

Spring 2006 NABC

Appeals Casebook

Dallas 2006



Appeals at the 2006 Spring NABC Dallas TX

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 Dallas a total of twenty-five cases were heard. Eighteen 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.

Seven 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). The commentary is added and the internet publication is complete and final.

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.

**Appeals at the
2006 Spring NABC
Dallas TX**

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.

Howard Weinstein, 52, was born in Minneapolis and graduated from the University of Minnesota. He is a retired options trader who currently resides in Sarasota, FL. He is a former co-chair of the ACBL Ethical Oversight Committee and Conventions and Competition Committee. An ACBL Grand Life Master, he has won many NABC+ events and has won bronze medals in the 1998 World Bridge Federation Rosenblum Teams in Lille, France and in the 2000 World Teams Olympiad in Maastricht, Netherlands.

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.

Gary Zeiger, 53, is an Associate National Director residing in Phoenix AZ. He currently is in charge of the non-NABC+ appeal process at NABCs.

APPEAL NON-NABC+ ONE

Subject: Misinformation (MI) and Unauthorized Information (UI)

DIC: Harry Falk

Event: Educational Foundation Pairs

Session: Thursday Evening, March 30, 2006

(6040 MPs)
Board # 27 ♠ J 9 4
Vul: None ♥ 8 7 5 3
Dir: S ♦ 5 3 2
 ♣ 7 5 3

(3192 MPs)	(3726 MPs)
♠ T	♠ K 8 6 3 2
♥ J T 9 6 2	♥ K Q
♦ A Q T 8 7	♦ J 9 4
♣ T 2	♣ K J 8

(11171 MPs)
♠ A Q 7 5
♥ A 4
♦ K 6
♣ A Q 9 6 4

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

(1) Strong Club.

(2) Not Alerted.

The Facts: Upon arriving at the table and finding that the opponent played a strong club, E/W agreed to play 'Suction.' South asked about the meaning of the 2♠ bid at his second turn to call. East responded that it was spades. South inquired again as to whether the 2♠ call was 'Suction.' East said it was natural. After the opening lead of the ♥J, the contact failed by five tricks (down five, N/S -250).

The Ruling: While there was misinformation, there is insufficient connection between the infraction and the damage to adjust the score. South could have been aware that there was a potential misunderstanding and chose not to clarify the situation. This severed the link between the infraction and the damage. The table result was allowed to stand. See law 40 C and the ACBL Alert Pamphlet.

The Appeal: While they were aware that there was an appeal, E/W chose not to appear. Both North and South attended. South believed that East should not have been as assertive about the meaning of the 2♠ call. After the play, East acknowledged that he wasn't 100% positive that his partner's call was natural. South said that he would not have bid 3NT with that information. South said his hand was worth a 2NT opening bid in 'Standard' because of the 5-card club suit. Because it was a hard hand to reopen, he played his partner for 4 HCP. South said his partner's first Pass could have been made with a hand of 8 HCP because of the level of the interference. He was expecting a spade lead and his hand was too good to Pass.

The Decision: The panel found that there was misinformation (law 21 B 3). East wasn't aware that West played that both the one and two level were 'Suction' depending upon shape. The panel believed that East could and should have stated that a two-level call was undiscussed. In a poll taken of three expert players who had the same misinformation that South had, all three chose to Pass. Since even with the best scenario (that E/W held spades), no expert bid. The panel deemed that there was no connection between the MI and the 3NT bid. The panel decided that 40 C did not apply.

Another poll was taken about the opening lead from West. The experts polled were given the information that the 2♠ call was Alerted and explained as clubs or the red suits. Since two of the three experts consulted led a spade, the panel was convinced that without the UI, West may have led a spade. The panel considered a spade lead a logical alternative and that a non-spade lead was demonstrably suggested by the UI (i.e. the non-Alert and explanation).

The panel adjusted the result to 3NT down two, N/S minus 100.

The Panel: Patty Holmes (Reviewer), Su Doe, Gary Zeiger

Players consulted: On Bidding: Bruce Ferguson, Fred Hamilton, Haig Tchamitch
On Lead: Jim Kirkham, Drew Casen, Tarek Sadek

Commentary:

Polisner Not an easy case, but reasonably decided by the Director and improved upon by the Panel.

Rigal The panel reasonably decided that South's decision to bid 3NT earned him his bad result. The point about the lead is an obscure one, though possibly valid; nothing would stop me from leading a heart, I admit!

Wildavsky I do not understand what more the tournament director (TD) expected the South player to do. South asked about the call, got a suspicious answer, and asked again. There's only so much that's possible before clarification becomes badgering. That said, I agree with the panel that there was no causal connection between the MI and the damage.
The Panel improved upon the TD's ruling by considering the UI aspect of the case – the TD should not have missed it. In fact I'd have issued a procedural penalty for that ♠T lead, which surely constituted blatant use of UI.

Wolff Non bridge caused by convention disruption infested "lesser players". Keeping in mind that since it is as close to impossible as anything in bridge to determine a fair judgment this committee did a credible job, but, so what?

APPEAL NON-NABC+ TWO

Subject: Misinformation (MI) and Unauthorized Information (UI)

DIC: Harry Falk

Event: Fast Open Pairs

Session: Monday, April 3, 2006, First Session

(2837 MPs)
Board #29 ♠ K T 3 2
Vul: Both ♥ 7
Dlr: North ♦ Q 9 8 6 5 3
♣ T 2

(10944 MPs)	(4637 MPs)
♠ 5 4	♠ 8 7
♥ J 6 4 2	♥ A 8 5
♦ K 7 2	♦ A J T 4
♣ J 6 5 3	♣ A K 9 8

(2737 MPs)
♠ A Q J 9 6
♥ K Q T 9 3
♦
♣ Q 7 4

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

(1) Alerted and explained as hearts and a minor.

The Facts: The 2♥ call was Alerted and explained as hearts and an unknown minor. South's convention card defined the 2♥ call as hearts and spades. The table result was three spades making five, +200 for N/S, after the opening lead of the ♣5.

The Ruling: While there was MI as the N/S agreement is majors, the MI was judged not to be a damaging factor. South had UI, which demonstrably suggested the 3♠ call. Pass was determined to be a less successful logical alternative (law 16). Therefore, the score for both pairs was adjusted to the result in a contract of 3♦ by N/S, which was down three, -300 for N/S (law 12 C 2).

The Appeal: South reiterated his statement that he felt his hand merited further action. He could almost make a game in his own hand.

The Decision: Three players were polled. They were given the information that the 2♥ call showed the majors. Two chose to pass. One chose to bid 3♥ as he hated to pass with a void in partner's suit and thought partner would work out that he had the majors. The panel decided that Pass is a logical alternative and that a 3♠ call is a blatant attempt to get partner's attention. The panel upheld the director's decision in assigning a result of 3♦ down three, -300 for N/S and +300 for E/W. Since, in the discussion with the reviewer, the appellants were informed of the poll taken of other players and continued to support the 3♠ call, the panel imposed an Appeal Without Merit Warning (AWMW).

The Panel: Patty Holmes (Reviewer), Bernie Gorkin and Charlie MacCracken

Players consulted: Cam Doner, Fred Hamilton and Barry Harper.

Commentary:

- Polisner** Perfect except for no penalty point to South for blatant use of MI.
- Rigal** Excellent AWMW here; too easy to use South's rationale for bidding while not acknowledging that the UI was what made you do it – as opposed to bidding 3H say if you were not going to pass. Probably into procedural penalty territory.
- Wildavsky** The TD and panel rulings were both reasonable and coincidentally led to the same adjustment. The basis for both rulings was that there were logical alternatives to 3♠, and that 3♠ was demonstrably suggested by the UI. This ought to have been crystal clear to the appellants, so the AWMW was well deserved. A procedural penalty in addition would not have been out of place.
- Wolff** More convention disruption and again I think the committee ruled it right, but players (especially inexperienced ones) needed to have it explained to them why and so, consequently, the AWMW was too much.

APPEAL NON-NABC+ THREE

Subject: Claim

DIC: Doug Rankin

Event: Sunday-Monday KO Teams (Bracket 3)

Session: Round 3, Monday, April 3, 2006

Board # 36 (1382 MPs)
Vul: Both ♠ 8 2
Dlr: West ♥ 2
♦ A J T 9 8 3
♣ J 8 6 2

(506 MPs)	(236 MPs)
♠ A Q T 9 7 3	♠ K 6 5
♥ J 8 6 4	♥ K T 7 5 3
♦	♦ Q 4 2
♣ Q 9 3	♣ K 5

(413 MPs)
♠ J 4
♥ A Q 9
♦ K 7 6 5
♣ A T 7 4

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

The Facts: West claimed at trick 8: West (Declarer) held, ♠ QT9, ♥ J and ♣ Q9; the cards remaining in the dummy were ♠ 6, ♥ KT, ♦ Q4 and ♣ K. The ♥ and ♣ Aces had been played and trumps drawn from the N/S hands. West claimed she had all good cards. N/S claimed that West had shown her cards as if in play and did not mention that she was pitching diamonds. Therefore, N/S alleged West could have a possible loser.

The Ruling: The table director was persuaded by N/S that West had faced her cards in such a way that there was doubt about the subsequent play. The original decision was to award N/S one more trick, which made the result 4♠ down two, N/S +200. E/W appealed this decision. The original Reviewer rescinded the original decision and restored the table result of 4♠ down one; N/S +100, at which time N/S appealed and a different Reviewer was assigned.

The Appeal: N/S felt that West was not sufficiently definitive in stating her claim and that she placed her cards on the table in the order in which she was going to play them. Therefore, there could be a losing diamond left in dummy at trick 13. West said she was taking the rest of the tricks and was merely showing her winning cards one by one. She wasn't indicating a line of play.

The Decision: Law 70 A. states, "In ruling on a contested claim, the Director adjudicates the result of the board as equitably as possible to both sides, but any doubtful points shall be resolved against the claimer." The panel unanimously agreed that there was no doubtful point to resolve and awarded declarer all six of her winners. The panel upheld the original Reviewer's decision of restoring the table result of 4♠ down one, N/S +100. Because of the original decision (awarding an additional trick to N/S), the panel did not issue an AWMW to N/S.

The Panel: Charlie MacCracken (Reviewer), Harry Falk, Tom Whitesides and Patty Holmes (non-voting scribe and original Reviewer)
Players consulted: None.

Commentary:

Polisner The reviewer and Panel got it right except for the failure to award an AWMW. The fact that the original ruling was so pathetic should not have dissuaded the Panel from so doing.

Rigal A sensible ruling; and given the change of tricks, I can live with the failure to give an AWMW – though I might have needed to be there to let N/S off. Had the initial ruling gone the other way, it would have been a different matter. Another case where the initial director call looks distasteful to me.

Wildavsky Fair enough. These cases would be easier if the tournament director (TD), upon reaching the table, required the declarer to state his proposed line of play. The laws are silent as to proper procedure when the claim is not accompanied by an immediate statement. It seems to me that the claimer ought to be able to make a statement at any point, and must be required by the TD to make one if he has not already.

Wolff I certainly agree with the final ruling. I'm not sure what the first director was thinking about, but he needs to be updated in dealing with claims.

APPEAL NON-NABC+ FOUR
 Subject: Unauthorized Information (UI)
 DIC: Doug Grove
 Event: Red Ribbon Pairs
 Session: First Final, April 7, 2006

(525 MPs)
 Board # 6 ♠ 5
 Vul: E/W ♥ Q 7
 Dlr: East ♦ A K J 6 5 3
 ♣ T 7 5 3

(1375 MPs)	(1267 MPs)
♠ K 9 7 3	♠ A Q 8
♥ J 5 3	♥ A T 9 5
♦ 7	♦ T 9 8
♣ K J 6 4 2	♣ A Q 9

(525 MPs)
 ♠ J T 6 4 2
 ♥ K 8 4 2
 ♦ Q 4 2
 ♣ 8

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

- (1) 15-17 HCP.
 (2) Alerted as showing both major suits.

The Facts: The N/S convention card was marked Cappelletti, Natural versus weak notrump. North believed that actions taken in the passout seat were natural. The table result was 3♦ doubled down one, N/S minus 100 after an opening diamond lead.

The Ruling: North was deemed to have UI from the Alert. Therefore, law 16 applies. The 3♦ call was demonstrably suggested over a less favorable (to N/S) logical alternative of Pass. Therefore, the table result was adjusted to 2♠ doubled down four, N/S minus 800.

The Appeal: N/S maintained that North did not take it as natural because the most spades South could have was five. North thought 3♦ would play better. South said that he would not have bid 2♠ immediately over 1NT if he held minimal values. E/W agreed with the facts and the reasoning supporting the director's decision.

The Decision: There was UI when South Alerted and explained 2♦ as showing the major suits. All three peers who were consulted decided to pass over 2♠ doubled. Each also felt, when informed of the UI, that a 3♦ call would be more successful than a Pass of 2♠ doubled. The panel decided based upon the peer advice, to uphold the director's decision to adjust the table result to 2♠ doubled down four, N/S minus 800.

However, since several players with two or three times N/S masterpoint holding would have bid 3♦ because South could not have had a six-card spade suit on this auction, no AWMW was issued.

The Panel: Tom Whitesides (non-voting Reviewer), Su Doe, Charlie MacCracken (scribe) and Gary Zeiger.

Players consulted: Three players with 400-650 masterpoints because North and South each have about 525 masterpoints.

Commentary:

Gerard Crack me up. South could not have a six-card spade suit. Did North Alert South's pass to 1NT? South himself said he could have had a six-card suit. Why do we allow this kind of stuff to perpetuate itself?

Polisner The UI analysis leads to the fact that pass was a logical alternative to 3♦ and thus the ruling and decision were right on target.

Rigal South COULD not have a six-card spade suit! Maybe they play bridge differently in the non-NABC+ games. That might be a reason for not awarding a procedural penalty, but not an AWMW.

Wildavsky I don't understand the point made by the "several" players with thousands of masterpoints. Are they claiming that they would never pass over 1NT when holding a six card major? I hope their partners Alert such passes – it sounds like an unusual agreement to me!

Wolff Look at how strong this committee was on North for rebidding 3♦ when his hand (and the fact that South's first bid was a pass over righty's 1NT) cried out for it. I too believe in laying convention disruption (CD) low, but the ACBL's approach doesn't do nearly enough to nip CD at its source, by extolling partnerships to learn their conventions or else not play them. Do the players at the table always hear about their peers voting on various actions? If not, the AWMW and its rules have serious logistic problems and even though the players might hear what happened they probably need some guidance as to what that really means.

APPEAL NON-NABC+ FIVE
 Subject: Revoke (Alleged after the round))
 DIC: Doug Grove
 Event: Red Ribbon Pairs
 Session: Second Qualifying, April 6, 2006

(222 MPs)
 Board # 18 ♠ 8 3
 Vul: N/S ♥ Q 7 5 2
 Dlr: East ♦ A Q T 4 3
 ♣ J 8

(855 MPs)	(550 MPs)
♠ 6 2	♠ A K Q T 9 4
♥ A T 6	♥ J 4 3
♦ K J 9 5 2	♦ 7 6
♣ K T 6	♣ 7 3

(250 MPs)
 ♠ J 7 5
 ♥ K 9 8
 ♦ 8
 ♣ A Q 9 5 4 2

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

(1) Forcing

The Facts: A director was not called to the table. The table result was 3NT down one, N/S plus 50 after an opening lead of a small diamond. The director was approached after the game with the allegation that South had not followed suit at trick one. The declarer, who led the ten of spades to trick 2, stated he did so because, if the diamonds were 6-0, the spades may break badly. He wanted to insure five spade tricks. At trick 3, South led a club, which gave declarer his 8th trick.

N/S did not respond to a post-session page but were found the morning of the first final session on Friday. N/S did not have a good recollection of the play. South believe she followed suit but was unable to offer any proof.

