SECTION 3 - SPECIAL COMMITTEES. Executive Committee may from time to time establish such other Committees as it shall deem advisable.

ARTICLE VIII - DISBURSEMENT OF FUNDS

SECTION 1 - APPROVAL. No funds of the Association shall be disbursed for any purpose whatsoever except upon specific approval of such disbursement by the Executive Committee. No disbursement shall be approved unless the Executive Committee, in its sole discretion, shall first determine that such disbursement would be consistent with the Association's purposes and objectives as stated in Section 2 of Article I hereof.

SECTION 2 - OPERATING EXPENSES. The Executive Committee is authorized to make disbursements of Association funds to pay for the administrative aid operating expenses of the Association. Disbursements are authorized for such expenses as: (a) clerical salaries; (b) rental of meeting accommodations, (c) stationery and supplies; (d) legal fees, (e) preparation of competition rule books, competition score cards and records; and (f) such other reasonable and necessary expenses which the Association may incur in carrying out its objectives. No disbursement of Association funds which would result in the earnings of the Association inuring to the benefit of any member of the Association shall be authorized.

ARTICLE IX – AMENDMENTS

The power to make, amend, and repeal the By-Laws of the Association shall be in the members entitled to vote at meetings of the Association, as provided in Section 5 of Article IV. The By-Laws may be amended at any Annual Meeting or Special Meeting of the members of the Association by a majority vote of all the members entitled to vote, provided that thirty (30) days' written notice of intention to amend the By-Laws shall have been furnished to each member of the Association entitled to vote. The By-Laws of the Association may also be amended by written ballot of a majority of all members of the Association entitled to vote, provided that such amendments have been previously approved by the Executive Committee and that ballots and written notices of such amendments have been furnished by the Executive Committee to all members of the association entitled to vote. Absentee ballots will be permitted for the purpose of voting on amendments to the By-Laws at any Annual Meeting or Special Meeting of the members of the Association.

AMENDMENT ONE

1. The Executive Committee shall have the power to enforce the Bylaws and the contest committee shall have the power to enforce the contest rules of the Association. In all matters of interpretation of contest rules, the decision of the Contest Committee shall be final and binding on both band and individual member. Any band or individual member aggrieved by such decision may request an appeal within 30 days of being informed of the decision to the Executive Committee. In the event an individual or band is dissatisfied with the Executive Committee's ruling, such individual or band can make a request for an informal resolution pending arbitration.

Such request must be made in writing and must include a statement from the band or individual member setting forth with specificity, all facts or reasons why such decision is incorrect and the name, current address and telephone number of any witness who will provide evidence or information in support of such facts or reasons. Such request must be post-marked for mailing or hand delivered to the Executive Secretary of the EUSPBA within 30 days of the decision, or within 30 days of the aggrieved party having received reasonable notice of such decision, whichever is later. The Executive Committee may extend this 30 day period upon a showing by the aggrieved party that despite due diligence, the aggrieved party was unaware of such action within the timeframes established in this section. Upon receipt of the written objection, the Executive Secretary of the EUSPBA shall, within 14 days, provide copies of such written objection to all members of the Executive Committee. Upon receipt of the written request for implementation of the informal resolution process, the President, or such member of the Executive or other Committee as he or she shall appoint, will personally contact the aggrieved party to attempt to gather information from which the Committee may informally resolve the objection. Any informal resolution of the objection must be presented to the Executive Committee for approval by simple majority of a quorum of the Executive Committee. Approval of the resolution by a quorum of the Executive Committee shall become final and binding on both the EUSPBA and the aggrieved party.

2. In the event an informal resolution of the objection has not been made within 60 days of the objection having been filed, the person contacting the aggrieved party shall notify all members of the Executive Committee that an informal resolution has not been obtained. Upon agreement of the person contacting the aggrieved party and the aggrieved party, this time may be extended and such extension shall be confirmed in writing by the Executive Secretary of the EUSPBA to all parties involved.

