

2006 Summer NABC

Appeals Casebook



Appeals at the 2006 Summer NABC Chicago IL

FOREWORD

The appeal hearings and commentary descriptions are now being compiled and edited by the American Contract Bridge League. They are published on the ACBL web page. This internet publication is intended to be a tool to help improve the abilities of those serving on appeals committees and tournament directors and to communicate decisions and the process to arrive at those decisions to the membership at large.

In Chicago a total of eighteen cases were heard. Four cases were from unrestricted (by masterpoints) North American Bridge Championship Events and were heard by a committee of peers. The names of the players involved are included.

Fourteen cases were from all other events and were heard by a panel (committee) of tournament directors. The names of the players involved are included when the event from which the appeal derived had no upper masterpoint limit or was a top bracket of a bracketed knockout event. When the names of the players are not used, the player's masterpoint total is included.

The cases are first presented without commentary. After the official panel of commentators has had an opportunity to provide their commentary (about 4 weeks) and any corrections to the cases, the commentary is added, corrections made and the internet publication is finalized.

Everyone involved in this process is due praise for their efforts. Special thanks to the NABC Appeals Committee and the Tournament Directors serving on the director committees, scribes and commentators. Without their considerable contribution of time and effort, this publication would not exist.

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THE EXPERT PANEL

Ron Gerard, 62, was born in New York. He is a graduate of Harvard University and Michigan Law School (JD). He currently resides in White Plains, NY, with his wife Joan (District 3 Director) where he is an attorney. Ron is a college basketball fan and enjoys classical music and tennis. He has served as a member of the ACBL Laws Commission since 2000. He is proudest of winning the Spingold and Blue Ribbon Pairs in 1981. Each year from 1990 to 1995 he made it to at least the round of eight in the Vanderbilt KO Teams; he played in three finals (winning in Fort Worth in 1990) and one semifinal without playing once on a professional team.

Jeff Goldsmith, 44, was born near Schenectady, NY. He has lived in Pasadena, CA, for the last 20 years. He graduated from Rensselaer Polytechnic Institute and Caltech. He is a software engineer, focusing on computer graphics and animation and internet programming, all with a heavy mathematical perspective. He created computer animation for JPL for several years including the movie about Voyager's encountering Neptune. He ice dances and plays many other games, particularly German board games. His web site (<http://www.gg.caltech.edu/~jeff>) contains lots of bridge and other material.

Jeffrey Polisner, 66, was born in Buffalo, NY and currently resides in Northern CA where he has been a practicing attorney since 1967. He is a graduate of Ohio State University (BS) and obtained his JD from Case Western Reserve. He is currently the WBF Counsel and former ACBL League Counsel. He is a member of the ACBL Laws Commission and the WBF Laws Committee and former Co-Chairman of the ACBL National Appeals Committee.

Barry Rigal, 47, was born in London, England. He currently resides in New York City with his wife, Sue Picus. A bridge writer and analyst, he contributes to many periodicals worldwide and is the author of a dozen books, including *Card Games for Dummies* and *Precision in the Nineties*. He enjoys theater, music, arts and travel. Barry is an outstanding Vugraph commentator, demonstrating an extensive knowledge of bidding systems played by pairs all over the world. He coached the USA I team to the Venice Cup in 1997. He has two National team titles, but is proudest of his fourth-place finish in the 1990 Geneva World Mixed Pairs and winning the Common Market Mixed Teams in 1998 and the Gold Cup in 1991. In 2003 he was appointed chairman of the ACBL National Appeals Committee.

Matt Smith was born in 1957 in Victoria, B.C. and still lives there with his wife Vicky. He has been an ACBL National Tournament Director since 2002. He has been an assistant tournament director at several WBF Championships. Is a member of the ACBL Laws Commission, and the first working tournament director to have been appointed since Al Sobel. Matt is an avid golfer when not directing.

Adam Wildavsky, 46, was born in Ohio and grew up in Berkeley and Oakland, CA and London, England. He is a graduate of MIT and since 1986 he has resided in New York City with longtime companion Ann Raymond. He works as a senior software engineer for Google, Inc. Mr. Wildavsky has won three NABC Championships, most recently the 2002 Reisinger BAM teams. He and his Reisinger team went on to win the 2003 Team Trials and the bronze medal in the 2003 Bermuda Bowl in Monaco. Mr. Wildavsky is a member of the National Laws Commission. His interest in the laws is informed by his study of Objectivism, the philosophy of Ayn Rand.

Bobby Wolff, 73, was born in San Antonio and is a graduate of Trinity University. He currently resides in Las Vegas. His father, mother, brother and wives, including present wife Judy, all played bridge. Bobby is a member of the ACBL Hall of Fame as well as a Grand Life Master in both the WBF and the ACBL. He is one of the world's great players and has won 11 World titles and is the only player ever to win world championships in five different categories: World Team Olympiad, World Open Pair, World Mixed Teams, World Senior Bowl and seven Bermuda Bowls. Mr. Wolff has also won numerous NABCs including four straight Spingolds (1993-1996). He served as ACBL president in 1987 and WBF president from 1992-1994. He started the ACBL Recorder system in 1985, has served as tournament recorder at NABCs and is the author of the ACBL active ethics program. Among his pet projects are eliminating convention disruption, encouraging less hesitation disruption, allowing law 12C3 to be used in ACBL events and reducing the impact of politics and bias on appeals committees.

APPEAL	NABC+ ONE
Subject	Tempo - Unauthorized Information (UI)
DIC	Henry Cukoff
Event	Life Master Pairs
Session	Second Final
Date	July 16, 2006

BD#	4
VUL	Both
DLR	West

Laurie Kranyak	
♠	A K J 2
♥	J T 9 6 3
♦	
♣	J 7 4 3

Haig Tchamitch		Summer 2006 Chicago, Illinois	Jo Morse	
♠	Q 3		♠	9 8 6 5
♥	A Q		♥	7 5 4
♦	K Q T 9 6 3		♦	8 7 5
♣	K Q 5		♣	A T 2

Linda McGarry	
♠	T 7 4
♥	K 8 2
♦	A J 4 2
♣	9 8 6

West	North	East	South
1♦	Dbl	Pass	1NT
3♦	Pass	Pass	Dbl ¹
Pass	3♥	Pass	Pass
Pass			

Final Contract	3♥ by North
Opening Lead	♦5
Table Result	N/S -100
Director Ruling	3♦ by W, doubled, E/W +670
Comm. Ruling	3♦ by W, doubled, E/W +670

(1) After a break in tempo

The Facts: There was a break in tempo (BIT) before South doubled 3♦ – all players agreed to it.

The Ruling: The Director ruled that South's BIT suggested that a double was marginal. This in turn suggested that North bid with her hand. Passing with the North hand was considered a logical alternative (that would have been less successful). Therefore, a pass was imposed on North. The Director determined that nine tricks would be taken in 3♦ doubled; therefore the score was adjusted to 3♦ by West, doubled, E/W +670.

The Appeal: North addressed one issue in presenting her case: whether there was a logical alternative to bidding 3♥. She contended that she was too weak to pass and that she had an undisclosed five-card suit that she had not bid earlier. South's 1NT bid showed 6-9 high card points (perhaps as many as 10). North reasoned that E/W likely have the balance of power on the hand. West's power bidding, combined with North's own weakness in high card points, convinced North that a 3♥ bid was not only good bridge judgment, but was legal (i.e. there was no logical alternative).

The Decision: The Committee decided that there was a logical alternative to bidding 3♥. There were several slight variations in the holdings of the other three hands which would have been consistent with the auction but would have led to contracts of both 3♦ and 3♥ failing.

The Committee reviewed several lines of play to determine the number of tricks E/W would have taken in 3♦ doubled. There were chances that ten tricks would be made, but the Committee deemed that they were not sufficiently likely or probable to adjust the score based on them. Accordingly, the Committee adjusted the score to 3♦, doubled making nine tricks, E/W +670.

The Committee further decided that this was a case of sufficient clarity that a player of North's expertise should know that the appeal had no merit. Therefore, an AWMW was issued.

The Committee: Jeffery Goldsmith (chairperson), Abby Heitner, Dr. E. Kales, John Lusky, Aaron Silverstein.

Commentary:

Goldsmith This was an easy one. AWMW was a slam-dunk. Giving North a procedural penalty (PP) is reasonable.

Polisner I personally agree with the appeals committee; however, I thought that the directors were supposed to poll peers on this type of issue to see if any players with the north cards did "seriously consider and some actually bid" 3♥ absent the BIT.

Rigal In situations like this even the most knowledgeable of players lose proportion. The committee had no problem in determining that removal of the double was not appropriate –the real issue was how close to a PP the removal was. I think they made the right decision not to award one. But when an offender brings a case of this sort, they should be aware that they automatically put themselves in jeopardy of the PP.

Smith Good job by the director and the committee. Routine and the AWMW is appropriate.

Wildavsky North's argument is a rationalization. South's range may be 6-10 initially, but her penalty double ought to mark her at the high end of that range. Likewise West's auction may be strong, but South heard the same auction and doubled anyway. At IMPs passing would be scary – at matchpoints it's clearly logical.

Ten tricks seem likely enough to me. I'd have adjusted both sides to 870, and also assessed a procedural penalty against N/S. 670 was probably a top or near top in any case.

The AWMW was richly deserved.

Wolff I think this a good ruling, even though North had a legitimate reason for not standing for her partner's double. It is merely a case of poor tempo taking precedence over logical bridge in deciding what is proper and IMO it should. Wouldn't what I said (with perhaps better wording) be a logical precedent upon which committees can hang their hat? Future judges can go on to say that "once a player is gifted with UI from his partner's improper tempo it would not be fair for him to take any advantage (however slight) of that information."

APPEAL	NABC+ TWO
Subject	Tempo - Unauthorized Information (UI)
DIC	Roger Putnam
Event	Wagar KO Teams
Session	First Round – Second Session
Date	July 17, 2006

BD#	13
VUL	Both
DLR	North

Amalya Kearse	
♠	T 4
♥	J 8 4 3
♦	A Q 9 4 2
♣	9 6

Sanda Enciu		Summer 2006 Chicago, Illinois	Jenni Hartsman	
♠	A 9 7 2		♠	K 6 5
♥	7 6		♥	K 2
♦	K J T 5 3		♦	8 6
♣	T 2		♣	K Q J 8 5 3

Rozanne Pollack	
♠	Q J 8 3
♥	A Q T 9 5
♦	7
♣	A 7 4

West	North	East	South
	Pass	1♣	1♥
Dbl	2♥	3♣	3♥ ¹
Pass	4♥	Pass	Pass
Pass			

Final Contract	4♥ by South
Opening Lead	♣T
Table Result	4♥ by South, N/S +620
Director Ruling	4♥ by South, N/S +620
Committee Ruling	4♥ by South, N/S +620

(1)	After a break in tempo
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The Facts: There was a break in tempo (BIT) before South bid 3♥ – all players agreed to it. Since a 2♣ bid would have shown a stronger hand with heart support, North’s 2♥ bid limited the top side of her values. N/S do not play maximal doubles. If, instead of bidding 3♥, South had bid 3♦, it would have shown diamonds and been a game try. According to the testimony of both North and South, the 3♥ bid was forward going.

The Ruling: The director determined that the BIT did not “demonstrably suggest” a line of action. Since it did not, there was no basis for an adjustment (in accordance with law 16), and the table result was allowed to stand.

The Appeal: E/W contended that both 3♦ and double were available to South as game tries. Therefore, the BIT was the only suggestion that South was making an invitational bid, i.e. the bid itself does not suggest that North reconsider her values for game purposes, but the BIT did.

N/S said that they do not play any conventional calls in this sequence; double would be penalty oriented, and 3♦ would have shown a forward-going hand with diamond values. North said that if South was willing to compete, or invite, she evaluated her hand as having extra values. She felt that bidding the game was called for at IMPs.

Upon questioning by the Committee, N/S revealed that a redouble of 1♥ by North would have shown a stronger high-card hand but probably only three hearts. North said she could not remember the last time she redoubled in such a sequence.

The Decision: In order for a BIT to lead to an adjustment, it must “demonstrably suggest” a line of action. In this case, with a pair playing relatively few conventions, the BIT could have been because South was considering passing, doubling, bidding 3♥, bidding 4♥, or bidding 3♦. In her methods, South took one of the aggressive calls available to her (considering that 3♦ was not appropriate). This is not a case in which South was considering a more aggressive action than she took. The committee found that the BIT did not demonstrably suggest to North that she bid 4♥ any more than South’s 3♥ call itself did. The decision might be different in cases where the N/S pair were playing that 3♦ would be a generic game try which would make South’s 3♥ call merely competitive.

(Dissenting Opinion by Mark Bartusek) N/S claimed that 3♥ was “forward-going” and that 3♦ would have been natural and game-invitational in their partnership of a couple of years. A double of 3♣ was undiscussed and presumably would have been penalties since they do not play maximal game-try doubles. South held precisely what I would expect for a BIT over 3♣, a game-try without diamond length (and North can figure this out after the negative double and the 3♣ rebid). The N/S pair’s statement about 3♥ being “forward-going” was not backed-up by any system notes and must be treated as self-serving by the committee. I find it hard to believe that a pair cannot bid three of a major in competition without inviting game (this would seem to result in a lot of part-score swings against them). The contract should be rolled back to 3♥.

The Committee: Mark Bartusek (chairperson), Jerry Gaer, Robb Gordon, Dr. E. Kales, and Mike Kovacich.

Commentary:

Gerard

An Intelligence Transfer by the Dissent. "I would never be caught without a competitive 3♥ bid, so how could any pair of experts bid otherwise?" Not just the Dissent but lots of others who have already commented on this case. You mean you don't trust N/S? THIS North and THIS South? What system notes would document the actual agreement, other than the absence of maximal doubles? And if they really didn't play maximal doubles, their methods are as they claimed. This wasn't a maximal situation, but if the competition had been in diamonds the fact that double wouldn't have been maximal means that "last train" principles don't apply. So 3♦ here wasn't a nonspecific try but related to diamonds, as was asserted. You may not like the fact that they had chosen to give up a competitive 3♥, you may be salivating at the prospect of winning all those part score swings, you may think these methods surely would have sunk that Supreme Court nomination had it been proffered, but you do not have the right to impose your personal credo on others who are at least as intelligent as you are.

As to the length and suggestion of the hesitation, ist macht nichts differenz. South made a game try, North had an acceptance, end of brouhaha. Get. Over. It.

Goldsmith

I agree with the dissenter. If a pair claims that they play very unusual methods (3♥ invitational here), then they need some strong supporting evidence for an appeals committee to rule based on that claim. No such evidence was given; in fact, a very strong piece of evidence contradicts it: South's hesitation. If 3♥ had, indeed, been invitational, wouldn't South have chosen that action without significant thought? That South had a problem implies that she thought 3♥ was just competitive, as most everyone else plays.

Note that "to treat a statement as self-serving" is not to believe it or to disbelieve it, but to state that there is not enough evidence to determine its truth or falsehood, and that, without that evidence, the law instructs us to rule as if it were not said. Perhaps players would take less offense and understand more clearly if we used the term "did not have enough evidence to use" rather than "treated as self-serving." This would have the nice side-effect of making it clear that to disbelieve a witness is not to accuse him of intentional lying*, but simply to judge that his statement requires more supporting evidence than was given before it can be used.

* Some dictionaries define a "lie" as a mistruth with intent to deceive.

Others are more loose and require only that the statement was untrue, perhaps unbeknownst to the speaker, hence my qualification "intentional."