The Ruling: Given the timing of the discussions with each pair, the facts are in dispute (law 85). It was decided that there was not sufficient proof of a revoke to adjust the scores. In accordance with law 64 C (restoration of equity), had sufficient evidence of a revoke been presented to convince the director that a revoke had occurred, there would have been an adjustment to equity of 3NT making three, N/S minus 400.

The Appeal: West, Declarer, said that he never would have played the ten of spades at trick two had there been no revoke. He was asked for his assessment of his contract. He said he did not give it much thought. When asked if he thought he had to get a plus score to get any matchpoints, he said a plus is always better than a minus. He hoped to be able to endplay North twice to compensate for the spade trick he may be giving up.

The Decision: After an incorrect N/S pair was interviewed, the correct opponent was found. The correct South readily acknowledged her revoke. Law 64 B 5 states, "The penalty for an established revoke does not apply if attention was first drawn to the revoke after the round has ended." Law 64 C requires the director to restore equity from either a revoke for which there is no penalty or when the penalty for a revoke does not sufficiently compensate the non-offending side.

The panel, having discovered that there was a revoke, was required to determine equity, since the revoke did not cause any damage directly.

With the knowledge that South was void in diamonds, not one of the four players consulted took the safety play. All felt it would be nearly impossible to take nine tricks without the spade suit providing six tricks. Based upon peer advice, the panel decided that the play to trick two had no causal connection to the revoke and, therefore, to any damage from the revoke.

The table result of 3NT down one, N/S +50 was allowed to stand. The appeal was deemed to have merit as the panel changed the basis for the decision.

The Panel: Charlie MacCracken (Reviewer), Harry Falk and Bernie Gorkin.

Players consulted: Four players with maasterpoint holdings similar to West's.

Commentary:

Gerard Duh, declarer led the ten of spades to trick two, how was there not a revoke?

Polisner I disagree. Declarer was placed in a situation no other declarer was in and chose what might be considered an inferior, but not egregious play. Remember, this was matchpoints and even down two may tie or beat the pairs in 4♠. If spades are 4-1 offside, this declarer would likely be four down thus making the safety play reasonable. As such, equity would give E/W + 400.

Rigal Given the messy facts, and the problem establishing them, I like the panel's decision. The causal link between the revoke and the line of play followed is so slim that they came to a correct result – and indeed no AWMW is appropriate.

Wildavsky The poll is not necessary to determine a causal connection between the revoke and the line chosen. It ought to be clear to everyone, as it was to the declarer, that 6-0 diamonds make 3-3 spades much less likely than they were a priori, and therefore that the ♠J is much less likely to drop. Did declarer give the hand best play? That's not relevant – he took a line that he never would have taken if not for the revoke, and that line was made more attractive by what was in effect misinformation. How many tricks were likely had there been no revoke? Nine. Is there any other number of tricks that declarer would score often? No. So adjust to EW +400, as the tournament director said he would have had he had the evidence available to the panel.

Wolff

If South really did revoke (and, according to the facts related, there is little doubt that she did), some serious thought might go to overriding the stated law. It seems the main reason for the revoke law and its time limit is to make sure there was a revoke and since too often (after some time) the cards get mixed, it is too hard to prove anything (especially with inexperienced players).

In this particular case, any player who safety plays the hand for down one when there is an easy make available, probably does not deserve revoke protection and certainly not special consideration.

This case however can serve as a segue into a recent BIT case and reminds me of Edgar's rulebook which states, in effect "there must be an unmistakable hesitation...." before a hesitation can be ruled, although we all know there are many other ways to convey UI.

The committee in determining the infamous Segal & Kay-Wolff case used Edgar's quote against the appellants since Kay-Wolff claimed there was a hesitation and a gesture by her left hand opponent after her one spade opening bid. Segal (her partner) was writing out the score slips and testified that she was not paying attention and didn't see or hear anything. The two opponents denied any gesture or hesitation. The table director, when called and without looking at the opponents' hands, said that since the count was two to one against any untoward disruption, he is ruling there was no BIT. The committee backed the director's decision, in spite of what many later expert panelists thought was overwhelming evidence within the opponents' hands that suggested that some improper behavior must have occurred.

The committee, in addition to finding in favor of the opponents, also gave the appellants an AWMW warning which is issued when the appellants do not produce any new evidence at the hearing. While the committee probably had the right to rule against the appellants, it seems totally in contradiction, not to mention illegal, for them to also penalize them with an AWMW.

Trying to sum up, bridge laws as well as tournament directors and ACs must include some common sense otherwise the process will, at times, resemble Moses and his flock roaming around in the desert, rather than making straight-on significant progress in developing our bridge jurisprudence in a consistent way.

APPEAL NON-NABC+ SIX
 Subject: Unauthorized Information (UI)
 DIC: Matt Smith
 Event: North American NLM Pairs
 Session: First Qualifying, April 8, 2006

(406 MPs)
 Board #26 ♠ A4
 Vul: Both ♥ KQT32
 Dlr: East ♦ T5
 ♣ AQ52

(420 MPs)	(303 MPs)
♠ KQT75	♠ J832
♥ 98	♥ 764
♦ A6	♦ QJ9832
♣ KJ94	♣

(518 MPs)
 ♠ 96
 ♥ AJ5
 ♦ K74
 ♣ T8763

West	North	East	South
		Pass	Pass
1♠	2♥	3♠ ¹	Pass ²
Pass	4♥	All Pass	

- (1) Preemptive.
- (2) Break in Tempo of more than 10 seconds after explanation of the 3♠ call.

The Facts: As indicated above, South asked for an explanation of the 3♠ call. After receiving the explanation, there was an agreed break in tempo beyond the required 10 seconds. The opening lead of the ♦Queen was ducked by declarer. A second diamond, ducked by declarer, was won by West who shifted to the spade King. West discarded a spade and a club on the third round of trump and the diamond King. North fulfilled his contract of 4♥. The table result was 4♥ making exactly, N/S +620.

The Ruling: There was a break in tempo (BIT), the UI from which demonstrably suggested action (by North) over a less successful logical alternative of pass. Even though some regarded the defense (discarding a club) as egregious, E/W would have been able to salvage +100. If there were no 4♥ call, E/W would have score +170. Therefore, the table result was adjusted to 3♠ by West making four, E/W +170 and N/S -170.

The Appeal: Appellants agreed that there was an unmistakable break in tempo after South questioned and received an explanation of East's 3♠ bid. North stated that he believed his cards were well-placed and that the auction marked partner with some values.

E/W believed that the break in tempo suggested heart support and values and that the 4♥ bid should be disallowed based upon the UI from the break in tempo.

The Decision: Three of the five players polled (see below) passed and two bid 4♣. This establishes pass as a logical alternative. All players polled said that the break in tempo suggested values and four thought it suggested heart support. One respondent thought partner might have diamonds. Based upon these responses, the panel determined that a 4♥ bid is demonstrably suggested by the UI.

The expert consulted on the play at 3♠ believed that all lines of play led to making ten tricks.

The panel upheld the director's adjustment of the table result (i.e. 3♠ by East making four, E/W +170 and N/S -170). Since the appellants were advised, by the table director, that several peers had been polled and all had passed with the North hand before the table ruling had been made, the panel imposed a ¼ board procedural penalty for blatantly taking advantage of the UI and issued an Appeal Without Merit Warning to the N/S pair.

The Committee: Harry Falk (Reviewer), Candy Kushner and Patty Holmes

Players consulted: Five players in the 300-500 masterpoint range on the auction, and Zeke Jabbour on the play at 3♠.

Commentary:

Gerard Yes that is the correct way to handle alleged egregious errors. See NABC+ FIVE for the improper treatment. But as to the play, making ten tricks requires playing North for doubleton ace of spades, South for the king of diamonds and diamonds breaking 3-2. After three rounds of hearts, if West ruffs and plays the king of spades, North can duck to hold West to no more than +140. And West can't afford to ruff the third heart and play a spade to the jack, what if South REALLY had his hesitation with the spade ace instead of the diamond king and won the first spade to return a club. Now declarer needs 2-2 trumps to make three. Playing for ten tricks is indulging in a fog of optimism, jeopardizing the contract for an overtrick when planning to play ace and a diamond almost certainly ensures making three.

Polisner Excellent all around.

Rigal In a way the mis-defense (egregious as it is) is a red herring. E/W had been deprived of their +170. I'm impressed by the AWMW and procedural penalty. I'd be tempted to declaim "O si sic omnes!" but I'll settle for hoping to see such firmness in the future from both panels and ACs.

Wildavsky Good work by the AC. What do this N/S think the game of bridge involves? Where do they play that they get away with such shenanigans and think it's legal? In addition to the AWMW and the procedural penalty (PP), I'd recommend notifying the recorder. In fact it would be a good idea if the recorder were automatically notified of every PP.

Wolff Here is a case, because of the flagrant UI, that E/W deserved +170, but because of the terrible defense to 4♥ (discarding a club late in the play) I would give them at best an average and am close to recommending -620. N/S deserve -170 and a procedural penalty for their blatant UI. Let the punishment fit the crimes. Also PTF (protect the field) is served.

APPEAL NON-NABC+ SEVEN
Subject: Unauthorized Information (UI)
DIC: Matt Smith
Event: North American Open Pairs – Flight B
Session: First Qualifying, April 8, 2006

(700 MPs)
Board #12 ♠ T 5
Vul: N/S ♥ A Q T 7 6 3
Dir: West ♦ 7 4
♣ 8 5 4

(235 MPs)	(875 MPs)
♠ K J 8 6 3	♠ Q 2
♥ 9 8 2	♥ J 4
♦ J 2	♦ K Q 8 5 3
♣ K 9 2	♣ J 7 6 3

(1100 MPs)
♠ A 9 7 4
♥ K 5
♦ A T 9 6
♣ A Q T

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

(1) Announced as a transfer.

The Facts: South thought 3♥ was a transfer to spades. North thought 3♥ was natural. E/W believed that North flinched when “transfer” was Announced. N/S do not have an agreement whether system is on in this auction. After the opening lead of the ♦K, the table result was 4♥ making four, N/S +620.

The Ruling: It was judged that South had UI, which suggested that North held hearts and not spades. The UI demonstrably suggested a pass of 4♥ over a less successful logical alternative of 4♠. It was also judged that after a 4♠ bid by South, North would know (without any UI) that the auction was off track. Therefore, a bid of 5♥ by North would be allowed. In accordance with laws 16A and 12C2, the table result was adjusted to 5♥ down one, N/S -100.

The Appeal: N/S stated that they had played as regular partners about 20 years ago and in the last 6 months had begun playing again and were updating their system. North said they had not agreed to play transfers (Texas or Jacoby) in this auction, even though they play them in other auctions such as over 1NT and 2NT openings and 1NT overcalls. They do have agreements on bidding a 5-5 after a 2N overcall. North said adamantly that his understanding was that his 3♥ bid was natural. South Announced a transfer, reacted quickly and changed his statement; but, away from the table told the director that his understanding was that they play transfers. West was certain that North had flinched and that was the cause of South's change of explanation.

The Decision: The panel decided that South had UI from the flinch and that North had UI from South's explanation.

None of the three players (two players with similar MP holdings and one expert) consulted passed 4♥. Each took a preference to 4♠ or made a move toward slam treating the 4♥ bid as a cuebid when it was presented that 4♦ would show 5-5 in the majors. However, the panel judged that, after a preference to 4♠ by South, North would be permitted to bid 5♥ because a bid of 3♠ followed by 4♠ could not describe a hand with which South would overcall 2N. North would expect that with a very good hand and a 5 or 6 card spade suit that South would have started with an overcall or a double. Since South's 2N bid promised 2 hearts, hearts would provide a much better strain in which to play (rather than a possible weak 5-2 spade fit). The panel upheld the director's adjustment of the table result (5♥ down one, N/S -100).

The panel decided the appeal did not have merit and issued an AWMW.

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

Players consulted: Two peers with similar masterpoint holdings and Zeke Jabbour.

Commentary:

Gerard Which consultant made a move toward slam? If one of the peers, then not just a move but a force toward slam is a logical alternative. Maybe it should be anyway since North showed 6-4 in the majors or something like Kxxxxx, Axx, x, Kxx, but if the peers couldn't appreciate the value of their hand I guess we have to let them bid 4♠. Then 5♥ down one was correct but South should have received a procedural penalty (PP) for blatant misuse of unauthorized information. If a move (force) toward slam was a logical alternative (LA), N/S can't get out for less than -800 (South bids 4NT, North bids 5♦, South bids 6♠ and after the doubling ends North is down three in 7♥). Here too, South should receive a PP for blatant misuse of UI. The panel spent too much time on the obvious decision to allow 5♥ and not enough on whether to force a slam move and the propriety of South's pass of 4♥.

- Polisner** North's auction should be interpreted as 5-5 or 6-5 in the majors. The case boils down to whether the Directors/Panel believed that there was a flinch or some other UI transmitted by North to South. Otherwise South is entitled to pass 4♥ even though it would be counter-intuitive and would seem to support a UI contention. This case would be much more difficult if South was 2-4 in the majors rather than 4-2 as a cue bid by a passed hand is a rarity so it would be reasonable to pass 4♥ believing that North had forgotten their convention. But here, the ruling and decision, including the AWMW, were correct.
- Rigal** Allowing South to pass 5♥ is perhaps just a little generous to the offenders. But the panel more than made up for that by the AWMW. Well done.
- Wildavsky** Good work by the tournament director and the Panel. While it likely made little difference to the matchpoint result, I don't understand how N/S were able to get away with minus 50. Per their testimony 4♥ could not show 5-5 in the Majors so it must have been a slam try. With a prime maximum, South would either have tried Key Card Blackwood or just jumped to 6♠. Over 4NT North would try to show his hearts one more time and South would jump to 6♠ over the 5♥ "response." Now the best N/S can do is 6N down three or 7♥ down three. In any case, I agree that the appeal had no merit.
- Wolff** The decision was a good one in spite of how hard convention disruption is to adjudicate properly.

APPEAL NABC+ ONE

Subject: Tempo

DIC: Henry Cukoff

Event: Silodor Open

Session: 1st Final, Saturday, April 1, 2006

		Sabine Auken	
Board #10		♠ K 9	
Vul: Both		♥ Q 4 2	
Dlr: East		♦ A 7 6 3	
		♣ K Q 9 6	
	Alex Kolesnik		Bob Etter
	♠ J T		♠ 8 7 5 2
	♥ A T 8 6		♥ J 9 7 5 3
	♦ T 8 4 2		♦ Q J 5
	♣ 8 4 3		♣ 2
		Daniella VonArmin	
		♠ A Q 6 4 3	
		♥ K	
		♦ K 9	
		♣ A J T 7 5	
	West	North	East
			South
			P 1♣ ¹
	P	1NT ²	P 2♥ ³
	P	2♠	P 3♣
	P	4♣	P 5♣ ⁴
	P	6♣	All Pass

- (1) Strong and artificial.
- (2) 8+ HCP, forcing to game.
- (3) Transfer to spades.
- (4) Break in tempo.

The Facts: 1♣ was strong and artificial, showing 16+ HCP if unbalanced. 1NT denied a four-card major and a five-card minor and showed 8+ HCP (game forcing) in a balanced hand. 2♥ was a transfer to spades and was duly alerted. 2♠ showed exactly a doubleton spade (hence a 2344 pattern). There was a break in tempo before South bid 5♣. 6♣ made 6, on the opening lead of the A♥; +1370 N/S.

The Ruling: The directors consulted with three (unnamed) world class players, each of whom said he would not pass because his hand was so good. The directors decided that Pass was not a logical alternative and allowed the table result (6♣ making six, N/S +1370) to stand.