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3. Any dispute resulting from any such decision of the Executive Committee shall be resolved by binding arbitration pursuant to the Rules of the American Arbitration Association. In the event such dispute involves questions of law, such questions of law, including interpretation of these bylaws and contest rules, shall be determined to the laws of the State of Delaware. Any arbitration under these rules shall occur in Newark, Newcastle County, Delaware. Arbitration proceedings shall be commenced upon written demand for arbitration from any member band through authorized representative or individual member, currently in good standing with the Association, to the Executive Secretary of the Association, who shall immediately notify the Executive Committee and the American Arbitration Association. Any dispute where a request for arbitration is not made within one (1) calendar year of the decision which is the subject of the dispute, shall be considered waived.
4. Notwithstanding any rule of the American Arbitration Association to the contrary:
 - A. Unless otherwise agreed in writing between the requesting party or legal representative and the Association, such arbitration shall be concluded within 120 days of the request.
 - B. Unless otherwise agreed to in writing between the requesting party or legal representative and the Association, legal discovery procedures, including but not limited to interrogatories, requests to produce, requests to admit and depositions, shall not be conducted in these arbitration proceedings.
 - C. All parties to such arbitration shall simultaneously disclose in writing to all other parties, 30 days prior to any arbitration hearing under this rule, or as agreed upon by all such parties in writing, the names, current addresses and telephone numbers of all witnesses, and the content of evidence to be offered, thereby. Any party may substitute a sworn, written statement to the Arbitrator for consideration, in lieu of appearance and live testimony of any witness, where such statement has been disclosed and provided to all other parties, 45 days prior to any arbitration hearing under this rule.
5. In any dispute resulting in a request for arbitration, the prevailing party shall be entitled to an award of reasonable attorneys fees from the Arbitrator, upon request and verification by sworn statement from counsel and supported by bills and a copy of the applicable fee agreement. Any party requesting such attorneys' fees shall be considered to have waived any privilege attached to bills and fee agreements necessary to determine the reasonableness of such fees.
6. Notwithstanding any provision of law or these bylaws to the contrary, in consideration of being granted membership in the Association, all member bands and individual members agree that no member of the Association's Adjudication Panel, Advisory Committee or Executive Committee, or any branch officer or any band or individual member of the Association, shall be personally liable for any compensatory, punitive or other monetary damages arising as a result of any decision, act, omission or other conduct by such person(s) which is based on a good faith intent to act within the scope of these bylaws or contest rules.
7. Notwithstanding any provision of law or these bylaws to the contrary, in consideration of being granted membership in the Association, all member bands and individual members agree that all compensatory, punitive or other monetary damages, excluding an award of reasonable attorneys fees as described in subsection e, suffered by any band or individual, arising as a result of any decision, act, omission or other conduct of the Association which is based on a good faith intent to act within the scope of these bylaws or contest rules, shall not exceed the amount of that band or individual member's registration fee for the year in which the dispute arose.
8. Notwithstanding any provision of law or these bylaws to the contrary, in consideration for being granted membership in the Association, all member bands and individual members agree that the dispute resolution established in this section shall constitute the sole method for resolving objections or disputes to actions of the EUSPBA, or its Executive Committee, AAB, Advisory Committee or contest committee, or any individual member thereof.
9. No member of the Executive Committee may participate in the deliberations regarding a dispute involving a band of which he or she is a member.

AMENDMENT 2 (MARCH, 2007)

Amendment to Article 5, Executive Committee, Section 7:

Current wording:

BY-LAWS OF THE EASTERN UNITED STATES PIPE BAND ASSOCIATION amended, March 2007

SECTION 7 - COMPENSATION OF OFFICERS AND MEMBERS OF THE EXECUTIVE COMMITTEE. The Executive Committee shall be authorized to approve a stipend for the Recording Secretary, but in no event shall such stipend exceed an amount which would constitute reasonable compensation for the services actually rendered by the Recording Secretary. No compensation shall be paid to the Officers of the Association (other than the Recording Secretary) for services rendered by them to the Association during their respective terms of office. Any Officer or member of the Executive Committee may, however, be reimbursed for out-of-pocket expenses and for disbursements made by him/her on behalf of the Association, but only upon the submission to the Treasurer of a detailed statement listing such expenses and disbursements and the purposes therefore.

Replaced by the following:

The Executive Committee shall be authorized to approve a stipend for any member whose duties go beyond the amount of time that can be expected of a volunteer. Such stipend shall be by majority vote of the members of the Executive other than those for whom such a stipend is being suggested. Any Officer or member of the Executive Committee may also be reimbursed for out-of-pocket expenses and for disbursements made by him/her on behalf of the Association, but only upon the submission to the Treasurer of a detailed statement listing such expenses and disbursements, with receipts, and the purposes therefore.