

**2007 Summer NABC
Appeals Casebook**

NASHVILLE



Appeals at the 2007 Summer NABC Nashville, TN

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.

A total of 31 cases were heard.

Sixteen (16) 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.

Fifteen (15) cases were from all other events and were heard by a panel (committee) of tournament directors. The names of the players involved are included when the event from which the appeal derived had no upper masterpoint limit or was a top bracket of a bracketed knockout event. When the names of the players are not used, the player's masterpoint total is included.

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

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

APPEAL	Non-NABC+ One
Subject	Misinformation (MI)/Unauthorized Information (UI)
DIC	Steve Bates
Event	Flight B GNT
Session	First
Date	July 17, 2007

BD#	12
VUL	N/S
DLR	West

1035 Masterpoints	
♠	A Q 9 5
♥	9 8 7
♦	A Q 5
♣	J 7 3

936 Masterpoints		Summer 2007 Nashville, Tennessee	1881 Masterpoints	
♠	K J		♠	T 8 4 3 2
♥	K 5 3 2		♥	T
♦	4 3		♦	K J T 9 7 2
♣	Q T 9 5 4		♣	8

907 Masterpoints	
♠	7 6
♥	A Q J 6 4
♦	8 6
♣	A K 6 2

West	North	East	South
Pass	1♣	2♦ ⁽¹⁾	Dbl
2♥	Pass	3♦	Dbl
3♥	Pass	Pass	Dbl
Pass	Pass	3♠	Pass
Pass	Dbl	Pass	Pass
Pass			

Final Contract	3♠, doubled, by East
Opening Lead	♣A
Table Result	3♠ doubled, down 3, N/S +500
Director Ruling	3♥ doubled, down 6, N/S +1400
Panel Ruling	3♥ doubled, down 6, N/S +1400

(1) 2♦ explained as both majors. Intended as natural which both convention cards support.

The Facts: The 2♦ bid was intended as natural, but explained as weak with majors.

The Ruling: 3♥ doubled, down six, N/S plus 1400.

The Appeal: All four players attended the hearing. East was asked why he bid 3♦ over 2♥. He said clearly his partner didn't realize he had diamonds. When asked if his partner could have had six plus hearts and chosen to pass in first seat, he said yes, if he had less than five HCP. His partner admitted that he confused this auction with their agreement to jump to 2♦ when partner opens one club.

The other side felt that the table result of 3♠ doubled, resulting in plus500 for them was unfair on two counts. With proper information, they would reach 4♥ making four for plus 620. They felt that defending three hearts by E/W would easily be down six for plus 1400 for their side.

The Decision: The panel seriously considered a procedural penalty for East's three diamond bid. A serious discussion with East occurred instead. East asked what he should have done, thinking that he should be able to bid something. He was told that he would have been allowed to bid two spades, but that he had already showed a weak diamond hand with his two diamond bid.

The reviewer spoke to six peers who were playing in the Flight B GNTs. Five players bid two spades and then passed three hearts doubled. One player passed two hearts. The director's ruling was upheld, three hearts doubled, down six, plus 1400 for N/S, per Law 16A and 12C2.

An appeal without substantial merit warning (AWMW) was given to E/W. The panel felt the three diamond bid was tainted by the erroneous explanation of the two diamond bid. West by rebidding 3♥ confirmed heart length, and East has no legitimate reason to bid. Based on East's masterpoints (1881) and experience the panel felt he should have known that the appeal would have no merit.

The Panel: Candy Kushner (Reviewer) and Harry Falk.

Players Consulted: Six peers of E/W playing in the Flight B GNT.

Commentary:

Polisner Excellent all around.

Rigal The AWMW is obviously appropriate; how could this case have reached a committee? Why was not East advised of his entering the territory of Procedural Penalty (PP)? He clearly did not understand his obligations but the best way to impose them (particularly when an offender brings an appeal of this sort) is to give a PP.

Smith Good job by all.

Wildavsky Good work all 'round.

Wolff This first hand has suggested to me that we handle these impossible to adjudicate convention disruption (CD) hands in a different manner. Instead of sifting through the four-digit doubled penalties so often imposed on forcing the declarer to play a contract with his side holding less than a majority of trumps and usually high cards, why not artificially impose a score of 0-10% of the board's worth (depending on the severity), but only give (in match points) 50-100% to the non-offenders. Also if the offenders deserve worse, give it to them in the form of a PP. This scoring change will prevent what happened here when the non-offenders insisted that they get enough to offset a possible plus 620 which they (by their opponent's CD) were prevented from achieving themselves. To not follow this suggestion will result in our continuing to wallow around in total ridiculousness of deciding just what four-digit penalty should be given. By following this suggestion at least it calls attention to what we are involved with and why it must be gone.