The Appeal: There was no dispute that there was a break in tempo. E/W argued that North, by bidding 4♣, had shown significant extra values and was “bid out.” With a weaker hand and a weak red suit, she could have bid her other red suit, else bid 3NT. The hesitation made it likely that South had the needed red controls.

The Decision: The Committee partially agreed with E/W’s assertion about the 4♣ bid, but thought 4♣ would also be bid with certain prime minimums, e.g. Kx, xxx, xxxx, KQxx, or, xx, Axx, xxxx, KQxx. They noted that South would not have shown clubs with 5224 shape unless interested in slam; if not interested in slam, she would have just bid 3N. Therefore, when South bid 5♣, she was marked with extra distribution and a minimum for her previous auction. The finite but small possibility that South had two losing Hearts did not make pass a logical alternative; on all other hands, slam should be laydown. (A slam that is cold 75% of the time but has no play the other 25% is still a good slam, although not in the familiar sense. For this hand, a 75% estimate is conservative.) AQJxx, Jx, K, AJxxx was the only hand presented to show that 6♣ had any dangers. Accordingly, the Committee decided that there was no logical alternative to bidding 6♣, and it ruled that the table result (6♣ making six, N/S +1370) was to stand. (The possibility that South’s slow 5♣ call did not demonstrably suggest slam interest as opposed to doubt about strain was also considered in passing but not pursued since the first argument was persuasive.)

E/W, experienced players, should have recognized that North with four super cards opposite a black two-suiter in the 16+ HCP range, had a slam drive, even without the matchpoint considerations. The possibility that slam might go down opposite a particularly poor and carefully chosen South hand, does not make pass a logical alternative for North. Having tried and failed once with the director, E/W should have known to give up their pursuit. Therefore, the Committee gave the E/W pair an Appeal Without Merit Warning (AWMW).

The Committee: Bart Bramley (Chair), Michael Huston, Ed Lazarus, Bruce Rogoff, John Solodar.

Commentary:

Gerard Well, I wouldn't bid 4♣ with either of the Committee's prime minimums but the rest is OK. With everything else, 5♣ making five could not be the optimal matchpoint result since other tables would have an easier time getting to 4♠ or 3NT than this one. Harsh but correct as to the AWMW. If they don't bring anything extra to the committee room, hit them with it.

Goldsmith Sounds about right. The AWMW is marginal, but acceptable. If Atlanta Case 17 had been handled right, this appeal would never have happened, because E/W would already have had an AWMW. Let's call this AWMW partial compensation for the one missing from last year.

- Polisner** It is certainly more attractive to bid 6♣ after the break in tempo (BIT). If this was an IMP event, I would definitely roll the contract back to 5♣, but at matchpoints, it is clear to bid the slam as 5♣ is unlikely to fetch much of a score.
- Wildavsky** I think this appeal had merit.
The AC judged that bidding was clear cut, therefore they ruled against the appellants. They appear to have assessed the AWMW on the same basis -- there ought to be a stricter standard. This kind of bidding decision is precisely the sort that ACs are better placed to decide than tournament directors, and with a prima facie case E/W should not have been censured by making sure it was heard in the proper venue.
- Rigal** The committee's ruling was stern but entirely fair. Given that the tournament director (TD) had determined there was no logical alternative to bidding on, the appeal was without merit. The point was well made, that an alternative and a logical alternative are different animals. Yes there is one hand where it is right to pass; that does not make passing a logical alternative (LA).
- Wolff** While I agree with the equity decision chosen by the committee, it contradicts all recent cases which, after a BIT, any possible unsatisfactory hand partner may hold has kept that partner from being able to bid on. I haven't really agreed with that method of making the decision, but it did have the advantage of discouraging hesitation disruption (HD) from taking place. HD did take place here, so, make no mistake, when we allow it; we are saying that we, the committee, will make an independent decision, based on our judgment whether partner may bid on.
- Zeiger** I'm curious what South's other rebids after 4♣ would have meant. I wish the Committee had told us. Before deciding pass, by North, could not be a LA, the Committee needed to know as much about South's options as North did. The Committee was almost certainly correct, but an AWMW in this case, when so many egregious appeals have escaped one, seems excessive.
Side issue: If I, with my 2000 masterpoints, had conducted the same auction with my 1200 mp partner, would we have lost our slam because "they aren't good enough to reach slam without the tempo assist?" Just wondering.

APPEAL NABC+ TWO

Subject: Unauthorized Information (UI) and Misinformation (MI)

DIC: Roger Putnam

Event: Vanderbilt Knockout Teams

Session: Round of 32, April 4, 2006

Board 5
Vul: N/S
Dir: North

Mike Shuman
♠ 7
♥ T 7 6 5
♦ 8 3
♣ K T 8 6 5 4

Larry Cohen David Berkowitz
♠ J T 6 3 ♠ 9 8 5 2
♥ K 9 8 2 ♥ A Q
♦ J 9 2 ♦ A K T 7 6 4
♣ J 2 ♣ 7

Tony Kasday
♠ A K Q 4
♥ J 4 3
♦ Q 5
♣ A Q 9 3

West	North	East	South
	P	1♦	1NT
P	2NT ¹	P	3NT
Dbf	4♣	AP	

(1) 2NT was not Alerted – partnership agreement is that it is a transfer to clubs, or a good 4441 hand.

The Facts: The director was called after the 4♣ bid. The table result was 4♣ down one, E/W +100. The director spoke to West away from the table. At that time West said that if 2NT had been alerted, he would not have doubled 3NT. Away from the table, East revealed to the director that if he had been alerted, he would have bid 3♦ over 2NT. North told the director that if 3NT had not been doubled, he would have passed. South said that if his partner had passed 3NT doubled, he would have pulled to 4♣.

The Ruling: The director determined that the failure to Alert constituted unauthorized information and that it demonstrably suggested pulling 3NT doubled to 4♣ (i.e. South was likely not to hold the perfect hand for making 3NT opposite North's hand). Since there was a logical alternative to pulling to 4♣, North would not be allowed to do it, and South had no reason to pull to 4♣ if North had a quantitative raise to 2NT. Therefore, the table result was adjusted to 3NT doubled, down four, N/S minus 1100 and E/W +1100.

The Appeal: North said that he thought he was entitled to pull 3NT doubled to 4♣ because it was very unlikely that 3NT would make opposite any normal 1NT opener, especially when his top-flight opponents had doubled to tell him that 3NT would not make. South said that he would have pulled to 4♣ had North not done so because he was practically wide open in two suits.

The Decision: There were two infractions for the Committee to consider – (1) The misinformation from the failure to alert 2NT and (2) the unauthorized information to North that allowed North to remove 3NT doubled. Before considering the first question, a sample was taken of ten of North's peers who were still in the Vanderbilt. Nine of them passed 3NT doubled, saying that their source of tricks in clubs was what partner might be expecting. The Committee believed that without the unauthorized information, pass was a logical alternative for North. That being said, South would be deprived of his chance to be brilliant by removing 3NT doubled to 4♣ had North passed. Even if he believed he might have done so, the action on the deal stopped at the infraction of the removal to 4♣ by North. From that point on, the requirements of 12C2 (a heart lead against 3NT doubled) would produce plus and minus 1100. [The Committee determined that had the removal from 3NT been accepted, West's statement that if he had been properly alerted he would not have doubled 3NT would have been considered.] The Committee issued an Appeal Without Merit Warning to each member of the N/S pair (Note: An AWMW is issued to the team captain also in a team event.). The director's ruling was:

- Well-stated.
- Clearly supported by law.
- Clearly stated why Law 16 was applied in this case.
- Explained why a logical alternative existed for the North player.
- Why it would be improper to presume that South (who didn't know that North had clubs) would have pulled to 4♣.

The Committee: Barry Rigal (Chair), Jeff Akers, Michael Huston, Bob Schwartz and Ellen Wallace.

Players consulted: Ten unnamed players still in the Vanderbilt of equivalent ability to the players involved.

Commentary:

Gerard

I would have added a couple of points. The result is clear enough; just trade South's pointed suit queens for the diamond king to see why all those experts passed. But whatever happened to misinformation? That occurred first so it should have been considered first. Well the misinformation hurt E/W, without it they would have been minus in 3♦, so there was no damage resulting from it. Then proceed directly to UI. And the Committee missed a rare opportunity in describing the reason that South couldn't pull 3NT doubled. It was because he couldn't profit from the UI that partner improperly beat him to it, a putative third infraction that would have been blatant misuse of UI. They sort of suggested this by saying there was a stop sign when North pulled to 4♣, but I would have confronted South with "So, you would have pulled to 4♣ because you were awoken to the fact that 2NT showed clubs by partner's action that was based on the fact that you didn't alert 2NT?" But the AWMW is right on, for the same reason as in the previous case. If this is a pattern, it's okay with me.

Goldsmith

Well written report, but I don't buy the primary premise. That 2NT convention (Walsh) is extremely common in California. I have seen 3NT be bid over 2NT without confusion exactly once, and it had no play. In theory, I think 3NT is an impossible bid, because the bidder can't have AKx(x) of clubs and all three other suits stopped. If he has a super accept of clubs, he has to bid some other suit to make sure that stoppers are present. So I think North had authorized information (AI) to tell him the same thing the UI did. Moreover, how can partner be able to bid 3NT without the ♣K? Five clubs to the ace? (That's the holding the person had who bid 3NT and went down, by the way.) Even if so, it's likely that 5♣ is a better spot than 3NT.

Add in that West doubled and North knows what has happened. Finally, North knew that South would never think of bidding 3NT with Axxxx of clubs. For South, 3NT is an impossible bid. Even if behind screens or in a world where 2NT isn't Alertable, only the most ingenuous North would be under any misapprehension that South knew what 2NT meant. If we allow 4♣, then what about the MI issue? East is welcome to bid 3♦, but if he does, he'll play it there (possibly doubled) and get a minus score. So that won't improve N/S's score. West wouldn't double 3NT if he knew there was a bidding misunderstanding going on, but by that time, North was already clued in by the 3NT bid. Result stands.

Polisner

A well reasoned ruling and decision.

- Rigal:** The ruling here seems entirely logical (notwithstanding my own participation in it). The expert opinions polled made it clear that passing 3NT was a logical alternative, and that North had breached Law 16 by his taking advantage of UI when he bid 4♣, that being so, the rest of the decision was straightforward.
- Wildavsky** Perfect performances by the tournament directors and the AC.
- Wolff** Nothing extraordinary here, except to show the pattern of how hard it is to fairly adjudicate convention disruption (CD).
- Zeiger** If N/S were warned in screening about the player poll, their pursuit of this appeal was silly. Excellent write up. Obvious AWMW. Two for two by Committees so far. What a relief after Atlanta. I was still too shaken to comment on Denver cases.
Side issue: If I, with my 2000 masterpoints, had conducted the same auction with my 1200 mp partner, would we have won our case because the peers consulted would have bid 4♣ since "We couldn't possibly have enough HCP for game?" Just wondering.

APPEAL NABC+ THREE

Subject: Tempo

DIC: Roger Putnam

Event: Vanderbilt KO

Session: Round of 32, April 4, 2006

Board # 20 Piotr Tuszynski
Vul: Both ♠ 6 5 2
Dlr: West ♥ 5 4 2
 ♦ 5
 ♣ A T 9 8 5 2

John Fout	Jeff Roman
♠ K Q 8	♠ T 7 3
♥ K Q 9 6	♥ J T 8
♦ 8 7	♦ K Q J T 9 2
♣ K 7 6 3	♣ 4

Apolinary Kowalski
♠ AJ94
♥ A73
♦ A643
♣ QJ

West	North	East	South
1♣	P	1♠	1NT
P	2♠	3♦	P
P	Dbf	P	3NT
P	4♣	All Pass	

The Facts: 4♣ failed by one trick for a score of E/W +100. The 1♣ opening bid was alerted as “may be short” (not a strong club). The 1♠ response was alerted as showing no four-card major and a non-game forcing hand. The 1NT overcall by South was strong and natural. North’s 2♠ was a transfer to clubs and alerted as such. The double of 3♦ was for take-out. The director determined that the 3NT bid was made after a hesitation of a few seconds. The players agreed that the hesitation was about 8-10 seconds.

The Ruling: The director ruled that if South had made an immediate* call of 3NT after the double of 3♦, it would tend to confirm a good club fit and that the pause break in tempo (BIT) suggested some doubt about the playability of 3N. Applying Law 16, the director found that there was a logical alternative to bidding 4♣, which was to pass. Accordingly, the director adjusted the score to 3NT down four, E/W +400.

**In doing the write-up of this case, the director was asked what was meant by immediate. The director intended to say that if South had made an in tempo call of 3NT....*

The Appeal: N/S contended that since they had never encountered methods like these before (where 1♠ had such a meaning); they would always need a bit of extra time to digest the meanings of the bids. They also contended that South could have bid 3NT over the 3♦ call directly if his hand was a ‘perfecto’ opposite a six-card club suit, knowing that partner was free to pull it when he was utterly broke. Accordingly, North already knew that his partner did not hold the perfecto (presumably three Aces and good club support or something near that). E/W presented arguments along the same lines as the director’s ruling

The Decision: The first issue for the Committee to confront was whether there was a break in tempo which demonstrably suggested a line of action. A rapid (or “immediate”) call of 3NT would clearly indicate that South’s cards were ideal for the bid. As such, that might constitute unwonted speed which could also lead to a violation of Law 16. South’s pause of 8-10 seconds was the normal result of his being confronted with very unusual methods which required him to review the meaning of all North’s and East’s bids. Therefore, the Committee decided that the pause of 8-10 seconds to process that information does not generate such a break in tempo as to call into play Law 16. The committee restored the table result of 4♣ down one for both sides, N/S -100, E/W +100.

The Committee: Michael Huston (Chair), Dick Budd and Gail Greenberg

Commentary:

Gerard

Big time whiff. Switch the minor suit threes and tell me how South would bid 3NT with his "perfecto". What about with king-third of clubs instead, don't you want to be in 3NT even when it doesn't make? East can't be void in clubs since he must have had some way to show a 7-card diamond suit over 1♣. If East's singleton isn't an honor, you gain IMPs for down one in 3NT against down two in 4♣. When East holds singleton quack, you gain many more IMPs for being in the right contract. One of the Committee members told me that when 3NT is wrong it's very wrong, but aside from the fact that nobody thinks like that these days it's clear that 3NT can only be wrong when South shouldn't have bid it. I mean, queen jack DOUBLETON, who would have thunk it? Plus some "perfecto" club holdings aren't so perfect after West has opened 1♣. Sure, sure, West has to open 1♣ on any 4=4=2=3, but South is going to be leery about his "ideal" clubs when even AKx won't run the suit against J10xxxx. How can N/S play the way they suggest when North doesn't know whether queen-sixth and out constitutes being "utterly broke"? (IMO, it shouldn't.) And why does South need to rush into 3NT over 3♦ when North is still there to compete with any hand that could tolerate 3NT, presuming he would have a way to cope with 6-3-2-2? No, N/S's arguments were bogus. Maybe the Committee should have polled the consultants from the previous case who would have passed 3NT in a similar situation with king-ten-eight sixth and out.

But the Committee didn't even do us the honor of misanalyzing the arguments, they copped out on procedural grounds. The time to review the meaning of all the bids was over 1♠ and 3♦; North's double didn't add any confusion to a known situation. And the auction wasn't that complicated: 1♠ was artificial, 2♠ showed clubs, 3♦ showed a bunch of diamonds and a weak hand, double was for takeout. Sure the 1♠ bid was unusual, but everything else was as it sounded. Processing the information had or should have already taken place, South's pause could only relate to the bidding decision he was now faced with. What the Committee did was like awarding average plus/average minus when the Laws scream out for a real adjustment. Not even a "We don't think there was a hesitation, but even if there had been a hesitation pass was not a logical alternative (LA)." If there was indeed no unmistakable hesitation, why was the first comment of the Committee member I mentioned previously related to how wrong it could be to pass 3NT? I guarantee you the players at the table knew what South was thinking about.