- Polisner** I would have required evidence of N/S's agreements as they seem to be unworkable as 3♥ could be a wide range of hands from xxx, AKQxxx, xxx, x to KJxx, AQ109x, xx, Ax. In such a situation, the BIT does tend to convey more information than when South had various other bids to either invite or pre-empt. However, it is still a close decision as to whether the BIT demonstrably suggested bidding 4♥.
- Rigal** This was the most controversial of the appeals at Chicago. The issue here was the pause before the 3♥ call. In committee the impression given was a regular BIT, and those who knew the participants understood that this South's BIT meant very little given her normal slow tempo. Afterwards it was suggested that the pause might have been two minutes – and I do not know if this is correct or not. But if it is, then obviously it now becomes clear South would have been weighing up which action to take as opposed to whether to bid. That might have led to a different verdict – I'm not sure.
- Smith** It does seem remarkable that an experienced pair at this level cannot bid 3♥ competitively. The dissenter makes some good points. Given the agreements that N/S apparently have, it would seem that a slow 3♥ bid by them is potentially more meaningful than it would be to other partnerships. Is that enough to say that their slow 3♥ “demonstrably suggests” that North bid 4♥? I don't think so since there are many other possibilities for what South might have been considering, so ultimately I agree with the director and the committee.

Wildavsky I was fortunate enough to be given just the North hand as a problem, with the N/S agreements as stated:

Double would have been for penalties.

3♦ would have been a natural game try.

3♥ is forward going.

It seemed to me that the most likely reason for the hesitation was that partner wanted to compete but was afraid that I'd bid a game. If that were the case then with a maximum single raise I'd be obliged to bid on.

The ruling seems reasonable to me. I could see it going either way, so let's hear from special guest commentator Robb Gordon, who served on the committee:

Suppose you hold the North hand with the auction as given. Partner is a solid citizen -- she doesn't expect to go for 500 opposite your 3-3-4-3 seven count. What is your call?

For me, having bid only 2♥, I would not seriously consider passing.

Maybe I am out of the mainstream, but there is still a vulnerable game bonus that exceeds the price of overbidding by a trick, and I have significant undisclosed offense, and partner is likely to have six hearts.

Wolff I agree with Mark Bartusek's dissent and not with the committee's decision. Players are allowed to play what they want, simple or complicated. Whatever they decide is legal, but if they choose an uncomplicated method (with fewer bids available), their tempo may be held to stricter scrutiny. Such is the case here and should be so judged.
SIDEBARS:

1. Probably N/S had no idea or certainly no intent of taking advantage. Hesitations (HD) have a way of SOMETIMES making it easier to judge correctly.

2. When I speak of bias I know I ruffle feathers. The human condition is such that everyone would respect what these two ladies (perhaps Amalya, because of her position, even more) represent. As judges we have to aggressively fight that possible illusion. What I am really saying is that Rozanne and Amalya had no idea that they were taking advantage and whether they were or not is moot, since our rules usually decide against POSSIBLE UI.

APPEAL	NABC+ THREE
Subject	Unauthorized Information (UI)
DIC	Henry Cukoff
Event	Wernher Open Pairs
Session	First Qualifying
Date	July 18, 2006

BD#	28
VUL	N/S
DLR	West

Larry Cohen	
♠	T 6 4 3
♥	K Q T 6 5
♦	8 2
♣	8 4

Bob Walsh		Summer 2006 Chicago, Illinois	Delores Brenner	
♠	7 5		♠	A K Q J 9 8 2
♥	9 4		♥	A
♦	J 9 7		♦	K 3
♣	A K Q T 9 5		♣	6 3 2
		Craig Gardner		
		♠		
		♥	J 8 7 3 2	
		♦	A Q T 6 5 4	
		♣	J 7	

West	North	East	South
Pass	Pass	4♠ ¹	4NT
5♣	5♥	5♠	6♥
Pass	Pass	6♠	Dbl
Pass	Pass	Pass	

Final Contract	6♠, doubled, by East
Opening Lead	♥3
Table Result	6♠ by E, doubled, E/W +1310
Director Ruling	6♥ by N, doubled, down two, N/S -500
Committee Ruling	6♠ by E, doubled, E/W +1310

(1) 4♠ was alerted as less strong than 4♦, since E/W agreed to play Namyats

The Facts: E/W had agreed to play Namyats (four of a major is a weaker hand with a long suit and four of the respective minor is a stronger hand) and had put it on their card. East on this hand decided to make a strategic underbid, knowing that Namyats was on the card and that West was a passed hand and probably did not hold the values for slam exploration. The 4♠ bid was alerted and explained according to the partnership's agreement.

The Ruling: It was judged that when East became aware that her partner thought she held a weak hand (from the UI of the alert and explanation), this now demonstrably suggested a 6♠ call. It was judged that double was a logical alternative (LA) but pass was not a LA. Therefore, the table result was adjusted to 6♥, doubled, down two, -500 N/S in accordance with laws 16A and 12C2.

The Appeal: E/W, the only players to attend the hearing, contended that their bid was properly alerted and explained. The partnership (which played roughly once a month) had a detailed and well-documented system file. Since East was willing to give up on slam possibilities facing a passed hand, she strategically deviated from the agreement. East claimed that there was no infraction. She was merely using her own bidding judgment (by which she indicated that she thought that 6♥ might make). Her partner's lead-directing call was facing her length, and the ♦K was clearly waste paper. Had the club ace been with South (which was where the auction implied it would be) a club lead would be necessary to beat slam.

The Decision: The committee questioned East about her exploitation of Namyats, asking such questions as whether her hand would be a Namyats 4♠ bid in first or second seat. She said that it would not be; it would be a 4♦ bid. The committee determined that by East's reasoning, her bid was an intentional deviation from the convention and that she would also have bid 4♠ in third seat with much weaker (defensive) hands. Since a player is allowed to deviate from partnership agreements intentionally (so long as the player's partner is as much in the dark about it as the opponents), the committee concluded that no infraction occurred. Therefore the committee restored the table result 6♠ doubled making seven, E/W +1310.

The Committee: Richard Popper (chairperson), Mark Bartusek, Ed Lazarus, Barry Rigal and Peggy Sutherlin.

Commentary:

Goldsmith Very dangerous ruling. To believe a player who has claimed to psych rather than to assume a misexplanation or inadvertent mistaken bid without supporting evidence is to ignore law 75D. In order to have a chance at this, when I play Namyats, I explain as normal, but add, "But since he's in third seat, he really could have any sort of hand." Given such an explanation, I think I'd feel that I had enough evidence to rule that a player had chosen to step out; without it, I'd rule that he was constrained by UI. I think the laws are very harsh here (though I can't think of a better set), so players need to go out of their way to explain if partner is likely to violate system, as sometimes happens here. That'll at least give an appeals committee (AC) some basis on which to rule in their favor. So I think East has UI and is constrained by it. Was doubling a LA? Yes, I think so. While vulnerable against not opponents who save at the six-level probably are very close to their bids, it looks like we have three aces. At least two of them are cashing. There's no reason to believe that partner has all three top club honors, so to bid 6♠ is a deep position. Therefore doubling is a LA and is required. No appeal without merit warning (AWMW) because the appellant can tell that this is a close enough decision that an AC is likely to rule in their favor. A procedural penalty (PP) for abuse of UI is not appropriate.

- Polisner** A terrible ruling and a well-reasoned AC decision.
- Rigal** The committee failed to understand where the UI was coming from in the original tournament director ruling. The pair had a well produced system file, and East appeared to know it well, and explained her rationale for her actions sensibly. Indeed had South (not West) had the club ace that the auction indicated she should, slam is indeed very close to making.
- Smith** I think the directors got this one right. East's hand looks like Namyats and E/W have no mention of Namyats applying only in first and second seat. Doesn't it look like East might have just forgotten and that she might have been awakened by the Alert? Law 16 says that "After a player makes available to his partner extraneous information that may suggest a call or play . . ." I think that clearly applies here and we do not have to do any mind reading to come to a decision. East is entitled to make a "strategic underbid," but she is in jeopardy if she later does anything that may appear to have been influenced by UI.
- Wildavsky** There's something about the facts of the case that I don't understand. It says that E/W had put NAMYATS on their card. Aren't they required to have two cards?
If E/W had only one convention card, I'd rule against them, assuming that if the other card had been present it would have been marked differently. If E/W had two cards this would be a tough case. East is allowed to bid as she pleases, but when she has a descriptive conventional call available and chooses a mis-descriptive call instead the appearance is that either E/W are not playing that convention or that East forgot.
I'm marking this one as "too close to call."
- Wolff** I agree with the majority committee decision of allowing East to bid 6♠. N/S, by bidding 5♥, were theoretically in a terrible position of either giving up 500 in 5♥, doubled (versus 480) or pushing them into a cold slam which is worse. Their salvation with minus 500 might have rested with many E/W pairs scoring up +510 without a diamond lead.

APPEAL	NABC+FOUR
Subject	Tempo - Unauthorized Information (UI)
DIC	Steve Bates
Event	Mixed Board-A-Match
Session	Second Session -Qualifying
Date	July 20, 2006

BD#	27
VUL	None
DLR	South

Margie Gwozdzinsky	
♠	J 2
♥	K Q 9 6 3 2
♦	8 6 2
♣	K J

Jeff Hand		Summer 2006 Chicago, Illinois	Gail Greenberg	
♠	A Q 9 7		♠	K 10 8 6 4 3
♥	A J 10		♥	5
♦	K Q 3		♦	J 10
♣	Q 9 4		♣	8 7 5 3

Richard Schwartz	
♠	5
♥	8 7 4
♦	A 9 7 5 4
♣	A 10 6 2

South	West	North	East
Pass	1♣	2♥	3♠ ¹
Pass	4♦ ²	Pass	4♠
Pass	Pass	Pass	

Final Contract	4♠
Opening Lead	♥4
Table Result	N/S +50
Director Ruling	5♣ by West, N/S +100
Committee Ruling	5♣ by West, N/S +100

(1)	Not alerted, but in response to South's question, West said he thought 3♠ was a splinter.
(2)	After a long pause.

The Facts: After West's explanation of 3♠, both 4♦ and 4♠ were very slow. After the hand was over East (whose hearing is bad) said that she thought her partner had explained 3♠ as strong, not splinter.

The Ruling: The director ruled that the UI demonstrably suggested a line of action (a 4♠ call) over a less successful logical alternative (LA) action, 5♣. Therefore, there was a basis for a score adjustment. 5♣ was deemed likely to go down two tricks. The result was adjusted to 5♣ by West down two, N/S +100. The laws applied were 16A and 12C2.

The Appeal: East said that her 4♠ call was based on 4♦ being a cuebid for spades. Despite her heart control her hand was minimum or sub-minimum for a weak jump response. Hence, she did not cuebid 4♥. Had she cuebid 4♥ her partner would have bid 4♠ –cuebidding for clubs, and they would have played 4♠!

The Decision: The committee determined that there was no clear meaning for a 4♦ call here. Both a cuebid for spades and a natural call with 4-6 in the minors, or the like, were possible. That being the case, the UI that West was cuebidding for clubs not bidding a suit made the 4♠ call more attractive. Without that information a 5♣ bid was a LA. Some people would have considered 5♣ seriously and some would actually have bid it. Accordingly the director's adjustment was left in place. No consideration was given to the number of tricks to be taken in 5♣ (that number would have been seven or eight) since, because of time pressure for impending Spingold appeals, the directing staff confirmed that any number of tricks less than ten would yield the same score.

The Committee: Barry Rigal (Chair), Jeff Aker, Billy Pollack, Lou Reich and Bruce Rogoff.

Commentary:

Gerard I object to the tactics. It looks like the directing staff bullied the Committee into not changing the ruling on the grounds of irrelevance. I estimate an additional minute for the Committee to assign +150, not really much of an inconvenience to impending Spingold appeals. Appeals exist not just to assign a result but also as a record of who's doing what to whom. Directors who rule +100 need to go to remedial counting school. If Wildavsky is scoring, count this as a committee improvement. It's not surprising that no one knows what 4♦ was. I'm looking at West's hand (sic) and I don't know what it was.

Goldsmith Interesting problem.

East has UI. It doesn't matter if she actually heard the explanation---she could have, which is sufficient.

As an aside, I wonder why West bid 4♦. If he were really sure that 3♠ was a splinter, he'd bid 3NT. In this case, East would have been constrained to pass, winning the board! So he wasn't sure; he was catering to multiple meanings, but probably all including spades; it seems as if he'd changed his mind about his interpretation of 3♠ between the explanation and his call. N/S were, therefore, probably given misinformation; West's proper explanation was, "I don't know." (I don't know his correct explanation; we weren't told the real systemic meaning of 3♠.)

It looks as if the MI was irrelevant, but this implies that West would not have bid only 4♠ over 4♥, but would have bid 5♠ or more.

What are East's rebid possibilities without UI? I believe that after our preempt, without a fit partner just passes or corrects to his better suit, but not everyone agrees with me. (Fancy that!) If he has some hand like --- x KQJxx AKJ10xxx, he rebids clubs or passes, so 4♦ should be a cue bid in support of spades. East has additional reason to believe this; if the opponents had a big heart fit and some high card values, South would have bid 4♥. That he didn't suggested that partner was very strong and had some hearts. If he had three plus hearts, 4♦ was support for spades; it's way too dangerous to do anything but pass 3♠ with something like --- AQx KQJx AKxxxx, assuming partner can have as bad a hand as she actually held.

I think 4♥ is definitely not a LA; East has a sub-minimum for her action; to do anything but sign off is a huge overbid. The only question is whether signing off in 5♣ is a LA. I think it's a close call, but probably some would bid 5♣, thinking as the appeals committee did that 4♦ was natural. Therefore, 5♣ is probably a LA, which means it is required.

No appeal without merit warning, of course. I think this is a close enough case that it could go either way. No procedural penalty for misuse of UI--- there is a reasonable thought process to come up with a 4♠ call (hence the long digression two paragraphs ago).

Polisner This case presents a scenario which I don't believe I have ever seen. That is, if you believe East that she thought West had explained her 3♠ bid as strong (as opposed to a splinter) it would still be UI, but would not suggest bidding anything other than 4♠. My concern is that East's explanation about the situation could well be self serving although my experience as a trial lawyer leads me to conclude that such a "story" would more likely be true as making it up would require a tremendous imagination. Query, can a player be in possession of UI if she did not receive it? I guess my decision would boil down to whether or not I believed East's story and the fact that her 4♠ bid was "very slow" would convince me to go along with the decision.

- Rigal** Once the committee determined that 4♦ might be natural after a weak jump response, it looked clear to adjust to 5♣. [While as a general rule we would not want tournament directors to truncate discussions in appeal – because the failure to do so would yield important negative inferences -- the circumstances here were that we expected Spingold appeals to be coming up very shortly and time was of the essence. As it happened those cases did not materialize at the end of the day.]
- Smith** Seems routine. It doesn't matter in law what East actually heard. West “made available” UI when he answered the question. East's subsequent actions were restricted by the UI. The UI demonstrably suggested the 4♠ bid, and both the director and the committee believed 5♣ was a LA.
- Wildavsky** I agree with the tournament director and appeals committee (AC) decisions. The AC decision is particularly well reasoned.
- Wolff** The reasoning here is good and on point. In some ways it is all guesswork, but in order to assess penalties some logic has to apply. Again convention disruption (CD) has caused the problem, but for some reason this CD doesn't bother me as much.