APPEAL	Non-NABC+ Two
Subject	Misinformation (MI)
DIC	Sam Stoxen
Event	Thursday Evening Int/Ed. Foundation Pairs
Session	First
Date	July 19, 2007

BD#	14
VUL	None
DLR	East

502 Masterpoints	
♠	A T 7 6 4
♥	K Q J 9
♦	8
♣	T 4 3

7625 Masterpoints	
♠	8 3 2
♥	T 7 6 5 2
♦	A J 5 4 2
♣	

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482 Masterpoints	
♠	Q 9
♥	A 8
♦	T
♣	A K Q 9 8 6 5 2

2870 Masterpoints	
♠	K J 5
♥	4 3
♦	K Q 9 7 6 3
♣	J 7

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

Final Contract	5♦ by East
Opening Lead	♣A
Table Result	5♦, down 1, N/S + 50
Director Ruling	5♣, making 6, N/S +420
Panel Ruling	To E/W: 5♣ S, making 6, E/W -420 To N/S: 5♦, down 1, N/S + 50

(1)	Announced as 10-12 HCP
(2)	Alerted incorrectly as transfer. Agreement is that 3♥ is natural

The Facts: The three heart bid was not a transfer. South stated that had she known that three hearts was not showing spades, she would have bid 5♣ directly over 3♠, since she would no longer think that the ♠Q would be a useless card. This information was given before the opening lead.

The Ruling: If South was given the correct information and had bid 5♣, E/W could not have found their diamond fit. Board adjusted to 5♣ N/S making six, N/S plus 420 per Laws 21A3, 40C and 12C2.

The Appeal: All four players attended the hearing. E/W felt that the MI should not affected South's bid, since she bid 5♣ ultimately. South said she would have given more weight to her ♠Q had she not thought her left hand opponent had a spade suit. Therefore, she would have jumped directly to 5♣ and E/W would not have found their diamond fit.

The Decision: The players consulted all bid 4♣ over 3♠ saying that the meaning of the 3♥ bid was immaterial. The panel concluded that E/W would find their diamond fit. The Panel decided some number of South's peers might bid 5♣, making a contract of 5♣ at all probable. The panel assigned a split score, the table result to N/S of 5♦ by E/W down one, N/S plus 50 and E/W the result of 5♣ by N/S, making six, E/W minus 420.

The panel used Law 12C2 for N/S, the most favorable result that was likely. For E/W, Law 40C and Law 12C2 were used, the most unfavorable result that was at all probable.

The Panel: Bernie Gorkin (Reviewer) and Candy Kuschner.

Players Consulted: Four of N/S's peers – Flight C players.

Commentary:

Polisner Since there was not even one peer who thought that 5♣ was a possible bid, a split score was not a good decision. Table result for both sides should have been the decision. Why only a two-person panel?

Rigal Really excellent decision, despite the disruption caused by E/W not knowing their conventions. South's argument is the typical hair-splitting of someone who wants something for nothing. Give E/W and N/S the worst of it -- that'll learn 'em!

Smith Something seems missing here. The panel's poll argues in favor of no adjustment at all, and that is what they applied to N/S. I don't see that any polling information was available to lead the panel to think some South's might bid 5♣ with correct information. I assume that North made no claim of damage from the MI or that possible source of damage would have been investigated.

Wildavsky What about North? Surely she would have raised clubs sooner had she not been told that her RHO held a spade suit. I prefer the tournament director's ruling to the panel's.

Wolff More very weak conniving notrump with a dash of convention disruption.