You notice that there was a Committee of three. That was not supposed to be the case, but there was one recusal for alleged bias and a further recusal because of prior knowledge and for symmetry. The Committee mishandled that issue also. Had the recusals not taken place, there would have been at the least one strongly-worded dissent.

- Goldsmith** Again, I don't buy it. Not only does the E/W bidding seem pretty transparent (long diamonds in a weakish hand); the time to assimilate E/W's bidding was on the first and second rounds. To argue that South had to think about his action due to weird methods after 3♦ was bid has some merit, but a round later, the problem is no longer the opponents' methods, but South's own bidding decision. If South had asked 15 questions about the E/W bidding prior to his 3NT call, then maybe I'd buy his claim.
What a set of committees! K10xxxx was required to play in 3NT doubled (case 2), but A10xxxx was allowed to pull, in roughly similar situations (with UI suggesting that 3NT isn't the right spot).
- Polisner** I agree with the Committee. When opponents use unusual methods which must be digested and considered in light of decisions to be made, normal tempo is expanded. I think that 3 - 5 seconds would be appropriate tempo with no unusual methods and 5 - 8 seconds with unusual methods. Under my view, there was no BIT and the table result stands.
- Rigal** The committee's decision that there was no BIT was a controversial one; I'm not sure I agree, but I can understand where they were coming from. The issue about the complexity of the auction buying N/S a little more time seems a reasonable one... plus I suppose that I can't help being influenced by the fact that I would never have sat for 3NT anyway with the North cards after partner did not bid 3NT over 3♦ directly -- though that was certainly a minority opinion.
- Wildavsky** First of all I see no reason for a Vanderbilt committee to be composed of only three members. If it is too difficult to seat a committee between sessions then waiting 'till the end of the day is not the end of the world. Yes, the AC will know that the match hinges on their decision, but they won't know how.
Second I see nothing especially unusual in the E/W methods. N/S are experienced internationalists. When South passed over 3♦ he knew that the auction was in all particulars identical to one that in Standard American would have started with: 1♣ - P - 1♦ - 1NT. Thus, South clearly broke tempo when bidding 3NT. We can see from his hand that he was considering passing or bidding 3♠.
What did North hope to gain by doubling? A big penalty seems unlikely. In fact had South passed they'd have gone -670. It looks as though North was hoping his partner could bid 3NT, yet when it was bid he didn't sit for it! Passing 3NT was surely logical, so if North had UI he was not allowed to pull it. The AC judged that no UI was present, but I find their reasoning unconvincing and I prefer the tournament director's ruling.

Wolff Another impossible decision to make, having to do with strange bidding methods, which in this case (according to the committee) allowed N/S to hesitate their way to success. This one was allowed by the committee.

Zeiger When North doubled 3♦, for takeout we're told, where did he think the partnership was heading? Did he plan on passing three of a major? Was he afraid South might have a five carder? If the Committee asked these questions, received affirmative answers, and accepted their logic, I can accept the decision. This would mean the write up is sorely deficient. I can live with this possibility, but I certainly hope the Committee didn't just avoid these issues by deciding no tempo break. If North didn't have good reasons for his double, I'll bet at least HE thought South broke tempo.

APPEAL NABC+ FOUR

Subject: Tempo

DIC: Henry Cukoff

Event: Mixed Pairs

Session: First Qualifying, April 4, 2006

Board #3 Benny Libsten
Vul: E/W ♠ K
Dir: South ♥ A T 8 6 5 2
 ♦ T 9 7
 ♣ T 8 3

R. Jay Becker	Rhoda Prager
♠ Q 9 4 3 2	♠ A T 8 6 5
♥ 6 3	♥ K J 8 7
♦ 4	♦ A J
♣ A 9 5 4 2	♣ J 6

Hai Gates
♠ J 7
♥ Q
♦ K Q 8 6 5 3 2
♣ K Q 7

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

(1) Not Alerted.

(2) Alleged break in tempo.

The Facts: The director was called after the double of 3♦. North claimed that East's Pass over 2♥ was longer than ten seconds. East said that she took a few seconds and then asked about the 2♥ call, which had not been alerted, and then took a few more seconds and passed within ten seconds. South said that she did not notice how long it was. West said that it was at most twelve seconds. The table result was 4♠ doubled making four, E/W +790.

The Ruling: There was no break in tempo as East is required to wait about ten seconds over a skip bid. Therefore, there is no infraction and the table result of 4♠ doubled making four, E/W +790 stands. South was advised that the weak jump shift response without competition requires an Alert.

The Appeal: N/S said that they disagreed with the director's ruling because East thought about the 2♥ bid, sought an explanation, got it, and then hesitated more than ten seconds. They contended that this constituted a break in tempo. E/W said that East thought about five seconds before the explanation and then about twelve seconds after it.

The Decision: The Committee decided that an unmistakable hesitation occurred and that it clearly showed that East had a hand worth contemplating possible action. Pass was a logical alternative for West over 3♦. Therefore, the Committee adjusted the table result to 3♦ making four, N/S +130 and E/W -130.

The Committee: Barry Rigal (Chair), Jeff Aker, Richard Budd, Ed Lazarus and Chris Willenken.

Commentary:

Goldsmith Good judgment by the AC. How can we know there was a hesitation? By West's double. Perhaps a procedural penalty (PP) for blatant misuse of unauthorized information (UI) was in order.

Polisner Well, it is refreshing to have a player acknowledge the length of the hesitation as without that acknowledgement; the evidence would not support an "unmistakable hesitation" as required by Law 16, taking into account the skip bid. West, having knowledge of the UI, should have been issued a PP for blatant use of the UI.

Rigal From the facts before the committee it did seem that there was a break in tempo (BIT). It is not entirely surprising that the tournament director ruled the other way initially, given South's complicity in the problem by her failure to alert. That said, if a BIT was established, then West clearly had a logical alternative to acting.

Wildavsky I understand the tournament director (TD) ruling -- my guess is that the TD judged that N/S had brought this problem upon themselves through their failure to alert.
The AC did a good job of bringing out the facts and given those facts its ruling looks right to me.

Wolff Good ruling and West was ENTIRELY out of line to bid, still between two bidders but expecting North to pass. When East does not bid an obvious two spades, but commits hesitation disruption instead, to me it is time for both East and West to be censured.

Zeiger Whoa! I'll accept the Committee's finding of a tempo break, based on E/W's own testimony. I'll accept the Committee's finding that Pass by West over 3♦ was a logical alternative. I refuse to accept the Committee's failure to even address whether East would pass out 3♦. Yes, yes, I know East might well have passed, but to not even discuss it? East might certainly think she was being stolen blind. Decision may be right, but failing grade to the Committee anyway.

APPEAL NABC+ FIVE
 Subject: Misinformation (MI)
 DIC: Roger Putnam
 Event: Vanderbilt KO Teams
 Session: Round of 32, April 4, 2006

Board # Bruce Rogoff
 Vul: ♠ K x
 Dlr: ♥ J T 9 x x
 ♦ x x
 ♣ K T x x

Marcin Lesniewski	Peter Weichsel
♠ Q 9 x x x	♠ J T x
♥ A Q x	♥ K x x x
♦ K 8	♦ A T 9 x x
♣ x x x	♣ x

Josh Parker
 ♠ A 8 x
 ♥ x
 ♦ Q 7 4 3
 ♣ A Q J 9 x

West	North	East	South
	Pass	Pass	1♦ ¹
1♠	Dbl	2♣ ²	Pass
2♦	2♥	2♠	All Pass

Note: The written hand record was misplaced along with the board number. Therefore, this is the closest approximation to the hand that is available.

- (1) May be short
- (2) Alerted as a transfer to ♦

The Facts: 2♠ made three for an E/W score of +140. The director was summoned after the auction because of the misAlert. The director determined that 2♣ showed a good spade raise, not a transfer to diamonds. East did not have a weak 2♦ bid available to him. East's possible responses to 1S were 2N, showing a four-card limit raise or better; 2♠ showing a 5-7 raise; 2♥ showing 8+ to 10- three-card raise; 2♦ showing Hearts, 2♣ showing a three-card raise with a better hand than the 2♥ bid.

The Ruling: The director, after a discussion with N/S and E/W at the table, had assumed that N/S was comfortable with the table result. Because this hand was from the fourth quarter and neither pair had requested a ruling let alone an appeal, the table director left after all the results had been submitted. About 15 or 20 minutes after the session, the N/S pair lodged an appeal with the DIC. The DIC called the table director to find out the facts. After determining that no ruling had been made, the DIC ruled that the result stood because there was no damage from the misinformation and let the table result of 2♠ making three, E/W +140 stand.

The Appeal: N/S argued that if 2♣ had been properly explained, South would have had a clear 3♣ bid over 2♣, since his partner would have at most two spades, and the hands would fit well. 3♣ would quite possibly have ended the auction. E/W said that South had ample opportunity to show his clubs but failed to do so. East said that he would have competed to 3♠ over 3♣ and neither North nor South had a 4♣ bid.

The Decision: The Committee ruled that N/S's result was due to South's excessive caution in neither doubling 2♣ nor bidding 3♣. Thus, the table result was allowed to stand.

The Committee considered the impact of the unauthorized information (UI) that East possessed. He was not allowed to know that his partner was unaware of his spade support, and he was required to assume that his partner's 2♦ bid was some kind of game try. However, since East had a bare minimum for his 2♣ bid, his 2♠ bid was entirely proper.

The Committee: Adam Wildavsky (Chair), Bart Bramley, Dick Budd, Doug Doub (scribe) and John Solodar.

Commentary:

Gerard

Curious. West thought it was diamonds, East might have meant it that way. If so, 2♠ was the completion of a planned two-step so there was no UI. However, assume East knew the system. Then the issue wasn't whether the backtracking 2♠ was "entirely proper", it was whether anything else was a logical alternative (LA). Granted that the peer group is small, but would they have felt 2♣ was such an overbid for a 3-card raise? Prime red suit values, two trump honors and a singleton in South's likely suit? Isn't that at least a solid 10-point supporting hand? If you're so ashamed of 2♣, why bid it in the first place? Could partner have done anything to improve your hand by more? OK, so East can't blast 4♠ in light of his previous "overbid", but wouldn't a reasonable number of East's peers have bid 3♦ as a further game try? No extra credit for guessing why that didn't happen. And, what about the difference between 2♠ and pass? Any agreement about which was stronger? Do you really believe 2♠ was fast arrival? I lost the Vanderbilt on this kind of sequence when partner was supposed to have a reason to bid a 2♠ equivalent rather than passing to show a minimum but his reason was that he never liked to pass. I think E/W should have been adjusted to 3♦. Giving North the Jx of diamonds, I can't come to more than six tricks whether East draws two trumps or not. That would be down three for the offenders, whatever the vulnerability. N/S's adjustment is much more complicated. Whereas E/W's adjustment is due to UI, N/S suffered from MI and any damage to them would have to be the result of the latter, not the former. I agree with N/S about bidding 3♣ over 2♣, if East has a raise N/S had at least an 8-card minor fit. Of course he could have doubled, but after 2♦ - 2♥ - 2♠ or 2♦ - 3♣ - 3♠ it's not clear that anyone would bid 3♣ or 4♣. So give South his 3♣ bid, isn't it interesting that East would have competed to 3♠ with his backtracking hand? But the bottom line is that "excessive caution" didn't cause N/S's result, MI did. Doubling wouldn't have necessarily changed the contract and South's best chance to bid 3♣ was over a properly alerted 2♣. "No one had a 4♣ bid" is just noise, under 12C2 it was likely that 3♣ or 4♣ would have been the contract. So E/W -150, N/S +130 and apply Law 86. If the Committee treated South's excessive caution as an egregious failure to play bridge, they confused the two infraction standards since +150 was never really available to N/S solely as a result of the MI.

Goldsmith

Assuming that E/W had notes to document their methods, this looks right to me. I don't think we can ask East to accept a game try when he has an 8-count and has already promised a good ten. Yeah, it's a great 8, but...

Polisner I think that the AC gave too little consideration to the UI aspect of this case. East, possessing an ace, king and singleton along with a presumed big diamond fit has much more than a "bare minimum" and at least should bid 3♦ having already shown a three-card spade raise. All partner needs to have a decent play for game is something like KQxxx, Ax, QJxx, xx or AQxxx Ax Jxxx xx. It would be nice to know if E/W were vulnerable which would make at least a game try mandatory.

Rigal This was to my mind the most unfortunate ruling from Dallas. I believe East was obligated to do something other than bid 2♠ here after the UI he had received. My view (supported by the blind poll from AC members not in Dallas) is that East is closer to a four-level action than 2♠. The committee appeared to focus too hard on South's failure to bid more, and not enough on the other concerns on the deal.

Wildavsky This was a poor performance by the AC for a number of reasons. First of all, N/S do not have to play perfectly in order for their rights to be protected. Perhaps South ought to have acted over 2♣, but neglecting to do so was scarcely "failure to play bridge."
Second, even if N/S were injured primarily through their own error subsequent to the infraction we must still adjust the E/W score per Law 72B1.
Third, even if we do not adjust because of MI we must still take UI into account. What are East's LAs over 2♦? I think that 3♦ is not only logical, it is the best call. It has two ways to win, by reaching a game on a perfect fit or by improving the part-score. With a double-fit game has play opposite as little as KQxxx, x, Kxxx, xxx; and West must have more -- he would never make a game try with so little. East need not be concerned about his lack of a fourth trump, he's already denied one!
Jeff Polisner mentioned to me that, if asked to place the final contract, he'd rather play at the six level than the two level! Indeed, give partner; AQxxx, Ax, Kxxxx, x;
and you'd want to play slam with the finesse coming through the opening bidder, but partner will pass 2♠ without regret. Even this misfit would make 6♦ with a spade finesse and a 2-1 diamond break;
AQxxx, x, Kxxxx, Ax.
Both the tournament director and the AC ought to have adjusted the contract to 3♦ – it looks as though it's likely to go down a couple.

How could the AC have done better? My opinion was a minority of one. I could have been more forceful as chair, but I might have been outvoted anyway. I think there are a few things I ought to have done:

1. Given the East hand to the other AC members as a blind preview with only the authorized info that 2♣ shows a spade raise. I think at least one or two, and perhaps all four, would have realized then and there that 3♦ is logical. Even if they wouldn't bid it they'd have had to strongly consider it.
2. Commissioned a poll of East's peers, either before or during the AC hearing, as to the best action over 2♦.

3. Explained to the AC that since I would have bid 3♦ that makes it logical in and of itself. I've written before that ACs should take a more expansive view of LAs, and in particular should not choose LAs by a strict majority vote. If an AC member asserts that he would make a call then absent compelling evidence to the contrary that call must be logical.

This case was from the same match as NABC+ 3. In order to lose the match the N/S team here (they were E/W in case 3) had to find themselves on the losing end of both decisions. I think each ruling was unjust -- that they occurred in the same match was even more unfortunate. I can't think of any way to deal with the problem other than to try to make better rulings in the future.

Wolff

Another convention disruption (CD) case, but this time EW got lucky with the committee when they ruled that the CD involved didn't hurt the victim. What this committee doesn't know is that CD is usually the result of a "home brew" convention or treatment which sometimes startles the opponents into poor judgment. When South didn't show his clubs, it probably was because he was startled. If there was nothing else in the case then NS should have been found negligent, but here there was also negligence by EW which should switch the blame back to EW. At the very least EW should get a procedural penalty for their CD and both sides should probably get a bad board. Since it was KO team it might have turned out that the ruling should be close to no IMPs exchanging hands. Se la vie!