APPEAL	Non-NABC+ ONE
Subject	Misinformation (MI)
DIC	Steve Bates
Event	GNT Flight B
Session	First
Date	July 12, 2006

BD#	15
VUL	N/S
DLR	South

785 Masterpoints	
♠	9 7 6 5 3
♥	A K 8 4
♦	9 8
♣	7 4

632 Masterpoints		Summer 2006 Chicago, Illinois	1588 Masterpoints	
♠	A T		♠	K 4
♥	T 2		♥	6 3
♦	Q J 7 6 2		♦	A K 5 4 3
♣	K Q 6 2		♣	A J 8 5

738 Masterpoints	
♠	Q J 8 2
♥	Q J 9 7 5
♦	T
♣	T 9 3

West	North	East	South
			Pass
1♦	Pass	2♦ ¹	Pass
2NT	Pass	3♣	Pass
3♦	Pass	3NT	Pass
Pass	Pass	Pass	

Final Contract	3NT W
Opening Lead	♠5
Table Result	3NT+2, E/W +460
Director Ruling	No Adjustment
Panel Ruling	No Adjustment

(1) Inverted Raise

The Facts: N/S stated that before the opening lead North asked the meaning of 3♣ and was told that there was no agreement. Then North turned to East and asked about 2NT. East said “stoppers in both majors.” East says he told North he was taking it as stoppers in both Majors. A kibitzer (friend of E/W) said that North asked if 2NT showed stoppers in both majors and East said, “it should.” North said if told no agreement, he would have led the ♥A. North said after the hand that West said they had no such agreement.

The Ruling: Unclear if there was misinformation. It was unlikely that an answer of “No agreement” would have led to a different lead (law 40C). Table Result Stands.

The Appeal: North was insistent upon the fact that East made a definite statement that their agreement was that 2NT showed stoppers in both majors. He claimed that had he known that this was not the agreement, he would have led a high heart. He felt that if there was an agreement, he would need the heart entries in order to set up his spade suit. E/W stated that 2♦ denies a four-card major and shows at least invitational values. 2NT could have been passed. East stated that when asked about the 2NT bid, he qualified his response as “should show major stoppers” but did not state that this was a definite agreement.

The Decision: Several players were asked to choose an opening lead given the auction. There was a relatively even division between those choosing a heart or a spade. None stated that the meaning of the 2NT bid would affect the lead at all, both at the expert and 1000-2000 masterpoint level, expected the 2NT bid would tend to show stoppers in the majors.

No player felt that there was any difference between “showed major stoppers” and “should show major stoppers.” The choice of opening lead was unaffected. Therefore, law 40C did not apply. The table result stands.

Players Consulted: Debbie Rosenberg and Joel Wooldridge and four players in the 1000-2000 masterpoint range.

The Panel: Harry Falk (Reviewer), Su Doe and Mike Flader.

Commentary:

Gerard Questions for North: So why did you lead the FIVE of spades? Is there a sign on my back that says "Idiot?"

Goldsmith Right ruling. I like the new feature of including masterpoint holdings where names are placed in national appeals.

Polisner I agree with the result. This case typifies why players should not try to guess what a bid means if it is not an explicit or implicit part of their agreements. Statements such as “I take it as ...,” or “it should show...,” or the like only lead to trouble. If there is no agreement, just admit to it and move on.

Rigal I do have sympathy with the defenders here, but the right ruling was given and the right final decision. No damage, so no adjustment. A sort of double shot argument here.

Smith I agree with the ruling and the panel decision. On balance, it seems that East's words to North probably indicated that there was no agreement that 2NT showed stoppers in the majors. Besides that, the fact that the players polled by the panel did not believe the meaning of 2NT affected their choice of lead convinces me that the right decision was made. Having said that, I am uncomfortable that West did not speak up before the opening lead to make it absolutely clear that he did not believe the partnership agreement was that 2NT promised stoppers (law 75D2). Whatever East actually said, it is clear that he at least speculated that 2NT promised stoppers. West has a legal obligation as declarer to tell the opponents before the lead that in his opinion no such agreement existed. I hope he was informed of that by the director and the panel.

Wildavsky I'd like to know whether E/W were a regular partnership. The write-up does not give me great confidence in this decision. It seems reasonable enough, but I could see it going the other way. A better pair of questions to ask would have been "What would you lead if 2N showed stoppers in both majors?" and "What would you lead if E/W had no agreement about 2NT?"

Wolff I agree with the decision. Sounds like sour grapes by North. The sad truth is that the odds are always against a really firm agreement and even if there is often it is violated.

APPEAL	Non NABC+ Ten
Subject	Retraction of Card Played
DIC	Charles MacCracken
Event	Daylight Swiss Teams
Session	First
Date	July 19, 2006

BD#	15
VUL	N/S
DLR	South

993 Masterpoints	
♠	T 5
♥	
♦	K Q J T 9 8 7
♣	A 8 5 4

1,435 Masterpoints		Summer 2006 Chicago, Illinois	1,044 Masterpoints	
♠	A Q 8 6 4 2		♠	K J 9 7
♥	T		♥	K J 8 4 2
♦	6		♦	5 4
♣	Q J 7 6 2		♣	9 3

370 Masterpoints	
♠	3
♥	A Q 9 7 6 5 3
♦	A 3 2
♣	K T

West	North	East	South
			1♥
1♠	2♦	2♠	3♥
3♠	5♦	Pass	Pass
5♠	Pass	Pass	6♦
Pass	Pass	Pass	

Final Contract	6♦ by N
Opening Lead	♥8
Table Result	6♦ down 1, N/S -100
Director Ruling	♦3 played, retraction denied
Panel Ruling	♦3 played, retraction denied

The Facts: When the director arrived at the table, he was told that declarer had led a non trump from his hand (North). East trumped with the ♦5. On dummy were the Ace and three of diamonds. Declarer said, "Ruff." The he said, "Overruff." It was agreed that the change of designation was made quickly; however the opponents said there was a pause between the two designations.

The Ruling: In accordance with law 45C4(a), it was determined that the statement "Ruff" was not inadvertent. Therefore, the ♦3 was played and its retraction denied. Also see law 46B2.

The Appeal: Declarer had evaluated the hand and knew he had to ruff two clubs to make the hand. The ♦5 was on the table before declarer said “Ruff” and then “Overruff.” Declarer felt that his intentions were clear. This was inadvertent – a misspeak – as opposed to two thought processes. He mentioned that were he a known player, his statement would be more credible.

East felt it was possible that declarer didn’t think clubs broke 5-2 for the defense and could have made a mistake.

The play had been:

Trick 1: ♥8-♥A-♥T-♠5

Trick 2: ♦2-♦6-♦K-♦4

Trick 3: ♣4-♣3-♣K-♣2

Trick 4: ♠T-♠6-♠A-♠9

Trick 5: ♣5-♦5

The Decision: A policy statement dated 12/2003 regarding law 45C4: “Directors should be alert to situations involving inadvertency or declarer thinking ahead. To deem a called card from dummy as inadvertent, the change of call must be the result solely of a slip of the tongue – not a momentary mental lapse.”

The interpretation of the law is very strict. This declarer knew he had to ruff two clubs to make his contract. When the ♦5 was played by East, declarer must be alert and say overruff. Declarer’s intent was to ruff low, then ruff the last club with the ace. It is possible, after seeing the opponent’s ♦5, he had another thought process to say the word, “overruff.” His saying the word “Ruff” could be a lapse. The panel unanimously upheld the director’s decision of disallowing the retraction of the ♦3.

The panel discussed the merit of the appeal. Because of the high standard required of declarer when calling a card from the dummy, the panel could empathize with declarer’s analysis of inadvertency that he wasn’t reacting to the ♦5 played by East. Therefore, the panel decided the appeal had merit.

The Panel: Patty Holmes (Reviewer), Peter Marcus and Gary Zeiger.

Players Consulted: None.

Commentary:

Gerard Let’s count the ways North could have made the hand.

- (1) Queen of hearts at trick one.
- (2) Pitch a club at trick one, concede a spade.
- (3) Pitch a club at trick one, play clubs at tricks 2-4, pitching a spade.
- (4) Play clubs at tricks 2-4, pitching a spade.
- (5) Pitch a spade on the ♦5.
- (6) Notice the thirteenth diamond and overruff.

Other than (1), each of the others is far superior to what he did, resulting in a claim if both clubs go through. Do you really think he was focused on the task at hand? I’ll say there could have been a mistake or a mental lapse. No sympathy from here.

- Goldsmith** Good ruling. The only question is the appeal without merit warning (AWMW). It's a real close call, and I'd judge whether to award it based on how much North was told during the initial ruling. Mitigating the AWMW is that North's partner appears to be inexperienced. Encouraging it is North's accusation of bias towards the directors. Probably I'd rule as the panel did, but tell North, "if you were a 'known player', we'd give you an AWMW," just because it appeals to my sense of irony.
- Polisner** Ruling and Panel were correct, but an AWMW is required.
- Rigal** Tournament directors told me that 'ruff' should be construed as indicating the lowest trump in accordance with law 46B2. I'm, if not wiser, at least better informed. On that basis there was really no merit if the appellant was correctly informed of the facts, though I do have sympathy with him...but not quite enough to avoid issuing him an AWMW.
- Smith** Good ruling by the director and the panel. This declarer seems to have called a card from dummy before realizing that East had played the ♦5, so the statement "ruff" was not inadvertent and was intended as calling for the ♦3. If the law had been described to the appellants before the appeal, then they should have realized they could not win and been given an AWMW.
- Wildavsky** North's statement regarding the way the panel would rule were he a "name" player is irrelevant, insulting, and not borne out by the cases I've read. I see no merit to the appeal.
- Wolff** This case involves a change of subject. My, hasn't inadvertency's application changed. It went from either Steve Bates' or Henry Cukoff's allowing a play to be taken back after the trick has been quitted and the lead and follow to the next trick made with then an "Oh Shit" thrown in to now a believable declarer saying "ruff" then changing immediately to "overruff", in an obvious situation that didn't require anyone to think that maybe declarer didn't really mean to underruff. While I don't have any real intelligent opinion as to what to do in this case since once a declarer makes a play he should usually be required to follow through with it. This case, I would probably allow him to do it since all the elements point to his good intentions (plus the bad guy opponent throwing out the five of diamonds) but I can understand how the opposite can be ruled because of the general simplicity of a played card is a played card. For the first time (that I have noticed) the panel was a stereotype of the director's ruling with the same thought process. To my way of thinking that is not good. The panel should try and look at the case differently, otherwise there will eventually be no reason to appeal should the tournament directors take over all appeals. It doesn't mean that they should decide differently, but there is much to bring up in this case on that particular subject and the panel did not do it.

APPEAL	Non NABC+ ELEVEN
Subject	Claim
DIC	Nancy Watkins
Event	Stratified Open Pairs
Session	First
Date	July 19, 2006

BD#	3
VUL	E/W
DLR	South

6,500 Masterpoints	
♠	J 7 3
♥	Q T 9 7
♦	Q T 9
♣	J 8 7

1,060 Masterpoints		Summer 2006 Chicago, Illinois	1,580 Masterpoints	
♠	4		♠	T 9 8 6
♥	A K 4 3 2		♥	J 8
♦	K 7 6		♦	A 8 5 4 3 2
♣	Q 6 4 3		♣	2

17,300 Masterpoints	
♠	A K Q 5 2
♥	6 5
♦	J
♣	A K T 9 5

West	North	East	South
			1♠
2♥	2♠	Pass	4♠
Pass	Pass	Pass	

Final Contract	4♠ by South
Opening Lead	♥A
Table Result	4♠ by S down 1, E/W +50
Director Ruling	4♠ by S down 1, E/W +50
Panel Ruling	E/W: 4♠ by S down 1, E/W +50 N/S: 4♠ by S making 4, N/S +420

The Facts: The director was called after an attempted claim with six tricks to go. With West on lead, South faced his cards and said he had winning clubs, then brought his hand back towards himself and wanted play to continue.

The play at the table was as follows:

1. ♥A ♥7 ♥J ♥6
2. ♥K ♥9 ♥8 ♥5
3. ♥4 ♥T ♠8 ♠Q
4. ♠A ♠4 ♠3 ♠6
5. ♠K ♥3 ♠7 ♠9
6. ♠2 ♥2 ♠J ♠T
7. ♣J ♣2 ♣9 ♣Q

The Ruling: The director judged that a claim wasn't made in accordance with law 68A – i.e. declarer did not demonstrably intend to claim.

The Appeal: With six cards remaining declarer faced his hand, stated his clubs were good, stopped claiming, unfaced his hand and wanted to continue play. A director came to the table and was told what had happened. The table director consulted another director and was advised that there had not been a claim in his opinion. The table director returned to the table and said to continue play. After winning the Queen, West returned a club. Declarer won that in dummy and discarded his losing diamond on her ♥Q. Declarer took the remaining tricks making four spades.

The reviewer had poor communications with the table director. The reviewer knew that the initial decision was to let the play continue (no claim). This was the last hand of the afternoon. The reviewer attempted to get information prior to the 7:30 PM start of the second session.

The Decision: The information from both pairs at the table was the same. The reviewer was under the impression that the issue was whether there had been a claim. After discussion, the panel concluded that in accordance with law 68A a claim had occurred. Law 68 defines a claim as any (found to be a strong explicit word) statement to the effect that a contestant will win a specific number of tricks. In addition, the declarer showed his remaining cards by holding them face up. There is more wording in law 68A that reads: ...or when he (the claimer) shows his cards. The panel discussed the parenthetical statement in law 68A “unless he demonstrably did not intend to claim.” It was judged that declarer had shown intent and only upon realizing that the claim was incorrect changed her mind. The panel was unanimous in deciding a claim had been made. The panel thought that there was director error at the table (in ruling to allow play to continue). When there is director error, we treat both sides as non-offenders and give both pairs the benefit of the doubt. The panel issued a two way score: N/S +420 and E/W +50. The decision was reported to both pairs with the statement that the decision was made because of director error.

Upon preparing the write up, the reviewer noticed that N/S had been noted as the appealing pair. After further discussions with the table director, it was discovered that the final table ruling had been changed. It had been determined that there was a claim at the point at which the director was called. The table director had returned to the table to give the ruling that a claim had occurred and that E/W were awarded a diamond trick. This ruling resulted in score of +50 for E/W (4♠ down one) that N/S had appealed. With these facts, the panel would have not ruled director error and would have upheld the ruling of 4♠ down one for both pairs.

Since this error (by the reviewer) was not discovered until a day later, the panel decided that there was now director error (in obtaining the correct facts). Therefore, the two-way score was allowed to stand.

The Panel: Patty Holmes (Reviewer), Ken Van Cleve and Gary Zeiger.

Players Consulted: None.

Commentary:

Gerard No and no. There is no basis for treating both pairs as non-offenders and there is no doubt as to the correct adjudication. A claim occurred. All play ceases. Plus 420 did not occur. N/S were not harmed by the director error, they were harmed by the inadequate claim. Law 82C allows you to treat both pairs as non-offenders only "if no rectification will allow the board to be scored normally." So you were wrong to invoke the director error provision because a simple rectification would allow the board to be scored as laws 68D and 70A intended it to be, down one for both sides. But I don't understand the compounding of the error. The reviewer determined that the adjustment was wrong. EVERYONE now knew what the right ruling should have been, even if they whiffed on getting it right the first time around. How was a two-way score even a possibility? This is too sorry a performance to haul out the heavy rhetoric. I suspect the staff is as embarrassed about it as the tone suggests. For the future, it would be nice if the practice of treating both pairs as non-offenders comported with the specific provision of the Laws dealing with the situation.

Goldsmith The panel ruling is wrong. Yes, South clearly claimed. He tried to withdraw his claim, but once he's exposed his hand and stated a number of tricks he intends to take, that's a claim. The laws do not allow the withdrawal of a claim, so at that point E/W is awarded a fourth trick. The panel's ruling of director error was in error; it only applies if the director's error prevents a normal scoring of the board (See law 82C). This wasn't the case here; the director allowed play to continue when it ought to have ceased. There was a little confusion in the write-up (and presumably during the ruling), but regardless of what happened, director's error can't be invoked, because if the director had ruled that a claim occurred, he didn't do so wrongly, and if he let play continue, a normal result was obtained, so no matter what happened, the panel ruled incorrectly.