Zeiger

Easy decision. Easy AWMW. Oh wait. They didn't get one? You're kidding!! Whenever a team comes up with a ridiculous appeal, after the fact, clearly trying to steal in Committee what they couldn't earn at the table, an AWMW is absolutely mandatory! This was a solid, experienced Committee. They covered all the bases, including the UI East possessed. How could they miss the AWMW? Say it ain't so.

APPEAL NABC+ SIX
 Subject: Misinformation (MI)
 DIC: Roger Putnam
 Event: Vanderbilt Knockout Teams
 Session: Round of Sixteen, April 5, 2006

Board #11		Fred Gitelman	
Vul: None		♠ 2	
Dlr: South		♥ A J T 9 4	
		♦ J 5	
		♣ Q J T 6 4	
	Kit Woolsey		Fred Stewart
	♠ A K 8 3		♠ T 9 7 5 4
	♥ Q 5 3		♥ 8
	♦ Q 8 7		♦ K T 6 2
	♣ A K 3		♣ 9 5 2
		Brad Moss	
		♠ Q J 6	
		♥ K 7 6 2	
		♦ A 9 4 3	
		♣ 8 7	

West	North	East	South
			Pass
1♣ ¹	2♥ ²	Pass	4♥
All Pass			

- (1) Strong and artificial
- (2) Alerted to East as hearts and a minor; no alert or explanation to West.

The Facts: Play was behind screens that separated South and West from North and East. The opening lead was the ♠4 to the Jack and King. The ♣K was led with East giving reverse count by playing the ♣9. The defense continued with the ♣A and another ♣. 4♥ made four, N/S +420. The director was called after the comparison of scores. South claimed that he had changed the N/S agreement during pre-play discussion to “Double = majors, NT = minors – that’s all.” No other player at the table understood him to say that.

The Ruling: Citing Laws 40C and 75, the director ruled that if West had known the agreement, he would have switched to a diamond at trick two. This would result in four tricks for E/W. Accordingly, the director adjusted the score to 4♥, down one, N/S -50.

The Appeal: N/S contended that a diamond continuation might let an otherwise unmakeable hand make if North's distribution were 1=5=4=3. They further stated that a 5-4 distribution was as likely as 5-5. E/W contended that the trick two continuation would have been the ♣K with East giving count (upside-down). That would reveal North's likely distribution to be what North actually held and it would have pointed to the diamond shift.

West admitted that his opponents had had a long discussion about their methods over a strong club opening and the one diamond response to it, but he was not paying attention.

The Decision: N/S at one point had the agreement that 2♥ showed hearts and a minor. The fact that North bid 2♥ and explained his bid as hearts and a minor is prima facie evidence that this agreement was in place. Though South may have attempted to cancel this agreement at the table, North was not aware of this. Therefore, South did not cancel it properly. Law 75 requires the director to assume misinformation rather than misbid in cases where the evidence is mixed about what agreement is in place (or whether one is). The Committee concluded that the director correctly found that this is a case of misinformation. That said – was there damage? At the table, West had virtually no chance to get the defense right. Had he known that North had hearts and a minor, a shift to a diamond was unlikely to be wrong at trick three. Hence, damage was clearly established and Law 12C2 applies. The Committee upheld the director's adjustment of the table result to +50 E-W and -50 N/S.

The Committee: Barry Rigal (Chair), Dick Budd, Tom Carmichael, Bruce Rogoff and Jeff Roman.

Commentary:

Goldsmith Since N/S cannot document their agreement that 2♥ was natural, we have to assume MI. I don't see how the MI was relevant, though; North's minor could have been diamonds. With either explanation, either a diamond or a club could have been right. Moreover, with no way to bid a major-minor two-suiter, North could easily have the hand he did. Result stands. Perhaps the ACBL Screen Procedure ought to include declarer's sharing with his non-screenmate any explanations he has given the other defender. This shouldn't take more than a few seconds and can prevent some problems like this.

Polisner I agree with the result, although I have sympathy for N/S's position. We must assume MI unless by rather clear evidence it can be established that it was a misbid. That level of evidence is not present in the facts as given. With that established, West's failure to shift to a diamond was not egregious so as to deny E/W an adjusted score.

Rigal A well-reasoned decision which came closer to my mind to AWMW than it did to going the other way. The offenders needed to be aware that once they have committed an infraction, and their differing explanations made it clear according to the Laws that they had given MI, then they do not get the best of it even in a 51-49 case. Let alone as here, where the winning defense is surely the percentage action.

Wildavsky Good work all around.

Wolff Another convention disruption (CD) case, which, of course, is impossible to adjudicate equitably. No consistency in our rulings on CD cases. When will we attempt to attack it at its source?

Zeiger Another missed AWMW. Negative publicity sure isn't an inhibiting factor. For shame.

APPEAL NABC+ SEVEN
 Subject: Alleged Allowing for a Psych
 DIC: Putnam
 Event: Vanderbilt KO Teams
 Session: Round of 16, April 5, 2006

Board #3 Vul: E/W Dlr: South	Boye Brogeland ♠ T 8 4 3 ♥ J 2 ♦ A T 9 6 5 4 ♣ Q	Greg Hinze ♠ Q 6 ♥ A 9 4 ♦ J 8 7 3 ♣ A 5 4 2
Nagy Kamel ♠ A 5 2 ♥ K 8 6 3 ♦ Q ♣ K J 9 6 3	Rita Shugart ♠ K J 9 7 ♥ Q T 7 5 ♦ K 2 ♣ T 8 7	

West	North	East	South
			Pass
1♣	1NT	Dbl	Pass
Pass	2♦	Dbl	All Pass

The Facts: 2♦, doubled, made two for a score of +180 N/S. The director was summoned after the lead on the next board. N/S were +41 IMPs at the end of the second set (the previous one). The play went ♠6 to the ♠J and ♠A; ♣J to the ♣Q and ♣A; another club, ruffed; draw trumps and claim.

The Ruling: The director ruled that the table result stands.

The Appeal: E/W called the director because they had a problem with South not redoubling the double of 1NT. South stated that she had never played with Brogeland before (save for a pair game) and was not sure what a redouble would mean after the 1NT overcall.

The Decision: There was no concealed partnership understanding or history of psyching discovered. E/W were caught by a well-timed psyche. The table result stands.

Dissenting Opinion (Barry Rigal and Bruce Rogoff): The only issue was merit. While the Committee could see why West might be unhappy with his opponents' actions, he should have been aware that N/S were not a practiced partnership. Although North had indicated that a redouble by South would have been to play, it was clear in committee that this was inference rather than partnership agreement. N/S were a new partnership up 41 IMPs at the end of the previous set. South was the less experienced member of the partnership. To try to force South to redouble in a position where INT doubled was near optimal was quixotic. E/W should have known better. They should at least have withdrawn the appeal in screening or in committee when the facts became obvious.

The Committee: Barry Rigal (Chair), Jeff Aker, Dick Budd, Bruce Rogoff and Ron Gerard.

Commentary:

Gerard Yes, the dissenters are correct. I plead guilty, but even one more vote for no merit wouldn't have been enough.

Goldsmith I agree with the dissent. AWMW earned. What difference would a redouble have made anyway? North would still have pulled to 2♦, and after the psych is revealed, East is still doubling 2♦. So what if dummy has roughly an 8-count?

Polisner I agree with the dissenter that an AWMW was appropriate.

Rigal My dissent is not on a major point, but I'd like to see the NAC taking a harder line on merit. The nature of the appeal was so flimsy that it deserved a greater punishment than it got. N/S were not just a virtually first-time partnership, North is a super-star and South temperamentally a catcher, not a pitcher. The whole appeal was very distasteful, to my mind.

Wildavsky I agree with the dissent -- this appeal had no merit.

Wolff I agree with the ruling since psychs are allowed and they definitely should be. Why would one say that South was the less experienced player in the partnership since Rita and a good team have been playing at least half as long as Boye Brogeland has been alive? The aggravating thing to E/W probably stems from their thought that North was taking advantage of South's possible reticence to get involved. However, nothing that N/S did could be criticized. Two questions: 1) Why is it an inclination by committees to protect Rita? and 2) Why wasn't E/W given an AWMW?

Zeiger Much heat has been generated by this case. We certainly are paranoid souls. I don't buy any of it. E/W had zero case. Fill out a player memo if you like, but don't waste a Committee's time.
I wouldn't redouble either. The vulnerability suggests if anybody is psyching, it's partner, 41 IMP lead notwithstanding. Why expose it? Surely East realized North had psyched after the 2♦ bid. Why didn't he just bid 3NT? Maybe he thought partner had psyched vulnerable against not. Funny, really.

APPEAL CASE NABC+ EIGHT
 Subject: Misinformation (MI)
 DIC: Henry Cukoff
 Event: Mixed Pairs
 Session: 1st Final, April 5, 2006

Board #19	Phil Schaefer	
Vul: E-W	♠ 5 3 2	
Dlr: South	♥ T 9 5 4 3	
	♦ A	
	♣ T 7 6 3	
	Connie Goldberg	Wafik Abdou
	♠ A K Q 7	♠ J T 9 8 4
	♥ A K	♥ J 6 2
	♦ K J 6 2	♦ 5 4 3
	♣ A 8 5	♣ Q 9

Nell Schaefer
 ♠ 6
 ♥ Q 8 7
 ♦ Q T 9 8 7
 ♣ K J 4 2

West	North	East	South
			Pass
2♣	Pass	2♦ ¹	Dbl ²
Rdbl ³	3♥ ⁴	Pass ⁵	Pass
Dbl ⁶	All Pass		

- (1) Waiting.
- (2) Alerted and described the red suits or the black suits.
- (3) Natural showing diamond values.
- (4) Alerted as Pass or correct.
- (5) Forcing.
- (6) Takeout.

The Facts: 2♣ was strong and artificial. 2♦ was alerted as a waiting bid, neither promising nor denying values. The double of 2♦ was alerted and explained as black suits or red suits (CRASH). The redouble was not alerted and was natural, showing diamond values. 3♥ was alerted and explained as a Pass or correct call. The double of 3♥ was not alerted but was presumed to be for takeout. The N/S convention card indicated that they play CRASH. N/S's system notes indicate that they play CRASH over strong and artificial 1♣ openings, a 1♦ response to such a 1♣ bid, and strong and artificial 2♣ openings; they say nothing about CRASH over the 2♦ response to 2♣. South said that she had a diamond mixed in with her heart spots when she chose to make the double. 3♥ doubled went down three for a score of E-W +500.

The Ruling: The director ruled that the convention card and the system notes contain sufficient information about CRASH that, by inference, it could be determined that N/S do in fact play it in this sequence and that South's bid was either a system violation or the result of her having sorted her hand incorrectly. In either case, the partnership agreement was alerted and correctly explained. Therefore, there was no basis for adjustment. The table result of 3♥ doubled down three, N/S -500 was allowed to stand. See law 75.

The Appeal: E/W contended that the evidence that N/S were playing CRASH was not sufficient to justify the director's finding. They further contended that they had a horrible bidding problem at the three-level because their opponents were misexplaining their bids. They argued that had they known that South had doubled for a diamond lead and that North's bid therefore could not be a pass-or-correct bid, they would have been much more likely to go right in this situation.

The Decision: When a ruling is to be made on a misinformation matter, the director (or the Committee) is to assume that there was misinformation unless the alleged offending side can present clear evidence that the explanation was in fact correct. The N/S pair had enumerated two opening bids and one response as having CRASH applied to them. Their failure to have listed this response as susceptible to CRASH suggests that they do not play it in this sequence. It would have been very easy for them to simply mention that a 2♦ response to 2♣ was susceptible to CRASH, too. The Committee also saw that the N/S system notes indicated that CRASH is used on hands with 5-4 distribution or better. Therefore, the explanation that South had her hand missorted when she made the CRASH bid is subject to doubt (it is self-serving testimony, since even with the diamond in the heart suit; she would not have complied with their systemic agreement of 5-4 in the two suits shown). Accordingly, the Committee found the evidence ambivalent that N/S had an agreement that they were playing CRASH after the 2♦ response. Since the evidence was not clear, the Committee presumed that misinformation took place.

The Committee saw that E/W had a difficult set of decisions at the three level. It also noted that the Alert to 3♥ was also misinformation, since it was also related to the CRASH convention. However, since that Alert and explanation provided a correct explanation of North's intentions, the Committee deemed that misinformation did not damage E/W. After extensively examining the auction, the Committee was unable to find a causal path from the misexplaining of the 2♦ bid to the bad result that E/W suffered for defending 3♥ doubled. The bad result was subsequent to, but not a consequence of, the misinformation. Therefore, the Committee allowed the table result of 3♥ doubled down three, N/S -500 to stand.

The Committee: Ron Gerard (Chair), Lowell Andrews, Michael Huston, Bob Schwartz and Aaron Silverstein.

Commentary:

- Goldsmith** Right ruling, wrong reason. I agree that there was misinformation. Again, this is a "look at the cards and believe them, regardless of how honest we know the players to be" case. South's hand strongly suggests that she was not playing CRASH. The system notes suggest but don't explicitly say that they were playing it, but strictly speaking, that's two reasons to believe they weren't, and that's more than good enough to assume MI. In reality, I suspect what really happened is that N/S were playing CRASH, and South just forgot, but we can't know.
- But so what? E/W's bad result wasn't caused by MI. It was caused by N/S's bidding. That they bid so much was based on a misunderstanding is just too bad. Given exactly correct information, E/W weren't getting this one right, so no adjustment. Rub of the green.
- I think an AWMW is in order. E/W were unable to present a case that the MI gave them a difficult problem. They claim that if they had known, they would have been more likely to go right, but they don't say how or why that's true. Since the AC rejected that claim, and I think it was presented entirely without support, that's sufficient for the appeal to be without merit.
- Polisner** I agree with the excellent AC analysis about lack of damage, which resulted from the alleged MI. The damage, if any, was the result of the jammed auction. I would have concluded that there was a misbid by South rather than MI in light of the rather clear convention card and system notes.
- Rigal** Somehow I feel E/W got the worst of this. But the fact of the matter is that N/S just got lucky and set their opponents a problem they could not deal with. There was no visible link between the infraction (if any) and the bad result E/W got. Mind you, any pair who regularly forgets system in this way ought to receive a visit sooner or later from the Recorder?
- Wildavsky** The AC did a better job than the tournament director (TD) in applying the laws, even though they made the same ruling in the end. Since the N/S notes were ambiguous about this sequence the laws require that we consider it to be MI -- I don't know why the TDs strained to find evidence of an agreement that was not there.
- The AC might have noted that had E/W realized that N/S were having a misunderstanding they were more likely to double 3♥ than they were with the info they had.

Wolff Convention disruption strikes again and in all its fury. Because of it, EW made a wrong judgment. When players play offbeat conventions such as here, they should know their conventions or be penalized rather severely until they are compelled either to learn them or to discard them. The opponents should not have a windfall, such as here, but usually at most an average plus. Protect the field (PTF) should be a battle cry.

Zeiger I wonder. What auction did E/W present to allow them to reach 4♠? If it was simply East pulling West's second double to 3♠, then what reason did they give for not doing so at the table? I'll accept the finding of MI, which gives the appeal merit, but E/W were looking for a miracle, hoping a committee would find a causal connection between the MI and the result. Good decision.

APPEAL CASE NABC+ NINE
Subject: Unauthorized Information (UI)
DIC: Henry Cukoff
Event: National IMP Pairs
Session: 2nd Qualifying, April 6, 2006

Board #2 Carole Grob
Vul: N-S ♠ 9 6 5 2
Dlr: East ♥ A J 7 4
 ♦ 6
 ♣ J 9 6 4

Buddy Hanby	Sally Wheeler
♠ K T 7 4 3	♠ J 8
♥ T 8 3	♥ K Q 9
♦ Q T 9	♦ K J 7 5 2
♣ T 2	♣ K 7 3

Geoff Mallette
♠ A Q
♥ 6 5 2
♦ A 8 4 3
♣ A Q 8 5

West	North	East	South
		1NT ¹	Db1 ²
2♠	Pass	Pass	Db1
All Pass			

- (1) Announced as 12-14.
- (2) Opening hand plus.