Polisner I see no reason for a two-way score. The director was called at the appropriate time and once the correct determination that a claim had been made, the director needs to adjudicate the claim under the claim laws which would result in the contract being set one trick. If there was going to be a two-way score, it should be just the opposite than the way the Panel decided -- N/S minus 50 and E/W minus 420. This case represents the most egregious "screw the field" result that I can recall.

Rigal There are some cases it just does not pay to go into too carefully. Here I think we'd all be better off pretending this case never happened. But for what it is worth, what happened was a bum claim, surely? The change of mind came later – and you can't do that. 4♠ down one is 'correct'.

Smith After a claim, all play must cease and any play after a claim is voided by the director. Here, a claim clearly occurred. Despite West's error in playing a club back, current law (right or wrong) gives the defense credit for doing the right thing in spite of what West actually did. So notwithstanding the confusion, the correct ruling is for South to go down one and that should have been the ruling for both sides. The law on director error (82C) reads: "If the Director has given a ruling that he or the Chief Director subsequently determines to be incorrect, and if no rectification will allow the board to be scored normally, he shall award an adjusted score, considering both sides as non-offending for that purpose." Since play was over when the claim occurred, there was really no problem in arriving at "rectification" of the error caused by the confusion. N/S were given an undeserved bonus in this case.

Wildavsky The correct ruling was that a claim was made and that E/W would score plus 50, N/S minus 50. Please see Jeff Goldsmith's instructive comments. I have no interest in addressing the rest of the goings on here. I can't call either ruling better than the other.

Wolff This case was decided in a downright horrible manner (my gloves have come off):

1. We have a declarer who runs off from a dead dummy without throwing the contract trick loser away.
2. We have a defender, who should know where every card is, which obviously includes the distribution, who fails to take the setting trick.
3. And, we then have the tournament directors restore the status quo by not penalizing any of the awful bridge but rather penalizing the whole rest of the innocent section by awarding a bonus to both of the bad playing pairs which obviously takes away match points from the "good guys." "Forgive them, for they know not what they do."

APPEAL	Non NABC+ Twelve
Subject	Misinformation (MI)
DIC	Chris Patrias
Event	0-5000 Spingold
Session	Semifinal – 2 nd Quarter
Date	July 21, 2006

BD#	16
VUL	E/W
DLR	West

3,800 Masterpoints	
♠	Q 5
♥	7 4 2
♦	J 6
♣	K 9 7 6 4 2

3,200 Masterpoints	
♠	A 9 8 4 2
♥	K
♦	A K T 7 4 3
♣	J

3,500 Masterpoints	
♠	J T 3
♥	A T 9 5 3
♦	Q 5
♣	A T 8

2,100 Masterpoints	
♠	K 7 6
♥	Q J 8 6
♦	9 8 2
♣	Q 5 3

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West	North	East	South
1♦ ¹	Pass	1♥ ²	Dbl
1♠ ³	2♣	2♦	3♣
4♦	5♣	Pass	Pass
Dbl	Pass	Pass	Pass

Final Contract	5♣ doubled by North
Opening Lead	♦2
Table Result	5♣ dbled by N, -4, E/W +800
Director Ruling	5♣ dbled by N, -4, E/W +800
Panel Ruling	5♣ dbled by N, -4, E/W +800

- | | |
|-----|---|
| (1) | Precision 1♦ – less than 16 high card points (HCP) |
| (2) | Alerted and explained as “May have zero HCP.” |
| (3) | Alerted and explained as denying 3 or more hearts and denies a balanced hand. |

The Facts: South assumed that 1♥ was artificial. South did not ask whether East showed hearts or not.

The Ruling: Since South’s assumption that the 1♥ bid was artificial was his own misunderstanding, in accordance with law 21A, there was no misinformation; therefore, no adjustment.

The Appeal: When the tray came to the South/West side of the table, West pointed to 1♥ to Alert it and wrote “may be 0 HCP.” South assumed that this meant it was artificial, not showing hearts, and doubled to show his heart suit. South did not remember being told before the start of the match that 1♦ – pass – 1♥ or 1♠ by the opponents showed 0+ HCP and 4+ suit length; or that the exact same auction had occurred three boards earlier and the 1♥ bidder had four-card suit. Further, after the tray had been passed back to the North/East side, South motioned to West and asked orally “How many hearts?” pointing at the screen – intending to ask how many hearts the 1♥ bid had shown. South, thinking West was asking about his 1♠ bid wrote “denies 3H+ and shows an unbalanced hand.” This confirmed South’s belief that 1♥ was artificial. North had a full set of system notes to look at that were provided by E/W at the beginning of the match that showed 1♦-pass-1♥ or 1♠ showed at least a four card suit, so assumed the double was takeout. Based on his ♠ Q 5, assuming partner had spades to double 1♥, he bid 5♣ to make E/W guess at the five-level. He didn’t expect to get doubled and didn’t know if 5♣ would make or would push E/W to an unmakeable contract. He was not concerned about pushing them to a vulnerable game.

E/W said they had told the opponents their methods and that N/S had seen the same auction, with a 4-card heart suit, on a recent board (13). They felt South should have known the meaning of 1♥. Further, if doubling or passing was to be based on whether 1♥ was artificial or natural, South should have asked. Lastly, since no one said or suggested 1♥ was artificial, South should have assumed natural not artificial.

The Decision: Five players were asked how they would interpret “May have 0 HCP” in this auction. Four said they believed it showed 4+ hearts. The fifth player wasn’t sure but said 100% she would ask if considering bidding. The panel felt that South had not asked and made an assumption on his own not based on any MI from the opponents. Therefore, in accordance with law 21A, South was not entitled to any consideration for his misunderstanding having received no MI. As such the table director’s decision was upheld. The table result of 5♣ doubled by North down four, E/W +800 stands.

Knowing that:

- The 1♥ call had been explained.
- South had never inquired whether 1♥ was natural or artificial.
- E/W had explained their system before the match and provided notes, which correctly communicated this sequence.

N/S should have known that this appeal had no chance to succeed. Therefore an Appeal Without Merit Warning (AWMW) was issued to N/S.

The Panel: Peter Marcus (Reviewer), Patty Holmes and Candy Kuschner.

Players Consulted: Five of South’s peers.

Commentary:

Goldsmith I'd rule result stands, but not give an AWMW, because West didn't explain completely. Players always ought to include two data when explaining a call: artificial or natural, and forcing or non-forcing. When the failure to do this causes confusion, the explainer is at least partially at fault. Had West written, "Nat, F1, 0+ HCP," there would have been no case. Still, I think South's assumed explanation was not appropriate and most of the error was his.

Polisner Easy case including the AWMW.

Rigal As someone whose sympathies always go towards the non-offenders in these cases, I'm convinced the ruling was perfect here, down to the AWMW. There are special circumstances (advance explanations, the reoccurrence of a previous sequence etc.) which render the bidding side blameless.

Smith Why is it so difficult for players behind screens to just look at a convention card? I agree that this player caused his own injury due to his own misunderstanding. I also agree with the AWMW.

Wildavsky Good work all around.

Wolff Even when there is no convention disruption (CD), sometimes it just feels like it. What about South's oral question and the confusion over the answer? Sure E/W are entitled to respond with 0 high card points, but to allow these kind of aberrations do complicate life for novices. I really do not have a proper feel for what is right to be done, except to expect a higher degree of disclosure and patience in the weaker games because otherwise many of their opponents will shrivel and die to the intimidation.

APPEAL	Non NABC+ THIRTEEN
Subject	Unauthorized Information (UI)- Tempo
DIC	Bernie Gorkin
Event	Flight AX Pairs
Session	Second
Date	July 21, 2006

BD#	30
VUL	None
DLR	East

James Dressler	
♠	A 7
♥	J 7
♦	Q J T 7 6
♣	A T 8 5

Don Mamula		Summer 2006 Chicago, Illinois	Linda Mamula	
♠	9 5 4		♠	J 8 2
♥	K 9 6 3		♥	8 5 4 2
♦	K 3 2		♦	9 5 4
♣	Q 4 3		♣	K 7 6
		David Langer		
		♠	K Q T 6 3	
		♥	A Q T	
		♦	A 8	
		♣	J 9 2	

West	North	East	South
		Pass	1♠
Pass	1NT ¹	Pass	2♣
Pass	2♠ ²	Pass	2NT
Pass	3NT	Pass	Pass
Pass			

Final Contract	3NT by North
Opening Lead	♦9
Table Result	3NT by N making 5, N/S +460
Director Ruling	2♠ by S making 5, N/S +200
Panel Ruling	2♠ by S making 5, N/S +200

(1)	Forcing.
(2)	Break in Tempo (BIT)

The Facts: A BIT was acknowledged but the length was disputed. 2NT instead of 2♣ would have been 11/12 HCP. South stated that the 2NT bid over 2♣ shows 16/17 HCP and is a standard bid. They play 12-14 HCP 1NT openings.

The Ruling: Eight players with about 2,000 masterpoints (MP) and six players in the "A" category were polled. Three of the eight 2,000 MP players passed 2♠ and two thought a pass reasonable. Four of the "A" player passed 2♠. Pass was therefore determined to be a logical alternative and 2NT was determined to be demonstrably suggested by the BIT. Therefore, in accordance with 12A2, 16A2 and 73, the table result was adjusted to 2♠ by South making five, N/S +200.

The Appeal: N/S said that their system called for South to show 16/17 HCP by 2NT over partner's two-level sign-off after a forcing NT bid and response (N/S play weak one notrump openings of 12-14 HCP). As such, South claimed North's BIT, which was not long but was noticeable, had no influence on his decision to bid 2NT. His system required him to do so with the hand he held. An immediate 2NT over 1NT would have shown 18/19 HCP.

West felt the hesitation was longer than N/S did. However, as a distinct BIT was acknowledged by N/S, the length of the hesitation was not examined in depth.

The Decision: N/S claim to be much better bridge players than their masterpoint holding would indicate. Except for an illness, they would have been teammates on a team in the 0-5000 Spingold that had reached the semi-final stage by Friday.

Many players of different masterpoint holdings and skill level (2,000 to 10,000 masterpoints and experts) were asked about this auction and the systemic requirement to bid 2NT after 2♠ (playing 12-14 HCP 1NT openings). The opinions were almost evenly split between 2NT being a judgment call and a systemic requirement. All were asked for an opinion of what call to make over 2♠. Clearly there was a group who played weak notrumps that required a hand with a good 16 or bad 17HCP to bid 2NT over the 2♠ sign-off. Others felt the decision was a judgment call.

N/S said they had system notes to demonstrate their position that 2NT was required systemically. They did not have the notes with them, but South said he would bring them the following day. However, when contacted on Saturday, South said he "had not gone to his office to get them when he had gone home Friday night." South admitted that this failing made it hard to allow his 2NT bid to stand.

Based on this, more players were asked if the 2NT was suggested by the BIT. There was player agreement that pass was a logical alternative and, while the slow 2♠ bid could either show a weak hand with two spades and four clubs or a good hand considering bidding 2NT, the latter seemed more likely suggested by the hesitation. North said he would need six hearts or diamonds to bid 2♦ or 2♥, though South felt five cards in a red suit would be sufficient length to be able to bid that suit after 2♣. 2NT was found to be demonstrably suggested by the BIT. Pass was determined to be a less successful logical alternative. Therefore, the director's ruling was upheld. See laws 16A2 and 12C2.

The appeal was determined to have merit as N/S' contention about systemic requirements were mentioned by several players.

The Committee: Peter Marcus (Reviewer), Ron Johnston and Gary Zeiger.

Players Consulted: Several players with 2,000; 5,000 and 10,000 masterpoints and experts.

Commentary:

Gerard Yeah, they were so much better than we think. North produced a signoff auction on a hand that his system required him to treat as a game force. It could have been even worse - how would you feel if you had to deal with a 2♦ rebid over that ridiculous 1NT response? Plus I want to see South make his "standard" 2NT bid over a lightning fast 2♠ by North. It is a common trait of lesser players to claim that their methods are "standard," especially when they involve the denial of judgment.

Goldsmith I thought 2NT was totally automatic, so I took my own poll. I got 17 responses; half passed, and half bid 2NT. So it seems as if the panel got it right.

Since 2NT shows roughly 16-17 here regardless of the range of the opening notrump, the system issues are really irrelevant. Routinely ignore statements that bidding versus passing is systemically required in a constructive auction.

I'd not award an appeal without merit warning (AWMW), because I can easily see a South thinking, "yeah, so I have UI. Probably that suggests bidding over passing. But 2NT is so obvious that nothing else is reasonable." In fact, some of the panelists in my poll replied thusly. Interestingly, some others replied that passing was automatic and bidding is unreasonable.

Polisner The analysis of UI should be performed in a specific sequence.

1. Was there an unmistakable BIT? In this case, yes, so go to step 2.
2. Did the BIT demonstrably suggest bidding (as opposed to passing)? Whether or not there is a logical alternative (LA) should not even be considered until and unless this question is answered in the affirmative. North could have been thinking of several possible bids:
 - a. Pass
 - b. 2♠
 - c. 3♠
 - d. 2NT

I think that it is a close question as to bidding 2NT. At IMPs, I would suggest that it is routine to bid 2NT; however, at MPs, it is not so clear. I am not a weak notrumper so am not totally familiar with the implications of the prior auction. Since two of the other three possible actions do suggest bidding 2NT, I would agree with the decision.

Rigal Here the offenders knew their case was predicated on producing notes, and they did not do so. I believe an AWMW is appropriate to encourage others to understand that, in future, it is not right to waste the panel's time like this.
Nice decision by the panel by the way, and correct procedure followed too.

Smith I agree that the BIT is more likely to suggest strength than weakness in this auction, so it "demonstrably suggested" that South not pass. I am glad to see that the table director conducted his own poll before giving a ruling, and I think that poll and the subsequent thorough investigation by the panel makes this ruling correct. I agree that no AWMW was appropriate.

Wildavsky I was fortunate enough to be given this hand as a bidding problem. I passed. The N/S notrump range is not relevant since the same situation would be faced by a pair who chose, as many do, not to open 1NT when holding a five-card major.
N/S could not win this appeal without notes to back up their assertion that bidding is mandatory in their methods. Since they supplied none I see no merit to the appeal.

Wolff I mildly disagree with the decision, but this would be example # 2 of the panel thinking exactly like the table director. It seems that both bodies cite the same authority and since I don't believe that this type of authority should be conclusive I resist parroting. What has E/W done (except be the Board of Governors leaders) to deserve a top. Why not E/W minus 460, but NS plus 200 if it is deemed that the BIT influenced the action.
I don't happen to think (although I like the Mamulas a lot) that they should bring this kind of action to these kinds of players since it is a close call. An argument against me might be how can I judge why someone else is calling the director or why I am against the two authorities having similar backgrounds. Well my answer would be that very visible people should be reticent about pressing their advantage and on certain matters we need some different viewpoints from different backgrounds.

APPEAL	Non-NABC+ Fourteen
Subject	Misinformation (MI)
DIC	Mike Flader
Event	Flight AX Swiss Teams
Session	Playthrough
Date	July 23, 2006

BD#	33
VUL	None
DLR	North

Paul Stern	
♠	9
♥	Q J T 6 4 3 2
♦	T 2
♣	A Q 9

Deborah Murphy		Summer 2006 Chicago, Illinois	Gary Donner	
♠	A J 6 3 2		♠	K Q T 4
♥	8		♥	A 9 5
♦			♦	A K Q 7 3
♣	K J 8 6 5 4 3		♣	7

Margaret Salazar	
♠	8 7 5
♥	K 7
♦	J 9 8 6 5 4
♣	T 2

West	North	East	South
	Pass	1♣ ¹	Pass
2♣ ²	3♥ ³	Pass	3♠
4♣	Pass	4♦	Pass
4NT	Pass	Pass	Pass

Final Contract	4NT by West
Opening Lead	♥Q
Table Result	4NT by W down 3, N/S +150
Director Ruling	4NT by W down 3, N/S +150
Panel Ruling	4NT by W down 3, N/S +150

(1)	Strong – Alerted.
(2)	Natural and positive.
(3)	Announced as a transfer.