The Facts: 1NT was announced as 12-14 HCP. North took considerable time to sort her hand (about 20 seconds) before looking up and seeing that there were three bidding cards already on the table. Thereupon she volunteered that the first double showed an opening hand or better (bids show less than an opening hand). Then she asked whether the 2♠ bid was natural. Then she took about ten more seconds before she passed. South's second double was for takeout. 2♠ failed by three tricks, +500 N-S. North and South each have between 2,000 and 4,000 masterpoints.

The Ruling: North's question about the naturalness of the unAlerted 2♠ bid showed that she had enough values to consider bidding. The questions and the tempo constituted UI. The UI demonstrably suggested South's second double over a less successful logical alternative of pass. In accordance with laws 16 and 12C2, the director adjusted the table result to 2♠ down three, undoubled, N/S +150.

The Appeal: N/S candidly admitted the facts and acknowledged that Law 16 was applicable to this case. They believed, though, that there was no logical alternative to the second double. West contended that the South hand had not grown very substantially: the ♠Q was less likely to be well positioned, there were no good “spot cards” in the South hand, and South’s hearts (the suit North is most likely to stretch to bid) are shorter than his other offered suits. Also, the heart suit is honorless.

The Decision: The Committee found that there were both a hesitation and a question prior to North’s pass, and that they suggested that North might have some interest in entering the auction. North even testified that she considered bidding 3♥. The hesitation and the question both suggest that South should keep the auction alive.

The Committee spent little time determining that pass (rather than a double at his second turn) is a logical alternative for South. If West had held North’s ♥A instead of the ♥3, the auction might have been identical back to South’s second action. Then the double might cost N/S fourteen or more IMPs. A simple consideration of the dangers of doubling a second time should indicate that pass is a logical alternative. The Committee found that a substantial number of South’s peers would pass at South’s second opportunity.

Accordingly, the Committee upheld the director’s decision to adjust the table result to 2♠ down three, undoubled, N/S +150, E/W -150.

Before the hearing, the director, in screening, had fully explained to the N/S pair how Law 16, Unauthorized Information, is applied. The Committee decided that after having the director explain the relevant law to them and having the director’s rationale for their ruling explained to them, a pair of N/S’s experience should have known not to bring this case to a Committee. Therefore, the Committee awarded an Appeal Without Merit Warning to each member of the N/S pair.

The Committee: Michael Huston (Chair), Ed Lazarus and Tom Peters.

Commentary:

Goldsmith All good, but this is close enough to a procedural penalty (PP) for abuse of UI that the AC needs to say why they rejected it. I wouldn't have. My criterion for a PP is roughly to give them when I look at the offender's hand and think, "you can't do that!" Since that is a normal reaction to South's choice, I think he deserves a PP.

On the other hand, if N/S is playing takeout doubles in South's seat, then isn't North's pass forcing? Since N/S didn't mention it, presumably it wasn't, so that's irrelevant.

Polisner Simple case, correct ruling and award of AWMW.

Rigal Correct award of an AWMW. Yet again a pair brings an appeal because they don’t like the way they have been punished for their infraction – but the law is the law.

- Wildavsky** I agree that this appeal had no merit.
It's also worth noting that no player has any business volunteering information during the auction. Unless an opponent asks a question one must restrict one's vocabulary to the single word "Alert" and when called for to the three ACBL mandated announcements "Transfer", "Forcing", and "Could be short."
- Wolff** To me it is not as clear cut as the director and the committee suggested, but all in all it would be my ruling also. I was more interested in what happened at the screening where the appellees were instructed on the possibility, in the event of losing, that they may be charged with an AWMW if no additional substantive facts were presented.
- Zeiger** Slam dunk.

APPEAL NABC+ TEN
 Subject: Misinformation (MI)
 DIC: Roger Putnam
 Event: Vanderbilt Teams
 Session: Round of 8, April 6, 2006

Board # 14 Vul: None Dir: East	Ishmael Delmonte ♠ 8 7 ♥ A K Q 6 4 3 ♦ K Q J 9 ♣ 2	Nicolas L'Ecuyer ♠ J T 5 ♥ J T 8 ♦ 8 3 2 ♣ T 9 6 3
Zygmunt Marcinski ♠ A 9 6 4 2 ♥ ♦ A 7 ♣ A K Q J 6 4	George Mittelman ♠ K Q 3 ♥ 9 7 5 2 ♦ T 6 5 4 ♣ 8 7	

West	North	East	South
		Pass	Pass
1♣ ¹	4♦ ²	Pass ³	Pass
Dbl ⁴	All Pass		

- (1) Artificial and forcing.
- (2) North to East: either hearts or both black suits.
 South to West: No Alert. Both players thought 4♦ was natural.
- (3) Negative.
- (4) Intended as takeout of natural 4♦.

The Facts: The table result was 4♦, doubled, making four, N/S +510. N/S system notes show that East received correct information and West received misinformation.

The Ruling: Absent the misinformation (Law 75), West would likely not double. With correct information, it was judged that the “most favorable result that was likely” and the “most unfavorable result that was at all probable” was 4♠ making five, E/W +450, which is the score to which the table result was adjusted.

The Appeal: N/S asserted that their result was a “rub of the green,” caused by good luck rather than misinformation. Their misunderstanding got them to play an inferior trump suit at a dangerously high level, where they could easily have been going for a large number instead of making the contract. They noted that West had doubled 4♦ with a highly skewed hand and suggested that he would have done the same with the correct information. They thought that the result stemmed from West’s unusual decision rather than from the misinformation. North also contended that had West bid 4♠ or 5♣, he would have sacrificed at 5♦ and achieved down one doubled.

Upon questioning, North said that he did not remove himself to 4♥ (over the double) for ethical reasons, although there was no evidence of a tempo problem on the S/W side of the screen. He knew from his diamond holding that his side might be having a misunderstanding.

N/S had agreed to play “Suction” over 5 the strong 1♣ opening. North said that it applied at any level. South did not realize that the agreement extended as high as the four level.

West, before acting over the presumed natural 4♦, attempted to place the missing 13 hearts. North, the preemptor, would not have a lot of hearts, and South, who was a passed hand and had not preempted earlier, would have at most five hearts, or perhaps six. The same inference was available about his partner, who was also a passed hand, but all plausible distributions of the heart suit showed East with four to six hearts, most likely five. West knew that his “offense/defense ratio” was strongly tilted toward offense, but his placement of the missing hearts meant that East would almost certainly have enough hearts to bid 4♥ over his takeout double. West then planned to bid 4♠, suggesting more than one place to play and giving his side the best chance to choose intelligently between 4♠ and 5♣. While there was some danger of reaching the wrong strain with the two-step auction, West thought that an immediate guess of 4♠ or 5♣ would have been even more dangerous.

West noted further that had he known that North was likely to have a lot of hearts, he would no longer have had the same inference about his partner’s removal of the double, which was the cornerstone of his plan. Therefore, with correct information he would have been more likely to bid one of his suits than to risk his partner’s passing a takeout double.

East, who had the correct information about North’s bid, was reluctant to remove the double to a three-card major or to raise the level by bidding a weak four-card suit. Also, he wasn’t sure what suits anybody had and preferred to hope he could beat 4♦.

The Decision: The committee found West's argument lucid and compelling. While other actions were possible with either incorrect information (what West actually had) or correct information (what West should have had), the differences in the two situations were significant enough to convince the committee that West might well have acted differently with the correct information. (Note that West was not entitled to know with certainty that his opponents were having a misunderstanding, but he was entitled to know their agreement. Just suppose that North had been West's screenmate instead of South.) Therefore, the AC determined that West would have bid one of his suits instead of doubling. Also, North, for the same "reasons" that prevented him from bidding 4♥ over the double, would have refrained from bidding 5♦ despite his great "support" for the suit that his partner had "shown".

If West had bid 4♠, he could make eleven tricks by playing all out, which would require crossing to dummy to start spades. However, the committee judged that the best play by far for ten tricks is Ace and another spade, which guarantees the contract when trumps are 3-2. On a heart lead a 3-2 trump break is necessary, and even with a diamond lead declarer's best chance to cope with a 4-1 break is to lay down the Ace and hope to catch an honor. (Playing for the singleton 8 or 7 is more problematic.) Meanwhile, leading a club at trick two could be fatal if North has a club void and two small spades, a significant danger on the bidding. Thus, the committee assigned a result of 4♠ making four, +420 to E/W and -420 to N/S.

Note that twelve tricks are easy on a heart lead against 5♣, for the same score of +420.

The Committee: Ron Gerard (Chair), Bart Bramley, Bruce Rogoff and Steve Weinstein.

Commentary:

Gerard Hands down, the best argument I have ever heard in Committee. Several Committee members said that until they listened to West's explanation, they wondered what his case was. And he wasn't faking it either, after hearing him out we all thought "How could anyone do anything other than double?" This is why knee jerk reactions against "bridge lawyering" are wrong.

Goldsmith I agree with the AC that West was damaged by the failure to alert and explain. There's no way, however, that North would fail to bid diamonds thereafter below the 7-level. If he thinks his partner knows their methods, he expects about seven diamonds from partner. If the opponents bid a lot, given all his high card strength, they probably have some shape, too, so maybe South actually has diamonds. If worse comes to worst, it's not as if 6♥ doubled is likely to be a disaster. So he'll save.

I think it's likely that West, knowing what's going on, will bid more than 4♠. Partner's negative double (where was it, BTW?) suggests he'll catch a fit in one of the black suits. It is reasonable, therefore, for him to bid 5♦, getting them to 6♣ from the West. North will surely lead a heart against 6♣, so it's making. But North won't let him play there. North will bid 6♦ and play there doubled down two. After East's double, it seems to me that the problem is not getting to 6♣, but avoiding getting to 7♣.

Some likely auctions:

1♣	4♦	Dbl	Pass
5♦	5♥	Pass	6♦
Pass	Pass	Dbl	All Pass

or

1♣	4♦	Dbl	Pass
5♦	Pass	5♠	Pass
6♣	6♦	Dbl	All Pass

or

1♣	4♦	Dbl	Pass
5♦	5♥	Dbl	Pass
5♠	6♦	Dbl	All Pass

or

1♣	4♦	Dbl	Pass
5♦	5♥	Dbl	Pass
5♠	Pass	6♣	Pass
Pass	6♦	Dbl	All Pass

Since I think 6♦ doubled is likely and also the worst result at all probable for N/S, I'd award E/W +300 and N/S -300. What do you know?...par.

Polisner Simple case, correct result.

Rigal Well judged ruling. In a complex case where MI has been established, the non-offenders are due the best of it. And here the case that E/W made was a very sensible one. No AWMW here; a difficult case.

- Wildavsky** Good work all around.
I don't understand North's comment about "ethical reasons." He had no unauthorized info and could do as he pleased.
I won't quarrel with an IMP either way, but the AC might have considered another line on a heart lead: a low spade towards the dummy. After losing to either opponent declarer can ruff the heart return, play a club to dummy, and play a spade to the 9. If it loses he has 10 tricks whether or not he loses a club ruff. If it wins and trump are 4-1 he can switch back to clubs and still make the hand.
- Wolff** Another convoluted convention disruption (CD) case where the CDers obviously got very lucky. When this has happened in the past the committee has said "Yes CD is present, but there is no causal connection between the CD and the end result, hence the table result stands." In this case the committee went much further than I would have gone against the CD. This wasn't a match point (MP) game, but in a MP game the committee should lean overboard not to give a windfall to the opponents, unless they were taken out of the chance of being able to "play bridge". Since this was a KO, event that didn't apply. The other goal is to try and stop CD by penalizing (procedural penalty, if necessary) so that players will feel the responsibility to learn their offbeat conventions.
- Zeiger** Superb write up. I wonder though, if North hung himself during the hearing when he gave his reasons for passing 4♦ doubled. If he had said "My partner's pass showed extreme length in diamonds, despite his original pass.," I suspect the Committee might have allowed him to bid 5♦, and projected an auction from there. That would have been fun.
A shame the Committee correctly adjusted to +420 E/W, otherwise I would have loved to see the AWMW they would surely have assessed. N/S's arguments about West's reopening double were absurd. With West's understanding of the auction, a reopening double was eminently sensible.

APPEAL NABC+ ELEVEN

Subject: Tempo

DIC: Henry Cukoff

Event: IMP Pairs

Session: 1st Qualifying, April 6, 2006

Board #10 Henry Meyer
Vul: Both ♠ Q 9
Dlr: East ♥ Q 9 7 6 4
 ♦ T 7 5
 ♣ T 8 7

Peter Clinch	David Stevenson
♠ A J 8 5	♠ K T 7 6 3
♥ K J 3	♥ A 2
♦ Q	♦ K J 3 2
♣ K Q 9 4 3	♣ A 5

Larry Griffey
♠ 4 2
♥ T 8 5
♦ A 9 8 6 4
♣ J 6 2

West	North	East	South
		1♠	Pass
2NT ¹	Pass	3♦ ²	Pass
4♣	Pass	4♥	Pass
4NT	Pass	5♦ ³	Pass
5♠ ⁴	Pass	6♠	All Pass

- (1) Spade raise, limit plus.
- (2) Artificial, forces game. Per system notes it shows game values with no slam interest.
- (3) Shows one or four key cards by agreement.
- (4) A long hesitation (around three minutes) before bidding 5♠.

The Facts: All agreed to the long hesitation before the 5♠ bid. The opening lead was the ♦A. 6♠ made six, +1430 E/W. East said that he misbid, thinking he was showing zero or three key cards. He said that he immediately knew that he had erred. Although it was not reported to the director at the time, E/W said that West shook his head before 5♠, and it was discussed.

The Ruling: The slow 5♠ demonstrably suggests bidding 6♠. The time it took to bid 5♠ gave East unauthorized information that may have led him to recheck his response. Pass is a logical alternative (two experts were polled). They both would have passed with no hesitation after giving a zero-or-three key card response. Therefore, the director adjusted the result to 5♠, making six, +680 for E/W.

The Appeal: E/W play 12-14 one notrump openers and 4-card majors. The 3♦ bid shows no slam interest facing a limit raise. The 4♣ bid showed slam interest facing those extras. At that point East was always going to bid the slam. N/S did not appear at the hearing.

The Decision: The critical issue here was the fact that the unauthorized information from the tempo break was irrelevant. East had answered Key-Card to show 0-3 key cards. After the 5♠ signoff, East's obligation was to bid on with three key cards – by showing a king if he had the trump queen. He did not, so his 6♠ bid was his ethical action. No infraction occurred and the Committee restored the table result of 6♠ making six, +1430 E/W.

The Committee: Barry Rigal (Chair), Tom Carmichael and Ellen Wallace

Commentary:

Gerard Absolutely not. East would not have bid 4♥ with zero controls, so East's obligation was different than it would have been if West had bid 4NT directly over 3♦. The Committee made the common mistake of assuming that West's 4NT bid was perfect, that if he held QJxxx, KQ, Q, KQJ10x, he would have bid 4♠ over 4♥. Edgar taught me a long time ago that the hesitation removes the possibility of a bridge error from the equation; therefore the responder can not assume that West "must" have a control. Also notice that East didn't attempt to justify 6♠ on zero or three grounds but instead argued one or three, although why he wouldn't have bid 3♦ with AKxxx, Ax, xxx, Axx is beyond me. The ruling was correct that he wasn't entitled to a recount, so the Committee should have at least asked what he would have done without a recount, with particular emphasis on his 4♥ bid. The answer wouldn't have mattered. The process just would have shown that the Committee knew what it was doing. If East really sold the Committee a zero or three bill of goods, shame on both of them. I am still waiting for the first mis-responder who did not immediately recognize that he erred.