The Facts: N/S play transfer responses versus a strong club only directly over the 1♣ opening according to North. Only North's card was marked with this agreement although South erroneously Announced 3♥ as a transfer. When West was asked what she would have done with the correct information, she said she would have still bid 4♣.

The Ruling: There was MI. There was no direct connection between the MI and the damage. Therefore, the table result of 4NT by West down three, N/S +150 was allowed to stand. (Law 40C)

The Appeal: West was asked on several occasions, both by the table director and the screener, whether, given the proper information that 3♥ was natural and not a transfer to spades, she would have made a call other than 4♣. On the fourth occasion, several hours after the actual hand had been played, she said she might have doubled instead. She did not seem to grasp that the 3♠ bid had been made and that we could not change that. When asked later about the meaning of 4NT, she stated that it was probably RKCB for clubs and this was simply her response.

East was asked if he would have made a different call over 3♥ if he had the proper information at the time. He stated that he suspected that 3♥ was natural given the quality of his spades. He did not want to double 3♥ because he thought he would have the opportunity to double 4♥ instead.

The Decision: Several partnerships of 2,000 to 2,500 masterpoints were asked to bid after the sequence of: 1♣ Pass 2♣ 3♥
Pass 3♠

None were able to reach a spade slam, although all would have doubled 3♠.

E/W's bad result occurred because of their bidding, not because of MI given by N/S. If West had doubled 3♠, it would have led to a better result. But, without West stating that she would have doubled 3♠, it seems clear that the panel could not protect E/W.

The panel judged that law 40C did not apply. The table result of 4NT by West down three, N/S +150 was allowed to stand, and a procedural penalty of two victory points was assessed against N/S for:

1. Failing to Alert properly (announcing a transfer when an Alert was required).
2. Not having two properly completed and matching convention cards.

The Panel: Harry Falk (Reviewer), Candy Kuschner and Gary Zeiger.

Players Consulted: Several partnerships considered E/W peers.

Commentary:

Goldsmith It is reasonable to rule that E/W gets to keep their bad result, because it occurred subsequent to N/S's infraction, not consequent of it. In these cases, however, the offending side normally does not keep its good result if the infraction put the non-offending side at any sort of disadvantage. It did: without the infraction, E/W could well get to 6♠; with the infraction that is nearly impossible. So N/S should be minus 980, as that is certainly an at all probable result had there been no infraction.

Ought E/W keep their bad result? West's 4♣ bid is a blunder, but often players don't think clearly when something has gone awry and the director is at the table. Her 4♣ is not a wild, swinging action, so by the ACBL's normal guidelines, she should be protected. By the way, isn't bidding 4♣ better than doubling 3♠ when given correct information? Isn't there a danger that this will be construed as artificial otherwise? Bidding 4♣ reveals the obvious 3♠ 'psych' (which it would have been had South known that 3♥ shows hearts, since South didn't bid over 1♣). Also, surely West would have bid 4♣ over 4♦ later had she been aware of what was going on, and she was never given that option. Her claim that it was RKCB for clubs simply shows that she was discombobulated. I think E/W's errors were not nearly severe enough to prevent redress.

Is it likely that they would have reached 6♠ without the infraction? Yes, if West bids 4♣, East will bid 5♥, West will make a grand slam try with 6♦, and East will sign off in 6♠ knowing that the CA is missing. None of these actions are stretches, so plus 980 is at least likely. Score reciprocal 980s.

In general, when one is told that one's opponent has preempted in the only suit your side can play in to get a reasonable score, and your side can't find that strain, MI has caused damage.

Finally, what about UI? North has heard his partner incorrectly explain 3♥ and then bid 3♠. Partner passed over the big club, so she can't have real spades, which means that 3♠ must either be a fit bid or a lead-directing raise to 4♥. If it's a fit bid, he'd like to make the most discouraging call possible over 4♣, either pass or 4♥. If it's a lead-directing bid, then prospects look good on defense against just about anything, so there's no need to bid a lot. But what if West had doubled 3♠, which is possible sans MI? I think it's clear for North to bid 4♣, a counter-lead directing bid. Passing seems out of the question. South will realize that North can't be raising spades, since 3♠ was doubled, so something is up, and she won't correct back to spades. N/S don't do so badly in 4♥ (or even 6♥) and I don't see an at all probable way N/S could end up playing a strain other than hearts or reach the seven-level, so the UI turns out not to matter...just barely. Yet another MI case with hidden UI issues.

- Polisner** This is a very difficult case. It seems reasonably obvious that West is not an experienced player. Just look at her only taking seven tricks with nine top tricks, as well as her responses to the director's questions about what her bids would have been with no MI. In my experience, such answers may not be identical to what would have really been bid at the table. Failure to play bridge after MI should be judged in light of who the player(s) are. For an expert, I would agree with the decision, but for these obvious beginners, I would have adjusted the score to 6♠ E/W plus 980.
- Rigal** This is a harsh ruling on the non-offenders but it seemed that they might have earned it.
From my discussions it appears that the panel tried hard to get West to say she would have done the right thing over 3♠ but she had missed the point. [In passing it seems that we routinely treat unreasonable arguments as self-serving. Maybe we should also bend over to go the other way -- but it sounds like this WAS done here.]
Anyway; the offenders were penalized, but I'm not sure that the table result should not have been adjusted – perhaps instead of the VP fine. Maybe the two things even out. But, as a technical issue, if they earned a disaster at the table should they not be given it? This is especially because of the UI as well as the MI issues here.
- Smith** Similar to non-NABC+ case number eight. How can West be given credit for doing the right thing over 3♠ if it took her so long to realize it? The damage to E/W seems self-inflicted, so I agree with no adjustment. By the way, North had UI from the announcement, but it did not seem to be a factor in his later bidding or opening lead. I also agree with the penalty imposed on N/S.
- Wildavsky** "But, without West stating that she would have doubled 3♠, it seems clear that the panel could not protect E/W."
Why not? West was clearly confused by the sequence of events. The question before the Panel, though, was not what West would have done in her confused state, but what call she would have made in an auction with no Alerts.
Marvin French's cogent arguments have convinced me to be wary of answers given to the tournament director (TD) at the table in the heat of the moment. The laws neither require nor encourage the TD to ask such questions, and a player who is a "bridge lawyer" would know that it's to his advantage to either say, "I don't know what I'd have done." or to claim that he'd have taken an action different than the one he chose. I don't mind the question being asked, since it can sometimes prove enlightening, but I see no reason that the answer should bind us.
How likely were E/W to reach 6♠? The results of the impromptu bidding contest ought to help us judge, but we don't have enough information.

How many pairs were given the problem? What auction and explanations were they given? Without knowing I don't know what to conclusions to draw. I'm guessing that they were given the actual auction but with no Alerts. If we take the results to heart, then reaching 6♠ was not likely. It sure seems likely to me, though.

By the book:

Was there misinformation? Yes (Law 21b3).

Were E/W damaged through the misinformation? Yes (Law 40c).

Were they also damaged through their own poor bidding? Yes, but the MI made it more difficult for them to reach their top spot.

Had E/W received the correct information what were the likely results?

(12c2) Certainly these:

4♠ making six

5♠ making six and perhaps these:

6♠ making six

3♠ doubled down seven

3♠ doubled down eight

It's hard to tell about the likelihood of 3♠ doubled. I see no reason for South to pull and I think some Norths would pass, counting on South to clarify his intent. Jeff Goldsmith suggested to me that North has a clear 4♣ bid, to prepare a defense against 5♦. That may be, but surely not every North would find that bid.

Which of the "likely" results is most favorable to the non-offenders?

Depending on which results we judged likely it could be plus 480, plus 980, plus 1700 or plus 2000.

Had E/W received the correct information, what results were at all probable? (12c2 again) I'd say these:

4♠ making six

5♠ making six

6♠ making six and perhaps these:

3♠ doubled down seven

3♠ doubled down eight

Which of the "at all probable" results is most unfavorable to the offenders?

Depending on how often we think the contract would be 3♠ doubled, it's either minus 980 or minus 2000.

I think the TD and the panel got this one wrong.

Wolff

Another convention disruption (CD) case and in all its gory. Here the opponents (N/S) had to face it and didn't survive. Were they to blame? I guess so, but why should they have to live with their zero when other E/Ws didn't have poison gas used against them. Just because they didn't navigate through the tough waters should not mean a terrible result. I would temper their result along with giving N/S plus 150 but a two Victory Point (VP) penalty. The two VP penalty should be tailored by the IMP scale used. They should effectively have their gain on that board (Swiss Team) erased by the penalty and my guess is that two VPs is not enough. There should be a directive by the directors to the directors saying what certain CDs should be penalized and why.

APPEAL	Non NABC+ TWO
Subject	Tempo – Unauthorized Information (UI)
DIC	Bill Wittmann
Event	Joan Hasch Stratified Pairs
Session	First
Date	July 14, 2006

BD#	3
VUL	E/W
DLR	South

10,367 Masterpoints	
♠	
♥	K 9 5 4 2
♦	A Q 8 7 4 3
♣	9 7

2,617 Masterpoints		Summer 2006 Chicago, Illinois	2,185 Masterpoints	
♠	A K Q 9 6		♠	T 8 7 4 3 2
♥	7		♥	J 8 6 3
♦	J 5		♦	T 9
♣	K Q 6 5 4		♣	A

5,889 Masterpoints	
♠	J 5
♥	A Q T
♦	K 6 2
♣	J T 8 3 2

West	North	East	South
			Pass
1♠	2♠ ¹	4♠	4NT ²
Pass ³	5♦	5♠	Pass
Pass	Pass		

Final Contract	5♠ by West
Opening Lead	♣9
Table Result	5♠ making six, E/W +680
Director Ruling	5♠ down one, E/W -100
Panel Ruling	5♠ down one, E/W -100

(1)	Shows hearts and a minor.
(2)	What is your minor?
(3)	Slow.

The Facts: N/S called the director after the opening lead and claimed that East (dummy) had no bid over partner's slow pass. N/S also claimed that West went to the bidding box and fingered a bid before passing. N/S felt East was not entitled to bid 5♠; therefore, South would be able to bid 5♥ and get partner off to the correct lead and a subsequent contract of 5♠ would go down one instead of making six.

The Ruling: The 5♠ call was considered to be suggested by the break in tempo (BIT) and pass a less successful logical alternative (LA). After projecting a heart lead with an auction permitting South a bid of 5♥, the table result was adjusted to 5♠ by West down one, N/S +100.

The Appeal: East said that the auction told her to bid 5♠. She thought they were unlikely to lose more than three red suit tricks. With her complete lack of defense, she thought N/S were likely cold for 5♦.

Since E/W had acknowledged the BIT, South did not call for the director until she saw the dummy. N/S said that with a passed hand opposite the two-suiter, it was unclear whether 5♦ or 5♥ would make. N/S thought the BIT clearly encouraged the 5♠ bid.

The Decision: The panel found that E/W had played twice before this event. West's BIT demonstrably suggested action over inaction. Four peers of E/W were given East's hand to bid. All duplicated the 4♠ bid at East's first turn. Two of the four passed over 5♦, while two bid 5♠. The two players who passed bid 5♠ after a projected auction of 5♦ – Pass – 5♥ – Pass – Pass.

This information established pass over 5♦ as a LA, but also suggested that a final contract of 5♠ was possible. Based on peer input, the panel assigned an auction (from 4NT) of:

4NT	Pass	5♦	Pass
5♥	Pass	Pass	5♠
Pass	Pass	Pass	

On this auction, South was able to bid 5♥, which made a heart lead at all probable. The possibility of a heart lead on this auction was confirmed by a poll of experts (see North's masterpoint holding), half of whom led a heart.

The panel assigned a contract of 5♠ by West, down one, N/S plus 100, after the lead of a small heart.

Since the player input suggested a final contract of 5♠ was likely after a pass by East over 5♦, the panel decided it was reasonable for E/W to believe the 5♠ bid should be allowed. Thus, the appeal was judged to have merit.

The Panel: Gary Zeiger (Reviewer), Patty Holmes and Peter Marcus.

Players Consulted: Dick Budd, Hjordis Eythorsdottir (Disa), John Herrman, Tony Kasday and four peers of E/W.

Commentary:

Gerard Yah, I can't do anything about it, but doesn't that club lead by Mr/Ms 10,367 masterpoints look suspiciously like a double shot? Opposite a passed hand 4NT, wasn't a club lead hopeless? The result wouldn't change because N/S had no additional equity, but North didn't come to the party with clean hands.

- Goldsmith** I'm a little skeptical of the poll results, but some would pass red on white at matchpoints. I'm pretty surprised that anyone would pass 5♦ but save over 5♥; that not only makes sure that they'll be doubled, but 5♥ looks like a contract East can beat. That two players polled chose that route makes it likely that it'd happen, though without the poll results, I'd reject that conclusion, figuring that anyone who passed 5♦ would also pass 5♥. Assuming pass is a LA, the likely result most favorable to the non-offending side is 5♠ doubled down one. South may double 5♠ on the basis that if East doesn't think he can make 5♠, believe him. There's no result at all probable that is worse, so reciprocal 200s are in order. Should there be an appeal without merit warning (AWMW)? I think that not only would most of East's peers bid 5♠, but some of them would think that it is ridiculous to do anything else. So, no AWMW.
- Polisner** I disagree in most respects and would have assigned an adjusted score of 5♦ plus 400 for N/S unless the polling indicated that most (all) of the peers holding the West hand would balance with 5♠, vulnerable versus not vulnerable, which I don't believe would be the case.
- Rigal** I'm confused. If what East was campaigning for was the first 5♠ bid to be allowed and the table result to be restored, the panel said no. Where is the merit?
- Smith** Although I suppose it is implied, the table ruling does not really explain how the projected auction will proceed after East's forced pass of 5♦. The methodology and conclusions of the panel were generally very good, and the panel focused on all the right issues. What I really don't understand is why some polled players would consider it reasonable to pass over 5♦ (perhaps ending the auction) but then decide it is right to bid 5♠ over a correction to 5♥. Why? Given the information from the players polled, and given that I think this is the way panels and directors should make judgment rulings, I guess I shouldn't quarrel with the panel ruling. But I wonder if maybe a larger sample group would have found some players who would have passed over 5♦ AND over the correction to 5♥. I just don't see the logic of the two polled players who bid 5♠ over 5♥ after passing 5♦ originally. The fact that the panel found that half of the experts led a heart on the projected auction makes the adjustment correct for both sides based on the panel's conclusions.
- Wildavsky** Good work all around, but I see no merit to the appeal. East seems to see nothing wrong with taking the action suggested by UI. An AWMW would have helped disabuse him of that notion.
- Wolff** I also agree to the convoluted final decision. Mere supposition but I guess warranted. My bias suggests to me that anyone who would lead the nine of clubs in the real auction doesn't deserve a favorable ruling.