Goldsmith Sorry, but no. If East had noticed immediately that he had made the wrong Blackwood response, he could have changed it. Answering the wrong number of aces is really easily argued as a mechanical error rather than a change of mind. So the hesitation helped him realize that he had answered incorrectly.
Precedent shows that ACs reject this sort of appeal. I would. "Next time answer aces right."

Polisner I do not agree with the concept that a break in tempo (BIT) gave partner time to re-check the validity of his prior bid as being somehow an irregularity. No such law exists which supports that contention. Looking at W's hand, one can only wonder what took so long to bid 5♠. If he couldn't recall if they were playing 0314 or 1430, neither way could he bid anything other than 5♠ and await partner to pass or bid more. Good work by the AC.

Rigal The committee found this case very straightforward – and were not happy with the initial ruling. Yes, there were a number of issues to consider, but overall, it seemed like someone had missed the thread.

Wildavsky The AC decision is incomprehensible to me. The tournament directors (TDs) took a poll and discovered that 100% of those polled would have passed with only authorized info. Did the AC think that everyone polled gave an illogical answer?
The AC seems to have been under the misapprehension that the rules of RKCB require going on to slam when one holds three cards. I can assure them that not everyone plays it that way. Having opened the bidding, shown extras, and cue-bid, East could scarcely hold zero key cards, so with a key card and the trump queen West would have bid the slam himself.
Kudos to the TDs -- I don't understand why their diligent work was undone.

Wolff I agree with this decision because only bridge and not UI was the influential factor. Since BITs are usually acted against by tournament directors and committees, this hand needs to be carefully and completely described so that our players will understand.

Zeiger Finally, a terrible ruling. Can't believe we had to wait this long. Change East's diamonds to Axxx. Change West's spades to QJxx. East's rebid would still be 3♦. After 4♣, maybe East would have bid 4♦, maybe 4♥. Did anyone ask how they cuebid with touching controls? With this hand 6♠ would be cold. Now West would have a safe 4NT bid, trusting East not to go on, with only three controls, (East's actual hand) when he signed off in 5♠. The point is that East's argument about "always bidding slam" is a baseless canard. The Committee got trapped into acting on reflex, instead of actually thinking. Instead of +1430, EW should have gotten +680 and an AWMW.
Does anyone think the Committee was annoyed with N/S for not showing up at the hearing? I bet the Committee from NABC+ Appeal 10 would have decided this one correctly.

APPEAL NABC+ TWELVE

Subject: Played Card

DIC: Bates

Event: Jacoby Open Swiss

Session: 2nd Qualifying, April 8

Board # 33
Vul: None
Dir: North

Bruce Reeve
♠ Q 9 8 5
♥ 8
♦ A Q J 7
♣ T 8 5 2

Jan Jansma	Louk Verhees
♠ K J 6 4 3	♠ A T
♥ T 7 6 3	♥ K Q J 9 2
♦ T	♦ 9 5 2
♣ Q J 7	♣ A K 6

Jim Linhart
♠ 7 2
♥ A 5 4
♦ K 8 6 4 3
♣ 9 4 3

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

- (1) Heart raise.
- (2) Game forcing relay.
- (3) Limit raise with four trump.
- (4) Waiting.

The Facts: A diamond was led to the Ace. North switched to a club won by the Ace. The King of hearts was won by the Ace, and a club was continued to the King. After cashing the Queen and Jack of hearts, declarer cashed the Ace of spades and led the ten of spades to the King. Declarer called for a heart. His partner said, "What?" Whereupon East attempted to correct (change) the call to a spade. The director was called at this point.

The Ruling: The director ruled that West's last heart, the ten, was played. The director noted that declarer changed his play after his original play was questioned by his partner. The director found that this called into question whether his designation of the heart was "inadvertent," with the change being made "without pause for thought" (Law 45C4). With the ruling by the director, the result at the table was 4♥ down one, N/S +50.

The Appeal: E/W contended that it was perfectly obvious that the call for the fourth heart was clearly accidental (inadvertent).

The Decision: The play of the fourth trump makes no sense: however, West's "What?" breaks any chain between East's call and his ability to change his mind. Only an instantaneous correction would allow East to get his card back. Once his partner interrupts, it is not possible to envisage that change as happening within the appropriate time frame. E/W were given the correct ruling and should have known that they had no grounds for appeal. With the ruling upheld, the result at the table was 4♥ down one, N/S +50. Consequently, the Committee imposed an Appeal Without Merit Warning.

The Committee: Barry Rigal (Chair), Tom Peters and Ellen Wallace

Commentary:

Goldsmith The AC ruled correctly.

Polisner The ruling and decision seem to be crystal clear given the facts presented. If it could have been established that East's designation from dummy was loud enough for West to have heard, and didn't need to clarify declarer's designation, I would have issued a penalty to West for blatant violation of the laws.

Rigal Though no card play cases are ever that simple, the AC thought this was as clear a case of an AWMW in this area as they had seen.

Wildavsky I agree -- this appeal had no merit.

Wolff The play of the ♥10 was certainly inadvertent and possibly was because English is not the declarer's 1st language. Having said that, I still think the declarer has to live with it, because to do otherwise would be to become subjective in determining who may and who may not and perhaps, without a good reason, one way or the other.

This episode couldn't help but remind me of the famous "Oh Shit" case (sometimes dubbed the worst decided case in ACBL history), which knocked me (and my team) from the Vanderbilt. First, the director-in-charge, followed later by the co-chairmen of the committee (according to later discussions I had with other dissenting committee members) used their influence and ruled that declarer (two tricks later) could go back and change her spade play instead of drawing trumps to make the contract. Either by coincidence or not so coincidentally, I previously had some relatively major confrontations with that DIC and individually with each of the co-chairs having to do with my fulfilling my roles of Chief Recorder for the ACBL and as ACBL Representative to the WBF. Bias and/or prejudice can play a huge and undesired role in forming regrettable committee decisions, and I feel strongly that a potential committee member or, for that matter, a DIC should recuse himself from playing a significant role in determining judgment on someone he either doesn't like or get along with (or with whom he is very friendly). The failure to do so emotionally fulfills one's need for favoritism or revenge, but instead seriously endangers our whole administrative process and allows others to point to our inadequacies. In any event life goes on, but not without much sadness for the obstacles not overcome, or the bitter taste left.

Zeiger Obvious AWMW.

APPEAL NABC+ THIRTEEN
Subject: Misinformation
DIC: Charlie McCracken
Event: Women's Swiss
Session: 2nd Qualifying, April 8, 2006

Board #14 Karen McCallum
Vul: None ♠ K Q J 9 7 2
Dlr: East ♥ 8 4
 ♦ T 9 5 3
 ♣ K

Linda Perlman	Kathleen Sulgrove
♠ T 8	♠ A 6
♥ Q J T 9	♥ A 7 6 3 2
♦ A K J 6 2	♦ Q 4
♣ A 9	♣ Q T 5 2

Kerri Sanborn
♠ 5 4 3
♥ K 5
♦ 8 7
♣ J 8 7 6 4 3

West	North	East	South
		1♥	Pass
2NT ¹	3♠	Dbl ²	Pass
4NT	Pass	5♥	Pass
6♥	All Pass		

- (1) Jacoby 2NT, first time partnership – not discussed.”
- (2) Explained before opening lead as, “not sure, probably her singleton, first time partnership – not discussed.

The Facts: 6♥ made six for a score of +980 E/W, after the lead of the ♣3. Declarer made no statement before the opening lead to confirm that the sequence was completely undiscussed.

The Ruling: The director found that declarer's failure to fully clarify that the meaning of the double was completely undiscussed was a violation of Law 40. With a spade lead, lines of play may or may not lead to twelve tricks. Per Law 12C2, the non-offenders get the most favorable score likely to have occurred had the infraction not occurred. Therefore, the director adjusted the score for both sides to 6♥ down one, N/S +50.

The Appeal: East contended that since her partnership agreement had been correctly explained, she was not obliged to make any further statement. Furthermore, she thought that she might well have made the hand - even with a spade lead.

N/S stated that since East's hand did not match her partner's statement "Probably a singleton," East was required to correct that explanation. N/S also stated that they thought it was likely that E/W would go down on a spade lead.

The Decision: Players are required to explain their partnership agreements. West's statement "first time partnership, not discussed" made it clear that "probably her singleton" was simply her guess at what her partner might mean by the double. East is under no obligation to tell her opponents what her hand is, only their agreements. The statement, "First time partnership, not discussed," gave N/S all the information to which they were entitled. The committee restored the table result for both sides - 6♥ making six, E/W +980.

The Committee: Doug Doub (Chair), Mike Kovacich and Jeff Roman.

Players consulted on line of play with a spade lead: Jacqui Mitchell and Judi Radin.

Commentary:

Gerard Wow, what irony! N/S stated that since East's hand did not match her partner's statement, East was required to correct that explanation. And yet North more than anyone else is single-handedly responsible for the opposite legal principle. When faced with an accurate description of her hand but not her agreement against Garozzo in Miami, she corrected the explanation and has been almost unanimously upheld over the years. People really are blind when it comes to the merits of their own case.

Goldsmith Good ruling, AC. Why did the director get this wrong?

Polisner East's obligation would have been to correct West's explanation IF it were incorrect (MI). If it was correct that there was no discussion as would be expected in a first-time partnership, it is unnecessary for East to say anything. Poor ruling - excellent decision.

Rigal This was a harsh ruling against the non-offenders, but it seemed to me that South went out on a limb, when she did not lead the suit her partner had told her to. Then in a sense she tried to win both ways. The committee's decision that East was not obligated to do any more than she did leaves me a little uncomfortable, but I can live with it. What WAS the double anyway?

Wildavsky Good work by the AC.

Wolff A decision made by the committee that basically states "one should not rely on a speculative opinion made by the partner of the bidder." Obviously the partner should have merely said "not discussed". A good time for a precedent on this subject as the facts are clear as to what happened. A precedent should keep the next committee from making a contrary opinion based on similar facts. The only legitimate reason not to make it a precedent would be to give the next committee unlimited power to decide for whomever they thought was truthful or "bite my tongue" whomever they liked better.

Zeiger I agree with the Committee, not the director. Granted West should not even have conjectured, but her qualifying statement made it clear that's what she was doing. N/S don't get a second bite at the apple.

APPEAL NABC+ FOURTEEN
 Subject: Misinformation (MI)
 DIC: Steve Bates
 Event: Jacoby Open Swiss
 Session: 2nd Qualifying, April 8, 2006

Board #4 Diane Walker
 Vul: Both ♠ Q T 8 5
 Dlr: West ♥ 4
 ♦ K T 9 8
 ♣ J 8 7 2

Mel Colchamiro	Janet Colchamiro
♠ K 7 4	♠ 6 2
♥ A Q J 8 2	♥ 9 7
♦ 3	♦ A 6 5 2
♣ K Q 6 5	♣ A T 9 4 3

Ellen Cherniavsky
 ♠ A J 9 3
 ♥ K T 6 5 3
 ♦ Q J 7 4
 ♣

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

- (1) Forcing, 15-21 HCP
- (2) 6+ HCP
- (3) When asked, told that it was “takeout”
- (4) Game forcing

The Facts: N/S play Mathe but claim that it does not apply in this seat. South said she meant it as a takeout and would convert clubs. Neither convention card had anything about Mathe in immediate seat only. Both sides said that “double = takeout” makes no sense. “Mathe” was not mentioned at the table. The final contract was 5♥, down three on the lead of the ♠5, E/W -300.

The Ruling: The director adjusted the score to +600. The director said that Laws 21B3 and 40C both apply. If E/W had been aware that N/S play Mathe in direct seat, they might have avoided the ♥ contract and played 5♣ instead.

The Appeal: South said that she and her partner hadn't discussed playing Mathe after 1♣ – Pass – 1♦. She explained that, when she doubled, she wanted her partner to bid something. North said that she would not expect less than 4-3 in the majors. E/W said that they would have looked for 3NT if they had the information that the double showed the majors.

The Decision: The Committee found no evidence of an agreement other than a general "bid something." Therefore, we felt that "takeout" was a good approximation. Therefore, there was no misinformation. The Committee Chairman felt the auction went off the rails with the 3♥ bid and that the 4NT bid was a vast overbid. Accordingly, the table result of 5♥, down three; E/W -300 was restored.

The Committee: Jeff Meckstroth (Chair), Aaron Silverstein and Bob White.

Commentary:

Goldsmith Good ruling, AC. We ought to be able to give AWMWs for calling the director when, on appeal, the director's ruling is overturned.

Polisner My recollection of the Mathe convention when Lew Mathe invented it was that it only applied to the 1♣ bid. It was later that players expanded it to the 1♦ response and even later that some players used it over strong 2♣ openers. The ACBL does not have an official definition of conventions and since the word "Mathe" was not used at the table, there was no MI and should not have resulted in an adjusted score. Good work by the AC.

Rigal A generous ruling for N/S, but the committee obviously felt that if there was any damage it was subsequent to any MI and not consequent from it. My own instincts are that N/S have an obligation to know what they play against a strong club – but the fact that South did have a hand that was take-out of diamonds (admittedly into the majors only rather than the majors plus clubs) maybe gets them off the hook.

Wildavsky Good work by the AC.

Wolff OK, I guess. When "strange" is playing "strange" let them fight it out. Whatever happens, strange will win.

Zeiger If East's 2♣ was natural and game forcing, not clearly stated, I have zero sympathy for EW. They were told "takeout." They uncovered their club fit. What did they think South had for a "takeout" double? I'm not

impressed with the Committee's reasoning, or the write up, but their decision was correct.

By the way, if $2\clubsuit$ wasn't natural, why in the world didn't East raise clubs?

APPEAL NABC+ FIFTEEN
Subject: Claim or Played Card
DIC: Steve Bates
Event: Jacoby Swiss Teams
Session: 2nd Qualifying, April 8, 2006

Board # Bill Pettis
Vul: ♠
Dir: ♥
 ♦ K
 ♣ Q

Howard Einberg	Jim Glickman
♠	♠
♥	♥
♦	♦
♣ A J	♣ 7 2

Fred Allenspach
♠
♥
♦
♣ 4 3

West	North	East	South
Not Given			

The Facts: The director was called at trick 12. South was the declarer in a contract of 2♠. East had led the ♣2. West had either claimed as a defender and placed the ♣J on the table first or played the ♣J.

The Ruling: While it was clear what West meant to do, the director judged that because West did not say anything about claiming such as, "I claim" or "The rest are mine" that he had played a card rather than claimed and that play was the ♣J first. Therefore, in accordance with law 45C1, the result obtained with the play of the ♣J at trick 12 stands, 2♠ making two, N/S +110.

The Appeal: West stated that he was attempting to show his hand to claim the last two tricks. The ♣J appeared first, but it was not his intention to play that card. N/S stated that the ♣J appeared first, whether or not it was his intention to play it.

The Decision: There were three possible laws that may be applicable: laws 45, 50 and 68-70 – played cards, penalty cards and claims.

Even though West said nothing while attempting to face his cards, his clear intent was to claim one way or another. Had this not been established, the ♣J would have been a played card or a penalty card and it would have to be played at trick 12.

The view of the committee was that West had tried to make a claim, however poorly executed. Once a claim had been made, play ceases. In claiming the last two tricks, any doubt must be resolved in favor of the non-claiming side. In this instance, the committee had no doubt. West's claim was valid and he is entitled to the last two tricks.

The result was adjusted to 2♠ down two, N/S -100.

The Committee: Barry Rigal (Chair), Tom Peters and Ellen Wallace.

Commentary:

Goldsmith Good ruling, AC. This is another case where I'd like to give the non-appealing side an AWMW for calling the director.