APPEAL	Non-NABC+ THREE
Subject	Played Card
DIC	Millard Nachtwey
Event	Young LM Pairs
Session	Second Qualifying
Date	July 14, 2006

BD#	32
VUL	E/W
DLR	West

549 Masterpoints	
♠	5
♥	Q 7 6 5 4
♦	6 5
♣	A Q 5 4 3

622 Masterpoints		Summer 2006 Chicago, Illinois	675 Masterpoints	
♠	T 3		♠	Q 8 2
♥	K 8		♥	A J T 9 3
♦	A J T 9 4		♦	K Q 8 7
♣	K T 8 6		♣	9

1452 Masterpoints	
♠	A K J 9 7 6 4
♥	2
♦	3 2
♣	J 7 2

West	North	East	South
1♦	Pass	1♥	3♠
Pass	Pass	5♦	Pass
Pass	Pass	Pass	

Final Contract	5♦ West
Opening Lead	♠5
Table Result	5♦, down one, E/W -100
Director Ruling	Card Not Played
Panel Ruling	Card Not Played

The Facts: The director was called at trick six, while it was declarer's turn to play. South won the spade five and played two more rounds of spades. Declarer ruffed the third round high and played two rounds of trump ending in dummy. The declarer called the ♥3 and South played the ♥2. Declarer detached the ♥8. She replaced that card in her hand and started to play the ♥K at which time her opponents called the director.

All players agreed the ♥8 was face up, but it was immediately retracted. South thought the ♥8 got to about four inches above the table and North thought it was closer. Declarer thought it was chest high and dummy saw the card but did not think it reached the table.

The Ruling: Law 45C2 reads, "Declarer must play a card from his hand held face up, touching or nearly touching the table..." The ♥8 was not played because it never came close to the table. Declarer was permitted to play the ♥K.

The Appeal: All four players attended the hearing. Declarer was asked to hold the card at the closest point to the table she thought was reached. The other three players offered opinions as to whether it was higher or lower. Three players agreed that it was about four inches above the table at its closest point. North thought it was about three inches. The screener had informed N/S that there had been a similar case within the last year and, in that case, the card in question was ruled not played when it was closer to the table than the card in this case. N/S did not withdraw their appeal.

The Decision: The panel believes that the best person to make decisions such as this one is the table director because memories are freshest at that time. N/S brought no new information to the hearing to counteract the table director's application of law 45C2; so the panel saw no reason to alter the table director's ruling.

In addition, given the caution that N/S received from the screener, an Appeal Without Merit Warning (AWMW) was issued to N/S.

The Panel: Charles MacCracken (Reviewer), Peter Marcus and Gary Zeiger.

Players Consulted: None.

Commentary:

Goldsmith Good. AWMW warranted.

Polisner I disagree with the interpretation of Law 45 C2 by the Director and the complete law is not shown. The rest of the uncompleted sentence also requires the card to be a played card or if it was "maintained in a position as to indicate that it has been played." This is not to say that the ruling was incorrect; however, additional facts should have been considered in light of the entire law.

Rigal Perfect decision. Where a pair has been warned about the merits of their case in advance, anything but an AWMW award here would make a travesty of the system.

Smith I agree. Good AWMW.

Wildavsky Fair enough. I would have liked to hear why declarer detached the ♥8 though. Depending on what happened at the table this could have been an Alcatraz coup.

Wolff Nothing much here except some petty bickering. It is bad manners to tease the opponents by exposing a card.

APPEAL	Non NABC+ FOUR
Subject	Unauthorized Information (UI)
DIC	Millard Nachtwey
Event	Bruce LM Pairs
Session	First Final
Date	July 16, 2006

BD#	26
VUL	Both
DLR	East

3545 Masterpoints	
♠	A J
♥	A J 4
♦	Q J T 8
♣	K 8 6 2

1303 Masterpoints		Summer 2006 Chicago, Illinois	2210 Masterpoints		
♠	K Q 9 7 4		♠	8 6	
♥	T 7		♥	K Q 6 5 3 2	
♦	6 5 4 3 2		♦	A	
♣	5		♣	9 7 4 3	
		3000 Masterpoints			
		♠	T 5 3 2		
		♥	9 8		
		♦	K 9 7		
		♣	A Q J T		

West	North	East	South
		2♥	Pass
Pass	2NT ¹	Pass	3♥ ²
Pass	3♠	Pass	3NT
Pass	Pass	Pass	

Final Contract	3NT by North
Opening Lead	♥K
Table Result	N/S +630
Director Ruling	4♠ by N, down 2, E/W +200
Panel Ruling	4♠ by N, down 2, E/W +200

(1)	No Explanation.
(2)	North Announced "Transfer."

The Facts: The director was called at the end of the hand. The N/S agreement was that systems are not on after a notrump overcall. North said she could not have four spades because she always would start with a double (rather than a notrump overcall) holding the other major. South said that North did not necessarily show a heart stopper with her 2NT bid. His 3♥ bid (rather than bidding 3NT) was checking to make sure she had one.

The Ruling: The convention card did not have enough information to satisfy law 75D2 and there were no system notes available. 3♥ could have been Stayman, in which case the transfer Announcement suggests that the 3♠ bid may not show four spades. The UI demonstrably suggested that 3NT is more likely to succeed than the logical alternative (if there was no Announcement) of 4♠. In accordance with laws 16, 73F1 and 12C2 the table result was adjusted to 4♠ by North, down two, E/W +200.

The Appeal: N/S appealed the ruling. All four players attended the hearing. West said he asked for an explanation of 2NT after his partner led face down.* He was told it showed a strong notrump opening bid but did not necessarily show a full heart stopper (QTx is not considered a full stopper). N/S said that they told him that North's hand could not contain four of the other major because that hand would always start with a double, but neither East nor West heard that part of the explanation. N/S said they had system notes in their room that supported their explanations. Shortly thereafter E/W said they were not staying for any more of the hearing. South, who seemed annoyed with North, left a minute or so later.

**[N/S strongly disputed this. They said the explanation was not requested until the play was completed. East could not remember when his partner asked.]*

North explained the system. Notrump overcalls and takeout doubles have at least 15 HCP (she said she would have passed 2♥ if her hand did not have the ♦Q). In addition, had she held four of the other major she would have to start with a double. She does not need to have a full stopper to bid 2NT, so a cuebid primarily asks about the quality of the stopper. She is supposed to bid her minor without a full stopper; 3NT with a stopper and 3♠ with two stoppers, but she "fudged." Later she said she bid the hand accurately, but it was accidental. They play 0+ HCP overcalls. Her partner could have bid 2♠ over 2♥ with as little as 8 points vulnerable.

The reviewer told North to bring him all the system notes before the 7:30 PM game time. He was given a hand written spiral bound notebook (8 1/2 by 11) with four and a half of the 98 pages filled. The printing was large, legible and covered 1NT (strong and weak), 2NT and 3NT openings and responses thereto. It covered direct and balancing 1NT overcalls. It covered direct 2NT overcalls of one bids (19-21) and direct 2NT overcalls of weak twos (which was close to the balancing system described by North) But, it had nothing about balancing 2NT over weak twos or about any other part of their system. When asked about the notes for the rest of the system, North said there were two other notebooks – but one was in the car and she couldn't find the other.

The panel had met between sessions and had decided that, as long as the system notes verified North's statements, the table result would be restored. It reconvened to review the system notes. The panel noted that not only was bidding in the balancing position over weak twos not covered but there was nothing about South's possible actions in direct seat or their takeout double structure.

The Decision: N/S was unable to produce the promised, relevant, system notes, so there was no reason to change the table director's ruling. N/S should have known at the time of the appeal that their notes were inadequate; therefore, an Appeal Without Merit Warning (AWMW) was issued.

The Panel: Charles MacCracken (Reviewer), Candy Kuschner, Terry Lavender, Peter Marcus and Gary Zeiger.

Players Consulted: None

Commentary:

Gerard In sequence:

- South didn't alert 3♠, which he should have if the methods were as described.
- South didn't correct the announcement at the end of the auction, which he was required to do even if the methods were not as described (i.e., 3♥ = Stayman).
- The timing of West's request for an explanation was irrelevant.
- Raise your hand if you think North would have passed with AJ10x, x, J108x, AKxx or doubled with Jxxx, AJ10x, A, KQxx, or bid 2NT with AJx, xxx, QJ10x, AKx.
- How did North "fudge" when 3♥ was a transfer, and how was AJx two stoppers when Q10x wasn't one?
- If the weak two were in spades, how many stoppers would 3NT show after a 3♠ checkback?
- Who plays direct 2NT overcalls of one-bids to show 19-21?
- What does "close to the balancing system described by North" mean? Would it have supported the explanation if 2NT had been in direct seat?
- Have you ever seen system notes arranged in this manner?

There is only one conclusion: N/S may have had the agreement they claimed, but they concocted their "notes" between sessions to fit North's explanations, producing a skewed ordering of categories that defies common sense. This was more than a matter of an AWMW; it should have been referred for a disciplinary hearing. Furthermore, there is some doubt about even the existence of the methods. They didn't know their alerting responsibilities. They forced themselves to take unnatural actions with prototype holdings for other actions. They posited a system that was illogical, changing the meanings of bids depending on the randomness of suit rank. As against that, it was such a weird agreement that it would have been a monumental coincidence to come up with it on the spot. That being said, the panel put itself in jeopardy when it pre-decided to honor the system notes. If they had been more comprehensive, the lack of any balancing 2NT description should not have mattered. Methods over a direct 2NT overcall are sufficient for that purpose, since the basic nature of the call does not change by more than a jack in balancing seat. This is different from a balancing 1NT, which does require a discrete explanation. The panel had enough ammo at its disposal that it didn't need to rely on a distinction without a difference.

- Goldsmith** If the notes about direct 2NT overcalls of weak two bids corroborated N/S's claims, I'd believe their claims. If not, I wouldn't. Those auctions are close enough that one can infer that the same methods are used if they are more worthwhile after balancing actions than direct. But so what? Let's say that North Alerted 3♥ and explained, "he's checking back to make sure I have a heart stopper," and bid 3♠. There's no way South would bid 3NT; he'd bid 4♣ (thinking North was showing three good spades and no heart stopper). North, thinking that 3♥ was a transfer, thinks that 4♣ is natural and forcing. He's good enough to cue bid 4♥, which will let South know that something has gone wrong, but what can he do about it? He's not going to bid spades on four small, so he'll retreat to 5♣. That'll go down two, so it doesn't matter whether or not we believe N/S, reciprocal 200s are in order. An AWMW is appropriate. South clearly took advantage of UI, regardless of his methods. A player with 3,000 masterpoints should know better than to bid 3NT here, so a 1/4 board procedural penalty (PP) is warranted.
- Polisner** Easy case with or without system notes. I would have bid 3NT behind screens in light of my spade suit quality and leave the decision to partner however, pass is a logical alternative.
- Rigal** Well decided and an appropriate AWMW –compare and contrast case 13. Players should not be allowed to get away with the ‘notes’ argument – or at least they must live or die by it.
- Smith** This N/S pair did not come close to overcoming the burden placed on them by the footnote to Law 75 to show that 3NT was the correct system bid by South after 3♠ by partner. When you play an unusual system, you had better get it right or be able to prove what your methods are later. So the adjustment from 3NT was clearly correct in my opinion (4♣ is a logical alternative to 3NT, and the presumed UI suggests the 3NT bid). I would have liked to see more analysis of the likely outcomes of a 4♣ contract, though. Since N/S must have known that they could not produce system notes to confirm their unusual agreements, the AWMW was obvious.
- Wildavsky** Excellent work all round. Even if N/S were truthful regarding their agreements they ought to have known that they could not prevail without proof.
- Wolff** I certainly agree with the panel's decision and am especially happy that the panel did not buy into N/S's assertion that North would always start with double (instead of 2NT) if he held four spades. I also give N/S credit for concocting that story, which is probably the only way for them to suggest that they didn't make use of UI. The precedent that should come out of this appeal is that a panel should never underestimate appellants and their cleverness to try and win.

APPEAL	Non NABC+ FIVE
Subject	Tempo – Unauthorized Information (UI)
DIC	Bob Wallace
Event	Side IMP Pairs
Session	Evening (Only)
Date	July 16, 2006

BD#	31
VUL	N/S
DLR	South

5,080 Master points	
♠	K Q J 7 5 2
♥	Q
♦	Q 8 7 5 3 2
♣	

3,175 Masterpoints		Summer 2006 Chicago, Illinois	15,100 Masterpoints	
♠	9 6 4 3		♠	A 8
♥	9 6 5		♥	A K J 7 4
♦			♦	K J 4
♣	K 9 8 7 6 5		♣	Q J 2
		5,214 Masterpoints		
		♠	T	
		♥	T 8 3 2	
		♦	A T 9 6	
		♣	A T 4 3	

West	North	East	South
			Pass
Pass	2♠	Dbl	Pass
3♣ ¹	3♦	3NT	4♦
Pass	Pass	Dbl ²	Pass
5♣	Pass	Pass	Dbl
Pass	Pass	Rdbl	Pass
Pass	5♦	Dbl	Pass
Pass	Pass		

Final Contract	5♦ doubled by North
Opening Lead	♥A
Table Result	5♦ Dbld, N, -1, E/W +200
Director Ruling	4♦ Dbld, N, =, N/S +710
Panel Ruling	4♦ Dbld, N, =, N/S +710

(1)	Alerted, constructive values (8+ HCP).
(2)	Agreed break in tempo (BIT).

The Facts: The director was called after the play of the hand. The BIT was agreed.

The Ruling: It was judged that the 5♣ call was demonstrably suggested by a combination of the Alert and the BIT over a less successful logical alternative (LA) of Pass. Therefore in accordance with laws 16A2 and 12C2, the table result was adjusted to 4♦ double by North making four, N/S +710.

The Appeal: The appeal was filed after N/S had left the playing area. Since the BIT was not disputed and the table director's decision was ultimately upheld, N/S were never contacted.

East was the only player who attended the hearing. He said West's 3♣ bid confirmed some constructive values (8+ HCP), since they play lebensohl. West later told the table director that she intentionally bid 3♣ because of the sixth club and the diamond void. East confirmed a substantial BIT before doubling 4♦. He said West had to pull the double because: 1) she had zero defense; 2) she knew East had a club fit from the 3NT bid and 3) at IMPs safety matters and East had not doubled 3♦. East confirmed that he disagreed with West's 3♣ bid, but she never forgot conventional agreements.

The Decision: The panel was undecided whether to accept East's statement about West's ability to remember conventional agreements. Since resolving this issue could be critical to the resolution of the case, the panel decided to poll peers of West (3100 masterpoints) about what call to make over 4♦ doubled, giving some players the lebensohl information but not others.

The peers who were simply told that they had bid 3♣ all passed 4♦ doubled, since they hadn't promised any values. Of the four peers who were told that they had made a value showing 3♣ bid, two passed and two bid 5♣.

This response to the poll established that a pass of 4♦ doubled was a LA even with the understanding that 3♣ had shown values. Since the UI from the BIT demonstrably suggested pulling the double and pass was determined to be a LA, the panel upheld the table director's decision to adjust the result to 4♦ doubled making four, N/S +710.

The panel decided the appeal had merit.

The Panel: Gary Zeiger (Reviewer), Candy Kuschner and Peter Marcus

Players Consulted: Eight peers of West.

Commentary:

Gerard Wow, how shameless can you be? "At IMPs safety matters." I guess that only applies to the partner of the doubler, especially when she doesn't have 15,100 masterpoints. And did East acquire all of those masterpoints by ignoring the auction, which contained subtle clues that some of East's stuff was booked for the dumpster? East's BIT was a "bad" hesitation, showing no sensitivity to the niceties of the Proprieties. North should have passed the redouble, I would even call 5♦ egregious, but that wouldn't have recovered +710.

Not for nothing, but if you asked me to choose the worst bid in the auction, I'd be torn between 3NT and double of 4♦. Don't think the two are unrelated. Part of East's BIT was probably spent wondering "Why didn't I bid 3♥?" Lo and behold, doing the right thing early on sometimes avoids later problems.

- Goldsmith** This was much easier than the panel made it out to be. West abused UI and deserved a 1/4 board procedural penalty (PP) in addition to the adjusted score.
The panel's indecision about whether to accept the statement that West never forgot conventional agreements is ingenuous. Everyone forgets methods sometimes. Statements of that sort ought simply to be ignored; they are pure hogwash.
- Polisner** Excellent work.
- Rigal** Well decided case. One has to rely on the consulted players here, and the split decision makes the case have merit I believe. This is clearly quite close to the cusp – so despite the fact that the tournament director's ruling was upheld, I agree with the merit issue.
- Smith** Good job by the director, and very good job by the panel to show that even if West did intend 3♣ to show values the adjustment should be made anyway on the basis of the slow double. The claim that 3♣ was indeed intended to show extra values looks pretty questionable to me, and doubting it may have convinced me that an AWMW was warranted. Maybe if West had seen fit to attend the hearing she might have convinced me of her statement (or if she had told the table director immediately), but being denied the ability to question her about it would lead me to reject giving E/W that benefit of the doubt.
- Wildavsky** Good decisions, but I see no merit in the appeal.
- Wolff** I completely agree with the decision of 4♦ doubled, N/S plus 710. To me this case only proves what we are doing. I have no doubt (can't prove it) that West would have passed a prompt double, in spite of his lack of defense. The reason being is that a fast double would immediately trigger with West that his partner may have a very weak club holding, making five clubs a terrible contract. BTW, I do not think much of the principle of asking peers what they would do, particularly in a low-level game. The asked players are more interested in trying to look good rather than to give a thoughtful non-ego involved response.

APPEAL	Non NABC+ SIX
Subject	Tempo – Unauthorized Information (UI)
DIC	Su Doe
Event	Senior Pairs
Session	First
Date	July 17, 2006

BD#	26
VUL	Both
DLR	East

2,500 Masterpoints	
♠	6 5
♥	T 4 3
♦	Q 4 2
♣	K J T 7 3

875 Masterpoints		Summer 2006 Chicago, Illinois	580 Masterpoints	
♠	A K J T		♠	7 4
♥	A J 2		♥	Q 9 8 7 5
♦	A J 8 7 5		♦	K T 6 3
♣	4		♣	9 8

2,750 Masterpoints	
♠	Q 9 8 3 2
♥	K 6
♦	9
♣	A Q 6 5 2

West	North	East	South
		Pass	1♠
Pass	1NT ¹	Pass	2♣
Pass ²	Pass	Dbl	Pass
3♣	Pass	3♥	Pass
4♥	Pass	Pass	Pass

Final Contract	4♥ by East
Opening Lead	♦9
Table Result	4♥ by E making 5, E/W +650
Director Ruling	2♣ by S making 2, N/S +90
Panel Ruling	2♣ by S making 2, N/S +90

(1)	Forcing.
(2)	Alleged break in tempo (BIT).

The Facts: The director was called at the end of the auction. West said she bid deliberately in all cases and didn't hesitate. East agreed and didn't notice any BIT. North said that there was a short BIT before the pass of 1♠ and a longer one before the pass of 2♣. See laws 16A2 and 12C2.

The Ruling: The UI (BIT) demonstrably suggested action over inaction. Pass was determined to be a less successful logical alternative (LA). Therefore, the table result was adjusted to 2♣ by South making two, N/S +90.

The Appeal: E/W were interviewed initially. West maintained that she was a deliberate bidder and thought before all bids. She was asked if she would think with a 4-3-3-3 yarrowborough. She said “No” at first and then changed to “Probably.” Her partner agreed that she was deliberate in all her bids and said she (East) didn’t take any notice or inference from partner’s tempo. West said her initial pass and second pass had the same tempo. Both East and West did not feel that West had indeed had a BIT. So, no score adjustment due to a BIT and subsequent inferences being taken was appropriate. E/W were told that on the issue of BITs that deliberate bidding could not be used as an explanation or excuse. East said she felt that other players would pass with her hand, but she didn’t feel that any special BIT had influenced her decision to bid. North said that there was a short BIT before West’s first pass and a noticeably longer one before the second pass.

The Decision: An examination of West’s hand convinced the panel that a BIT was likely to have occurred.

Three players with about 600 masterpoints were given East’s hand and the auction up to 2♣-pass-pass. Two passed and one bid but said it was close. Since two of three players passed, pass was considered to be a LA, which would have ended the auction at 2♣. The panel further felt that the BIT by West demonstrably suggested action by East and specifically suggested that East show her two-suited hand by doubling. As the BIT by West suggested East’s chosen action and pass was determined to be a less successful LA for E/W, the director’s ruling reverting the contract to 2♣ resulting in plus 90 for N/S was upheld. This was in accordance with laws 16A2 and 12C2.

Players were advised that, in the appeal process, players of similar ability would be interviewed to determine if there were LAs to the chosen action. East acknowledged at the interview that some players would pass with her hand. Therefore, an Appeal Without Merit Warning (AWMW) was issued.

The Panel: Peter Marcus (Reviewer), Harry Falk and Candy Kuschner.

Players Consulted: Three players with about 600 masterpoints.

Commentary:

Gerard You can draw all the analogies you want, this is not Pittsburgh Case One Redux. East's action here (double instead of 2♥) catered to whatever partner held, and West's hand is slam dunk evidence that a BIT occurred (as is all the backing and filling about deliberate tempo.) Plus the table ruling changed the result, so the appellants needed less of a case to avoid the AWMW (the first time they were the defendants, so double jeopardy did not attach.) I could go either way on the AWMW, but the reason for it was dead wrong. Just because peers disagreed about LAs was no reason to award an AWMW. What was really appropriate was a procedural penalty for blatant abuse of UI, which would have resulted in a richly deserved equity adjustment.

- Goldsmith** I agree and wouldn't give a procedural penalty (PP), so I guess that puts my line below which I won't give them at least at 560 masterpoints. "[I'm] a deliberate bidder and [think] before all bids," is another statement which is a waste of breath. Even if it were true, it doesn't matter; if the tempo of one's actions varies from slow to slower, that's still a BIT. Not long ago, a player made a similar claim to me at the table. She ignored my skip bid warning in a sensitive situation saying, "I never hesitate." A few hands earlier, she had gone into two bidding tanks, the shorter of which was about two minutes. No doubt, she fully believes she never hesitates, but she's wrong. There's no reason for scribes even to bother recording such claims.
- Polisner** Law 16A requires an "unmistakable hesitation" in order to rule that UI had occurred. How can it be proper to inspect the partner's hand to determine if there had been a BIT? In an almost identical case in Pittsburgh last year (Judy Kay Wolff), the ruling and decision were that without evidence of a BIT (without looking at the partner's hand), the law did not allow an adjustment. We need to get on the same page. Let's assume that there absolutely was not any UI and East had chosen to balance. No problem - right? Wait a minute, now N/S contend that there was a BIT and the only evidence is the weakness of East's hand. Now the good result gets removed merely because the East hand does not meet some director's and/or committee's idea of what such a hand should have to balance. We will be dealing with a very slippery slope if we go in that direction.
- Rigal** Res ipsa loquitur; the thing speaks for itself! Anyone who balances on this auction is using UI. Clearly suitable for a procedural penalty (PP) as well as an AWMW. Here we have the classic combo: a player from the offending side uses UI [the most 'culpable' offence] and then appeals a director ruling and gets an AWMW. To my mind the panel should use harsher standards when assessing PPs here than if, for example, the other side had been appealing.
- Smith** I wish I knew what South had to say to the director and the panel. Did South agree with North about the BIT? West's hand certainly seems to be a strong indication that she did break tempo, so ultimately I agree with the director and the panel that it probably occurred and the score should be adjusted. In my experience opponents don't call the director in this kind of situation unless something happened, and, I think when a dispute like this arises, it is valid to consider the hand of the alleged hesitator as inferential evidence of what happened. But I'd really like to know what South said, and, in the absence of that information, I do not agree with the AWMW. But I agree that 2♣ by South as the final contract is correct based on the opinions of the polled players. I would like to have seen some analysis of the play in 2♣ by the director and the panel before assigning plus 90.

Wildavsky Good work all around. I might have assessed a procedural penalty in addition. Balancing with that East hand is beyond the pale.

Wolf "An examination of West's hand convinced the panel that a BIT was likely to have occurred." Where was this panel when Judy and Jane needed them? I certainly agree with this decision, BTW this East had much more reason to bid than in Judy's and Jane's case or the one against Judy Radin in Orlando (Case #4).

APPEAL	Non NABC+ SEVEN
Subject	Tempo – Unauthorized Information (UI)
DIC	Bob Leonard
Event	Stratified Open Pairs
Session	First
Date	July 17, 2006

BD#	13
VUL	Both
DLR	North

346 Masterpoints	
♠	9 8 3
♥	K 9 8 4
♦	A Q
♣	A Q J 8

6,200 Masterpoints		Summer 2006 Chicago, Illinois	5,230 Masterpoints	
♠	A 7 6 5 4 2		♠	K Q J T
♥	T		♥	Q 7
♦	J 9 7		♦	K 8 5 4 3
♣	6 5 3		♣	9 4
		1,670 Masterpoints		
		♠		
		♥	A J 6 5 3 2	
		♦	T 6 2	
		♣	K T 7 2	

West	North	East	South
	1♣	1♠	2♥
4♠	Pass ⁽¹⁾	Pass	5♣
Pass	5♥	Pass	Pass
Pass			

Final Contract	5♥ by South
Opening Lead	♦7
Table Result	5♥ by S making 6, N/S +680
Director Ruling	4♠ by W, down 1, N/S +100
Panel Ruling	5♥ by S making 6, N/S +680

(1) Break in tempo (BIT).

The Facts: The director was called during the auction and again after the hand had been played. North was alleged to have broken tempo after the 4♠ call. The stop card was used by West. While there was a disagreement as to the length of the BIT, it was determined that there was a longer than ten second pause by West, which was determined to be a BIT.

The Ruling: The BIT was judged to demonstrably suggest that South take action and pass was determined to be a less successful logical alternative (LA). Therefore, in accordance with laws 16A and 12C2 the table result was adjusted to 4♠ by West down one, N/S +100.

The Appeal: North said that West had used their stop card before bidding 4♠. Immediately after West picked up the stop card, a player came up and asked if it was okay to kibitz. The request came from an associate of E/W. North said her partner did not like kibitzers and South also asked not to have a kibitzer. When the kibitzer left, North passed without pause for thought. As such, North did not feel there had been a BIT and South agreed.

West said that he used the stop card as he always did. He put the stop card out and then his bid (4♠). He left the stop card on the table for about seven seconds and then he picked it up. West stated that after he picked up the stop card, North began to study her hand – even fingering the cards as if counting points or suit length. Then the kibitzer arrived and North said nothing. She continued to study her hand. South objected to having a kibitzer; so, the kibitzer left. After having considered her hand throughout the “kibitzer incident” thus creating a BIT, North then passed.

The Decision: The kibitzer request came in the middle of a “live” auction from an associate of E/W, not an independent party. The panel felt that the entire time it took to address the kibitzer issue and send the kibitzer away was not to be counted as part of a BIT. Even if North did not address the kibitzer directly, as alleged by West, this was still a distraction making thinking difficult. As any BIT before the kibitzer arrived was very brief and, after the kibitzer left, North made her pass without further thought, the panel felt that no BIT occurred. As such, law 16A2 did not apply and no adjustment was indicated by law. The table result of 5♥ by South making six, N/S +680 was restored.

The Panel: Peter Marcus (Reviewer), Candy Kuschner and Charles MacCracken.

Players Consulted: None.

Commentary:

Gerard I would add that if N/S were playing weak notrumps, as it appeared, there was no LA to bidding 5♣. Perhaps the ruling could have considered that.

Goldsmith This is a tough call, since it's all about disputed facts. I'd rule with the table director in such a case, since his information is freshest, barring new information. Besides, from North's hand, it sure looks to me as if there was a BIT.
I'd like to know why North didn't open 1NT. If N/S were playing weak notrumps, then I don't think South can reasonably pass 4♠. Partner either has a strong NT or an unbalanced hand with clubs. If he has a strong NT and can't double 4♠, 5♥ rates to make or be a good save; if he has an unbalanced hand, we surely want to play 5♣. If N/S are playing strong one notrump openings, then this inference is not available. It's also easier to believe that North might pass 4♠ in tempo if that suggests a strong NT.

- Polisner** I agree with the Panel that under these circumstances, there was not the unmistakable hesitation required by law 16 to even consider awarding an adjusted score. This hand is very educational in that many players and possibly even some directors do not understand the use or non-use of the STOP card. Firstly, there is an obligation by the player to the left of the skip bidder to hesitate approximately ten seconds whether or not the STOP card is used. Secondly, the length of the time that the STOP card is on the table is meaningless. The skip bidder does not control the tempo of his left hand opponent (LHO) by how long he leaves it on the table. I would also have wanted to know if N/S were playing other than standard in that she did not open 1NT which could impact what South might infer even if there was a BIT. More likely, with only 346 masterpoints, North was probably a beginner.
- Rigal** Good decision. I'd have liked to see the panel issue an obiter dictum that even had there been a BIT there was no LA to 5♣; that is the way I feel about it.
- Smith** Despite my opinion in the previous case where I said I believe it is valid to consider the bidder's hand when trying to determine if a disputed hesitation occurred, I have no problem with what the panel decided here in unusual circumstances. Yes, it looks like North has a problem, but here there was a skip bid made in a situation where we would often expect North to have a problem. Was the time taken in excess of the time allotted by the skip bid warning? Not clear, and even less so when the intrusion of the kibitzer is considered. Law 16 refers to an "unmistakable hesitation," and I'm not convinced it occurred in this case beyond the time North was allowed by regulation after a skip bid. Although the panel's conclusion makes any examination of South's choice of actions moot, I would be interested to see the results of a peer poll of her action over 4♠ – Pass– Pass. I bet most would bid 5♣ in the absence of UI, although perhaps not enough to exclude pass as a LA. Did the table director poll that point?

Wildavsky The Panel might equally well have argued that pass was not a logical alternative. In any case, I agree with the Panel ruling.

Wolf Here South has such a clear-cut bid that even though N/S were playing a minority system, which didn't include strong notrump, too often leading to telltale BITs which convey readable UI, it still must be allowed to be made. I realize that this latest caveat can sometimes be confusing, but the South hand should expect 4♠ to make E/W so it is one hundred to nothing to bid since there are many hands that also make game N/S (this one made a small slam and was on a finesse for a grand). The "kibitzer" thing was a "red herring", but if the BIT was more flagrant, 5♣ should still be allowed, but a probable PP against NS be given instead of improperly cancelling a 100% action.

APPEAL	Non NABC+ EIGHT
Subject	Misinformation (MI)
DIC	Millard Nachtwey
Event	0-5000 Spingold
Session	1 st Round – First Session
Date	July 17, 2006

BD#	18
VUL	N/S
DLR	East

2,500 Masterpoints	
♠	T 9 8 x x x
♥	9 x
♦	J x
♣	J T x

150 Masterpoints	
♠	
♥	T x x x x
♦	Q x x x x x x
♣	K

Summer 2006 Chicago, Illinois			
		3,000 Masterpoints	
		♠	A J x x
		♥	K Q x
♦	K		
♣	A x x x x		

1,500 Masterpoints	
♠	K Q x
♥	A J x
♦	A T 9
♣	Q x x x

West	North	East	South
		1NT ¹	Dbl ²
2♠ ³	Pass	Pass	Dbl
3♦	3♠	Pass	Pass
4♦	Pass	Pass	Dbl
Pass	Pass	Pass	

Final Contract	4♦ doubled by West
Opening Lead	♠T
Table Result	4♦ doubled making 4, E/W +510
Director Ruling	4♠ by South, down 1, E/W +100
Panel Ruling	4♦ doubled making 4, E/W +510

(1)	15-17 HCP.
(2)	Penalty, as good or better than 1NT.
(3)	This was not Alerted and was explained after the 3♦ call with the director and West away from the table. At least one minor. Partner bids 2NT if he likes clubs and 3♣ if he likes diamonds.