Polisner The facts, as presented, do not, in my opinion, support the AC's decision. In fact, West's statement that "he was attempting to show his hand to claim the last two tricks" but that the CJ appeared first is nonsensical. The ruling should have been affirmed even though it seems harsh. Players get confused and play the wrong card. So be it!

Rigal There is some argument in these 'played card' cases that equity should be more of a factor than in some other areas of the game. The committee felt that West had not actually 'played' the club jack. They all wondered if they would even have called the director in the first place. In the circumstances this was their best approximation to restoring equity.

Wildavsky How did the tournament director (TD) judge that it was clear what West meant to do? If it was clear to the TD then it ought to have been clear to all. N/S seems to be looking for something for nothing, and the TD was prepared to give it to them. Good work by the AC.

Wolff A below acceptable write up. It becomes important to the person who is to judge to have some evidence of the caliber of the claimer and a less than clear write-up (this one for example) makes it hard to determine. I think I would allow the claim. When committees quote rules "resolved in favor of the non-claiming side," it is usually because they want to rule against the claimer. This is, perhaps, another abuse of power.

Zeiger You mean N/S wanted those two tricks? You mean they GOT them from the tournament director? Off with everybody's heads, including West's for not saying something. For that matter, off with the head(s) of whomever is responsible for not recording the board #, auction, and play to that point. I know the hands might have had "xs", due to the board being shuffled before the appeal was filed, but these are all good players. They could surely have reconstituted the hand.

APPEAL NABC+ SIXTEEN
Subject: Misinformation (MI)
DIC: Steve Bates
Event: NABC Swiss
Session: 2nd Qualifying, April 8, 2006

Board #21 Jacob Morgan
Vul: N-S ♠ K J 8 4
Dlr: North ♥ A J
 ♦ A T 7
 ♣ J T 9 4

Mark Feldman	Bart Bramley
♠ 5	♠ A Q T 7
♥ 8 4 3	♥ T 9 6 2
♦ 8 6 5 3 2	♦ K Q 4
♣ 8 6 5 2	♣ K Q

Marty Harris
♠ 9 6 3 2
♥ K Q 7 5
♦ J 9
♣ A 7 3

Note: The spot cards are guesses as spot cards were noted by xs on Appeals Form.

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

(1) Could be as short as two.

The Facts: On the lead of a diamond, 3♦ failed by three tricks, +150 N/S. The director was called prior to the final pass.

The Ruling: E/W submitted system notes that clearly showed the 2♠ call was natural in this auction. The director ruled that the table result would stand.

The Appeal: N/S noted that E/W play that, without the double, that West's 2♠ is for the minors. N/S thought that was how West intended it and why East selected Diamonds rather than Hearts over the Redouble. N/S thought that with an accurate explanation, they would have had a better chance of doubling 3♦.

E/W's system notes clearly state that suit bids are natural over a double of 1NT. West psyched 2♠, taking advantage of the favorable vulnerability to try to make it difficult for the opponents to reach a good spade game. As a matter of bridge logic, West's redouble was clearly for takeout. East was unsure whether to play diamonds or hearts, but once diamonds were not doubled, it was clear to pass.

The Decision: E/W's notes clearly stated that suit bids over a double of 1NT are natural. E/W's agreements were properly explained, so the score could not be adjusted. The committee discussed whether to issue an Appeal Without Merit Warning (AWMW) but concluded by not issuing one.

The Committee: Doug Doub (Chair), Mike Kovacich and Kathleen Sulgrove.

Commentary:

Goldsmith AWMW. Not close unless N/S were very inexperienced.

Polisner West's 2♠ bid is either a misbid or a psyche. In either case, it is NOT MI and no adjustment is possible. Failure to give an AWMW is improper.

Rigal Again, an AWMW got away. The non-offenders got to see their opponent's system file and still pursued the case, one that they should have known they had no chance to win.

Wildavsky This appeal had no merit.

Wolff Clear bias in favor of convention disruption because of name identification. There is no doubt in my mind that West intended his two spade bid the same as without the interference, e.g. a minor suit takeout simply because that is what he had. To speak of a psyche is "sophistry" at its extreme and any and everyone will agree. Should West have spoken out and agreed, I think so, but why should he hurt himself in the committee? I assume that the word psyche didn't begin with it coming from West's lips. Anyway this committee bought another bridge.

Zeiger Pray tell, how could the Committee not give an AWMW? N/S are nice guys, but that doesn't give this waste of time any merit. I don't care if West psyched or forgot. Either way, the system notes proved no MI.

APPEAL NABC+ SEVENTEEN
Subject: Unauthorized Information (UI)
DIC: Steve Bates
Event: Jacoby Open Swiss Teams
Session: 1st Final, April 9, 2006

Board # 21 Murray Melton
Vul: N/S ♠ K Q 7 6
Dlr: North ♥ A Q J 6 2
 ♦ K 9
 ♣ 6 5

Eric Greco	Geoff Hampson
♠ 9 4	♠ T 3 2
♥ K 5	♥ T 9 8 7
♦ Q T 7 6 2	♦ 8 5
♣ A Q T 8	♣ K J 7 2

Simon Kantor
♠ A J 8 5
♥ 4 3
♦ A J 4 3
♣ 9 4 3

West	North	East	South
	1♥	Pass	1♠
Dbl	Redbl ¹	2♣	Pass ²
Pass	4♠	All Pass	

- (1) Alerted and explained as a support redouble.
- (2) Agreed break in tempo.

The Facts: North stated that he knew that a redouble was support (three cards in spades) but thought he was too good to support spades. He was going to jump later to show four spades. He admitted that 4♠ was an overbid, but, if he bids 3♠, partner will bid four. E/W felt that if North's redouble was strength, 2♠ was enough and that South would pass 2♠. The table result was 4♠ making four, N/S +620.

The Ruling: Since North's redouble should have been three spades only, he may have forgotten the agreed meaning of the redouble (i.e. a support redouble). The UI from the Alert could have suggested the aggressive action taken. Also, the UI from the break in tempo suggested a more aggressive action. Therefore, using law 16A1 and A2 and 12C2, the table result was adjusted to 2♠ making four, N/S +170.

The Appeal: North alleged that he knew his redouble showed only three spades, but he thought his side could make a slam if his partner had two or three control cards. He decided to redouble and await developments but was never going to stop short of game.

The Decision: The committee deprecated the jump to 4♠, which they considered to be an attempt to clear up the ambiguity engendered by the support redouble. Also it took advantage of the tempo break over 2♣, which suggested unbidable values. However, whatever call North took, even 2♠, N/S were surely going to bid on. His partner's next call would imply that N/S had enough values for game. Even if South took his partner seriously (or read him for only three spades), N/S would be in no danger in 5♠ or even in 4♥.

That said, it was clear that the contract had to be set back to 4♠ even though North had committed an egregiously inappropriate "act" when he jumped to 4♠ on a sequence where 3♠ might have left South uncomfortable about committing to spades.

The committee restored the table result of 4♠ making four, N/S +620 and E/W -620. The committee imposed a penalty of 3 victory points to the N/S team (which does not accrue to the E/W team) and referred North's actions to the ACBL Recorder.

The Committee: Barry Rigal (Chair), Jeff Roman, John Solodar, Chris Willenken and Eddie Wold

Commentary:

Goldsmith I like it! A 3VP procedural penalty (PP) shows we mean business. None of this 1VP namby-pamby stuff.

Polisner North should have been embarrassed by his pathetic attempt to justify his action. I disagree with the decision as if North only rebid 2♠ (thinking that he had already shown this hand by his redouble) South would likely pass.

Rigal The non-offenders were probably not due more than they got (a little harsh perhaps, I suppose) but the offenders ought to have learned by now that it does not pay to test the patience of the AC. Another case for the Recorder.

Wildavsky What would South have done over 2♠? I don't know. I've never seen that sequence before. I can imagine South passing in puzzlement, but bidding seems more likely. For now, I'm putting this one in the "Too close to call" column.

Wolff An excellent decision, which covered the bases, especially in not giving the opponents anything, but nevertheless penalizing N/S 3 VPs.

Zeiger If South had been confronted with a 2♠ bid by North, after 2♣ - pass - pass, why is the Committee so certain South would have bid on? Is game so easy opposite Kxx AQxxx Kxx Qx? Is even a three level contract a cinch? Is it really not at all probable for South to pass 2♠? Yes, I know it's teams, but needless minus scores lose IMPs too. Since I know I'm no expert, I just called one to make sure my judgment was reasonable. He wanted to do something over 2♣, but thought double would be penalty oriented. He passed 2♣ and passed 2♠. He assumed North was maximum for his 2♠ bid, but still couldn't find a place to go, with no real fit, and no club stopper. I'm not saying pass is right. I'm saying it's clearly an LA. The Committee was right to be offended by North's 4♠ call. They were right to issue a PP, as the director should have. They were wrong to allow NS to reach game. 2♠ making four, +170 N/S. Procedural penalty to N/S for the 4♠ call. AWMW for having the nerve to appeal. Wham!

APPEAL NABC+ EIGHTEEN
Subject: Unauthorized Information (UI)
DIC: Steve Bates
Event: Jacoby Open Swiss Teams
Session: 2nd Final, April 9, 2006

Board # 22 John Fout
Vul: E/W ♠ T 5 2
Dlr: East ♥ Q J 8 7 6 4
 ♦ 8 2
 ♣ 8 7

Irakli Garishvili
♠ Q 9 4
♥ 5
♦ T 6 5
♣ A Q J T 6 2

David Chechelashvili
♠ K J 7
♥ A K 9 3 2
♦ Q 9 7 4
♣ 9

Jeff Roman
♠ A 8 6 3
♥ T
♦ A K J 3
♣ K 5 4 3

West	North	East	South
		1♥	Dbl
2♣ ¹	Pass	3♦	Pass
3NT	All Pass		

(1) Alerted – no explanation (systemically a transfer to diamonds)

The Facts: After the lead of a low spade to the Jack and Ace and a spade continuation the contract could not be defeated, and the table result was 3NT making three, E/W +600. The director was called after the play. E/W agreement is that 2♣ is a transfer to diamonds.

The Ruling: The Alert was UI for West and suggested that 3NT would be more successful than the logical alternatives established by a poll of players (the result of the poll as to what to call over 3♦ without an Alert was: 2 votes for 4♦, 1 for 4♣ and 1 for 3NT). Therefore, in accordance with law 16 and 12C2, the table result was adjusted to 5♦, doubled, down two, E/W -500 and N/S +500.

The Appeal: The E/W partnership had system notes documenting the fact that 2♣ in this auction is a transfer to diamonds.

The Decision: There was no misinformation as N/S was informed of the agreement correctly. The real issue (if UI did not contribute to the N/S defensive slip versus 3NT) was that West was under no obligation to inform N/S of his having forgotten the system. That said. Did the UI (from the Alert) contribute to West's 3NT call?

If 3♦ was a splinter in support of clubs, then clearly 3NT is not a practical option for West. The polled players may have considered this a possibility. The committee considered that the normal meaning of 3♦ in this auction was natural (not a splinter). Therefore, the committee determined that there was no logical alternative to bidding 3NT.

The table result of 3NT making three, E/W +600, N/S -600, was restored.

The Committee: John Solodar (Chair), Chris Willenken and Eddie Wold

Commentary:

Gerard First, it's down three in 5♦ doubled and that's being charitable to East. Then the write-up is deficient, as witness the fact that one of the Committee members had to send out an explanation of the Committee's thought processes. Finally, the Committee's judgment was wrong. According to the supplement, what was missing from the description was that West apparently thought 2♣ was non-forcing, so 3♦ was unlikely to be a splinter. How could that possibly be assessed when a natural 2♣ did not exist? The Committee's justifications for a natural 3♦ were completely hypothetical, not empirically supported by anything other than reference to expert practice. Well a non-forcing 2♣ shows a good suit, so East doesn't bid 2♦ just because he doesn't like clubs. 2♦ shows either a good hand or extreme distribution, in which case it is not necessary and could be dangerous to bid 3♦ with extra values, depending on what 3♣ over the double would have been in West's mind. Imagine this explanation: "In the methods I was playing, 2♣ showed values because 3♣ would have been preemptive, so East could have a theoretical force to game and would need to bid 3♦ to show it." Not even Johnnie Cochran could have proven that. What about "In the methods you were playing, 3♣ would have been a fit-showing jump so 2♣ could have been on QJ109-seventh and out?" That queen of spades doesn't look so critical to West's 2♣ bid; I'm betting that exchanging it for a deuce wouldn't have mattered. And on some of those "game forces", East just blasts 3NT because it would be a waste of time to show his 3-5-4-1 18 count or because West won't be able to bid it over 3♦ with his prototypical hand. In short, 2♦ over 2♣ in these "methods" is a practical force. If West doesn't have a 3♣ rebid, whatever that would show, he would need a very specific hand and very specific minors to pass 2♦, something like 942, 5, Q105, KJ10652. Even Ax, AJxxxx, AKxxx, - opposite that isn't likely to make game.

The bottom line is that in West's putative system, 2♦ covers almost all of the hands that the Committee wants East to bid a natural 3♦ on. If East really has a game force opposite a non-forcing 2♣ advance, let him open 2♣ next time. A splinter was a distinct possibility, certainly a logical alternative to a natural 3♦, and more possible in a partnership in which 3♦ would have been a splinter without the interference (I do understand the difference). To say that there was no logical alternative (LA) to 3NT is to assume that there is universal agreement about the meaning of 3♦. In all the partnerships in which I have played non-forcing two-level advances over a takeout double, I'm not sure I have ever discussed the meaning of opener's jump shift. At the least, there was an element of doubt that should have precluded West from bidding the 3NT that was demonstrably suggested by the UI. Since 3♠ or 4♦ was a LA to 3NT, both as forward going measures opposite a splinter, and either would have led to a contract of 5♦ doubled, the adjusted score should have been +800, -800, with a big Bronx cheer to the Committee for its bidding judgment and its appeals judgment.

- Goldsmith** I think there's a logical alternative to 3NT; in fact, I'd bid 3♠. That'll just get 3NT played from East where it's truly cold.
- Polisner** I don't understand this decision. Why wouldn't the AC pay attention to the poll which clearly indicated that West had a LA to bidding 3NT?
- Rigal** At the time I strongly disagreed with this ruling. After the Alert, West – who did NOT know his partner's system – may have been reminded of his methods. Regardless, it seemed to me that there were LAs to the 3NT call – as evidenced by the TD sample. Hence the call should not have been allowed.
- Wildavsky** On what basis did the AC ignore the poll results? They may like their own judgment better than those polled, but
- (a) They should trust the tournament directors to have polled peers of E/W and
 - (b) The AC should have realized that the respondents to the poll have two advantages that the AC members lack. The respondents do not know the complete deal and they know nothing about the UI.
- The AC in effect contended that the judgment of 75% of those who responded to the poll was "abnormal." They had no call to do so, and by ignoring this vitally useful information they undid the tournament director's diligent work.

Wolff N/S got fixed by a home brew CD. My draconian judgment says NS -600 from normal playing luck, and EW -500 in 5♦ doubled down two. In an event like the Jacoby Open Swiss Teams, in this match, the combined VP total will be considerably short of the normal amount. I might be persuaded to give N/S an average (for IMP purposes). Remember if, because of the CD, N/S would have gotten a great score (a likely result), we never would have heard about it.

Zeiger If anybody wants to know why some tournament directors are loathe to bother with player polls during an NABC+ event, this appeal shows why. Most committees, and I could give you other examples, simply do not care about player polls. In this case, a poll clearly established less successful LAs to the 3NT call, which were not suggested by the UI. The Committee, which knew all the hands of course, simply didn't care. In fact, I think N/S should have appealed, since -500 is extremely generous to E/W in 5♦ doubled. Raspberries to the Committee. Lousy write up too. Didn't E/W say anything in their behalf?