The Facts: 2♠ was not Alerted. After the 3♦ bid, East asked West to leave the table and then explained that the 2♠ bid was obviously not natural. The director was called. The 2♠ bid was explained as a transfer for the minors. South said she would leave in her reopening double if told 2♠ was minors.

The Ruling: It was decided that South's double of 4♦ was based on misinformation about the 2♠ bid. It was decided that with correct information that South would bid 4♠ rather than double. In accordance with laws 40C and 12C2, the director adjusted the score to 4♠ by North down one, N/S -100.

The Appeal: South said that she doubled 4♦ believing “transfer to minors” meant that West’s 2♠ call showed both minors. She doubled because of her club holding in West’s presumed second suit. If she had known that 2♠ only promised one minor, she would have bid 4♣ over 4♦. South maintained to the table director that she would reopen the auction in passout seat over 2♠ with a double had she been told that 2♠ showed at least one minor and was not natural. She repeated this statement twice to the screening director, then said she felt passing 2♠ would be better and she would not reopen with a double if properly informed.

E/W acknowledged the MI from not properly Alerting and explaining West’s 2♠ bid but felt their subsequent explanation should have clarified the auction for N/S. South’s double of 4♦ was made with full knowledge of the meaning of 2♠.

The Decision: South is an experienced player with 3,000 masterpoints (partner has 2,500). South agreed she was very slow to realize her best action was to pass 2♠, not reopen with a double. She also agreed she could have asked to clarify the meaning of “transfer to minors” to see if it did, indeed, show clubs and diamonds. 2♠ was clearly not properly Alerted and explained. Had South said she would have passed 2♠ rather than reopening with a double, the panel would have accepted that and assigned a result of 2♠ by West, probably down four for N/S +200. However, South, an experienced player, told both the table director and the screening director that she would still have doubled over 2♠ if given the correct Alert and explanation, only much later changing her mind and realizing that passing 2♠ was the best action for her side. As such, she was judged not to have wanted to change her call in reopening seat.

After the reopening double, the E/W auction was explained. The explanation “transfer to the minors” should have been understood by a player of South’s experience. If vague, South should have asked for clarification about the issue of whether it showed both minors or just one. South’s decision to assume a meaning for an ambiguous answer was South’s responsibility and was not protected by law (21A). As such, the panel felt South’s decision to double 4♦ rather than bid 4♣ was based on her own misunderstanding not the opponent’s incorrect or unclear explanation. The table result of 4♦ doubled making four, E/W +510 was restored as law 40C did not apply.

The Panel: Peter Marcus (Reviewer), Candy Kushner, Charles MacCracken, Matt Smith and Gary Zeiger.

Players Consulted: None.

Commentary:

- Gerard** Amazing that West could bid that way and South could pay no attention to the auction. Perhaps it was too subtle for her.
- Goldsmith** East did well to call the director after the 3♦ call was made. It is not legal to send West away from the table. Any UI transmitted constrains West, but it's pretty obvious to West that East doesn't know what 2♠ means anyway. With the director present, South was given the opportunity to change her second call. She chose not to. After that, she has no recourse. So the only issue is whether she was given misinformation by the explanation "transfer to the minors." I think it is quite sufficiently clear by both the strange explanation and East's pass of 2♦ that East doesn't know what 2♠ means, and that any explanation he gave later was a guess. Therefore, South was informed correctly and anything he did later was up to him. Result stands.
- Polisner** South clearly couldn't figure out what was best for her to say even after she knew the whole hand. I agree with the Panel that South had a responsibility to clarify the ambiguous explanation which may well have resulted in the table result. However, I can't see giving E/W such a great result in light of these facts. I would have awarded a split score of E/W minus 790 in 4♠, doubled and N/S minus 510 in 4♦doubled.
- Rigal** There is some history on this precise matter. Cayne/Weinstein in a pair game about 6-7 years ago got the benefit of a ruling regarding 2S/2NT for one or both minors being explained as minor-suit Stayman. [I'll research this if asked.] On that basis this South – less experienced than the pair in question should feel rather hard done by. I would have been more sympathetic than the panel. Certainly the offenders got rather lucky here.

Smith

Since I was a part of this panel, obviously I agree with the decision. I think we would have done a bit better if we had asked a few players what they believed the original ambiguous explanation of “transfer to the minors” meant, and if it would lead them to ask for clarification. It seems to me that the answer in itself does not make sense and a player of South's experience needed to assume responsibility for finding out more and not assume she knew what that answer meant. To me, the larger issue is what to make of South's extremely belated realization that her best course of action was simply to pass out 2♠. There has been some criticism of the ACBL policy of directors asking players away from the table what they would have done with correct information. The opposing viewpoint is that any statements are self-serving and of little value. However, doesn't this case demonstrate that this method can unearth useful information? This South had several opportunities and much time to decide that passing out 2♠ was best, but it took her far too long before that realization hit home to give her credit for likely realizing and acting on it during the auction. Do we really think that this South would have passed with correct information if it had been available over 2♠ – Pass - Pass? Law 40C instructs that the director should adjust a score when damage occurs as a result of MI. All reasonable doubt should be given to an innocent opponent. But surely this player has demonstrated that the MI did not cause damage. Her poor judgment on this hand and her own misunderstanding caused the damage.

Wildavsky

The write-up is unclear on the point, but it seems as though the tournament director (TD) backed up the auction and allowed South the option of changing her call. Had she done so she'd have been plus 200. As is I see no reason to adjust the score. South scored the club ace. Which other tricks did she expect to take? Even if West held a club suit North need not have a singleton to lead. He might easily hold a doubleton or a void. Besides, South heard West bid 3♦ and East pass -- the auction told her that a diamond one-suiter was a live possibility. I prefer the Panel's decision to the TD's.

Wolff

The convention disruption (CD) octopus with all its ugly tentacles has emerged. When West ventured an unAlerted 2♠, bridge stopped and some other game began. Let's examine the components of that ugly game:

1. Confusion.
2. Everyone guessing at what is happening and at the same time trying to preserve excuses so that they can win a director's call and/or an appeal.
3. Hard feelings such as "he said and I said and he thought and I thought and I'm sorry but....and what am I supposed to do."
4. No elements left of the game that we are supposed to be playing.
5. And worst, the perpetrators are (at least on this hand) the laziest, most self-centered bridge players people can be, insisting on playing some unusual treatment, quite often some convention, where their unsuspecting innocent opponents just happened to be terrorized.
6. It used to be that players who forgot what they were playing almost always did so in some strong auction where they then would be doomed to playing the wrong contract and letting their bridge result punish them, but no more, since so many of the forgets have to do with bidding on weak hands where the opponents confusion gives the perpetrators an additional advantage.

WHAT IS THE SOLUTION? Penalize CD out of existence. Try and award their opponents a middleish result but make sure the CDers remember how severe their punishment was. IT IS NOT A LAUGHING MATTER ANYMORE. Until not wearing seat belts became illegal did people start to wear them. How many lives have been saved? My guess is many. Please let us do the same thing in bridge. It is either that or bar many conventions, certainly all home brews, where, upon misuse, the opponents usually have no chance at all.

APPEAL	Non NABC+ NINE
Subject	Misinformation (MI)
DIC	Rick Mueller
Event	Side Game Series
Session	Afternoon
Date	July 17, 2006

BD#	10
VUL	Both
DLR	East

1,420 Masterpoints	
♠	9 5
♥	K 8 5
♦	A T 5
♣	Q 7 6 5 4

1,040 Masterpoints	Summer 2006 Chicago, Illinois	3,450 Masterpoints
♠ K T 7 6		♠ Q 3
♥ A 9		♥ Q T 7 5 4 3
♦ 8 2		♦ J 4 3
♣ A K J 9 3		♣ T 2
6,500 Masterpoints		
♠ A J 8 4 2		
♥ J 2		
♦ K Q 9 7 6		
♣ 8		

West	North	East	South
		Pass	1♠
1NT	Dbl	2♦ ¹	Pass
Pass	Dbl	2♥	Pass
Pass	Pass		

Final Contract	2♥ by E
Opening Lead	♣8
Table Result	2♥ by E making 2, E/W +110
Director Ruling	2♥ by E making 2, E/W +110
Panel Ruling	3♦ by N making 3, N/S +110

(1) Intended as a transfer – not Announced or explained. Card is marked systems on after overcalls and over double and 2♣.

The Facts: South asked about the 2♦ and West said he didn't think they played transfers in this sequence. North said he would not have done anything different with the correct information. South said he would have doubled 2♦. South believed that had he doubled 2♦ that the auction would not have ended at 2♥.

The Ruling: The table result stands, since neither law 40C3 nor 16 applies.

The Appeal: South said he would have doubled 2♦ if told it was a transfer. He could not double when told it wasn't a transfer since that would cause E/W to run from 2♦. He could not bid 3♦ over 2♥ as this would prevent his partner from doubling 2♥ if North had long/good hearts. South felt that, if he were told 2♦ was a transfer, he would double it.

Then, after; 2♦ Dbl Pass Pass

 2♥ Pass Pass, his partner could bid 3♦.

West did not feel it was clear North would bid 3♦ even if South doubled 2♦. South could have only four diamonds for his double.

The Decision: Three expert players were polled given South's hand. One felt that passing 2♦ was taking a position assuming it was not a transfer and doubling, whatever it meant, could be right. Having passed, however, he felt there was a bid possible over 2♥ since partner could have good hearts and want to double. He was understanding of, but not convinced, that the failure to Announce the transfer affected South's auction.

The other two were both firm and said immediately that it was right to pass 2♦ if natural and double if a transfer. As such, they felt the missed Announcement clearly prevented South from doubling, which would be the correct call if the agreed agreement had been Announced.

The panel decided that MI had been given by the failure to announce the transfer as the agreement on the convention card was that it was a transfer. Based on the polling, the panel found that: 1) South's call was based on MI and 2) South would have doubled with the correct information (law 40C). As such the panel awarded an adjusted score. In accordance with law 12C2, 3♦ by North was determined to be the most favorable result likely for the non-offending side, and this result also was determined to be the most favorable result at all probable for the offending side. As such, 3♦ by North making three, N/S +110 was the score assigned by the panel for both sides.

The Panel: Peter Marcus (Reviewer), Candy Kuschner and Charles MacCracken

Players Consulted: Mark Lair, Tom Smith and Adam Zmudzinski.

Commentary:

Gerard The first expert was right. South passed because he was hoping for a misunderstanding, which you get to do but not complain about later. If 2♦ was indeed natural, it would never become the final contract unless South doubled (and maybe not then - just think what North would hold). And how bad would it be to double 2♦ if North held a 2-5-1-5 average-count. Nope, it's like not raising partner's overcall when a negative double doesn't get alerted. You want to hoist them on their own petard, assume the risk. I don't care how firm and immediate the misguided majority was, they weren't as thoughtful as the other guy. However, the right adjustment was minus 110 for everybody. South's contributory negligence doesn't wipe away all damage from the offenders' slate.

Goldsmith Good job, panel, including the consideration of likely and at all probable results. A minor quibble: write-ups ought to mention unauthorized information (UI) issues in MI cases, though this time it was very unimportant; East has authorized information from partner's pass that there has been a bidding misunderstanding. It's best, however, to state that this was considered and was found to be irrelevant, just so we know that good practices were used.

- Polisner** A poor director's ruling and good decision by the Panel. The analysis should always start by viewing the problem from the standpoint of the player who had MI giving that side the benefit of any questionable action.
- Rigal** Correct procedure followed by the panel, and the right ruling given as a result. I'm a little surprised at the initial ruling; where there is doubt, it surely should go to the non-offenders.
- Smith** I'm a bit surprised that the polling results supported South's argument (I would have expected players to double 2♦ absent the Announcement.), but that is why we do polling. Did the table director conduct a poll? If so, it should be described in the write-up and considered by the panel. Given the information the panel got from its poll, I think the adjustment to 3♦ seems right in law. Again, though, I would like to have seen some analysis from the panel of the play to 3♦.
- Wildavsky** I don't understand the tournament director's ruling. There was an infraction and it led to damage. Surely a score adjustment was warranted - - the only question in my mind is which one. The Panel's ruling seems reasonable to me.
- Wolff** I think the panel, not the floor director, got it right. However, this is another nasty case of convention word (CD) where the opponent's are totally disadvantaged when everything changes and all because of the selfishness and incompetence of their opponents. Many people do not like to call the director, much less go to a committee, so can we imagine just how many cases of CD are not reported. Why wouldn't devious people want to use weak hand conventions just so they can increase their chances of winning? As we waste our bridge time there are players developing their poison gas labs right here in River City. Not that many do it, but why should we tempt them to, instead of running them out of town? Let's see who the enemy is. Up to now it has been us.

Conclusions

Goldsmith

Only four appeals in national events! Wonderful! Appeals committees (AC) didn't cover themselves with glory, but half were very close.

I'm getting tired of agreeing with Bartusek's dissents. Mark, make your ACs pay better attention to you!

Normally, I don't comment on regional appeals, because they are usually straightforward, because I think the ACBL ought to review directors' work routinely, and because the time is usually better spent working on the national appeals, but with only four of those, I did the regional ones, too. They were a much more interesting bunch than normal. As with the ACs, the panels didn't exactly cover themselves with glory. Neither was truly awful, but neither was especially good, either.

Directors ought to be very careful about ruling director's error.

That only occurs if the director prevented a normal score from being obtained and that normal score is needed. If an assigned score is required, then director's error almost never applies.

Twice in this set, poll results rather surprised me. I wonder about the procedures used to pick the players for polls. In a regional AC case I heard recently, a poll was taken and the results astonished the whole AC. We asked who was polled; it turned out that the four players consulted could have been argued to be the four most conservative expert players in the room. I don't claim that the directors intentionally chose those four players to get a desired result, but a representative sample is not obtained with a poll size of four, and if the sample is biased, poor results are obtained.

Again, I do not intend to imply that the results of the polls in these cases are suspect; in fact, my personal poll upheld the directors' poll results in the one that surprised me the most. In that poll, about half the players thought that the decision to be made was not close. Those players were split evenly between the two choices. AC members take note: even if you have strong feelings that an action is automatic, consider the possibility that other players may feel very differently. Tournament directors (TDs): try to avoid ACs with fewer than five members to attempt to get multiple viewpoints.

Wildavsky

Only four appeals in NABC+ events? Fantastic! Granted, this could be a statistical fluke. In the abstract we should expect fewer appeals when there are fewer infractions at the table, when TDs consistently make correct rulings, and when ACs consistently uphold correct rulings. I don't know whether to attribute the drop to any or all of these things, but for now kudos all 'round. The TDs in particular seem to have done well. I'll assume that the hundreds of rulings they made that were not appealed were correct, or at any rate not clearly incorrect. Of the four rulings appealed three were upheld, properly. The one that was overturned was a close call. To go an entire tournament without a clearly incorrect ruling is an impressive achievement.

The TD Panels for the secondary events also did well, correcting a few poor rulings and not overturning any rulings that were clearly correct.

There's still plenty of room for improvement. If I had to make one request this time around it would be for more complete information on the appeals forms. To accomplish the goals of the appeals process not only must justice be done, it must be seen to have been done.