APPEAL	Non-NABC+ Three
Subject	Misinformation (MI)
DIC	Sam Stoxen
Event	Thursday Evening Int/Ed. Foundation Pairs
Session	First
Date	July 19, 2007

BD#	14
VUL	None
DLR	East

1558 Masterpoints	
♠	A T 7 6 4
♥	K Q J 9
♦	8
♣	T 4 3

1133 Masterpoints		Summer 2007 Nashville, Tennessee	3282 Masterpoints	
♠	8 3 2		♠	K J 5
♥	T 7 6 5 2		♥	4 3
♦	A J 5 4 2		♦	K Q 9 7 6 3
♣			♣	J 7

1074 Masterpoints	
♠	Q 9
♥	A 8
♦	T
♣	A K Q 9 8 6 5 2

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

Final Contract	5♦ by East, doubled
Opening Lead	♣A
Table Result	5♦, dbled down 1, N/S + 100
Director Ruling	6♣, making 6, N/S +920
Panel Ruling	6♣, making 6, N/S + 920

(1)	E/W had differing convention cards, one showing "McCabe", lead directing with fit
(2)	South asked about the 3♣ bid before his 4♠ bid and was told there was no conventional meaning

The Facts: South stated that he would have bid 6♣ had he had the correct information that the 3♣ bid might not show clubs naturally.

The Ruling: N/S should have had an opportunity to bid clubs naturally given the correct information. Differing convention cards represent misinformation. The result was adjusted to 6♣ making six, N/S plus 920 per Law 21A3, 40C and 12C2.

The Appeal: E/W were the only players to attend the hearing. E/W felt that given the auction generated by N/S (the raise to 4♠), this pair was unlikely to find 6♣.

The Decision: Five people in the N/S peer group were consulted and agreed that a natural 4♣ bid by South would have been made with correct information. Since some pairs bid to 6♣, the 4♣ bid could lead to a 6♣ contract. The opponents' convention cards did not agree – only West's had "McCabe." Differing cards constituted MI. The director's ruling was upheld, N/S plus 920, E/W minus 920 per Laws 21A3, 40C and 12C2. The appeal was found to have merit.

The Panel: Bernie Gorkin (Reviewer) and Candy Kuschner

Players Consulted: Five of N/S's peers.

Commentary:

Polisner The differing convention cards, in and of itself, is not MI. It could be the basis of determining what the conventional agreement was or wasn't as in the absence of convincing evidence, the presumption is MI rather than a misbid.

It is inconceivable that any player with 1,074 Masterpoints would believe that, on this auction, LHO was bidding clubs naturally, with a maximum holding of JT743. Table result should have been retained. Again, why only a two-person panel?

Rigal The appeal clearly had merit so long as the player who bid 3♣ had McCabe on his card -- please note that if EAST had McCabe only on his card, the assumption would be that they were NOT playing it. I'm in a quandary here. My instinct is to let the table result stand but I'd need to ask West what she intended 3♣ as. Without that information I can't decide what to do -- why wasn't that question (and answer) noted in the write-up? [PS Would South's 4C call be natural here anyway, or a cuebid for spades? And with any North who 'only' bids 3♣ at his first turn why assume he won't pass 4♣?]

Smith If one card showed "McCabe", then there is enough to presume that N/S were misinformed about the meaning of 3♣. The panel's polling indicates that N/S were damaged by the misinformation, so the adjustment looks right. Although it was moot due to the ultimate ruling made, West had UI from his partner's explanation. Maybe without the UI he might have been happy to be up on the field with a club lead against 4♠.

Wildavsky I agree with the rulings. I see no merit to the appeal. If E/W want to find out what contract their opponents would reach given correct information their best course is to provide correct information.

Wolff Convention disruption sometimes leads to a liars paradise and here is another example of it.

APPEAL	Non-NABC+ Four
Subject	Misinformation (MI)
DIC	Millard Nachtwey
Event	LM-5000 Pairs
Session	First Qualifying Session
Date	July 21, 2007

BD#	10
VUL	Both
DLR	East

4904 masterpoints	
♠	J 9 4 3 2
♥	2
♦	9
♣	J T 9 5 3 2

972 Masterpoints		Summer 2007 Nashville, Tennessee	2630 Masterpoints	
♠	K 5		♠	A 7
♥	A 8 4		♥	Q J T 7 6 5
♦	K 7 6 5 4 2		♦	Q T 3
♣	8 6		♣	A 4

4690 Masterpoints	
♠	Q T 8 6
♥	K 9 3
♦	A J 8
♣	K Q 7

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

Final Contract	5♠ by North, doubled
Opening Lead	♥Q
Table Result	5♠ doubled, -2, N/S -500
Director Ruling	4♠ doubled, -1 N/S -200
Panel Ruling	4♠ doubled, -1 N/S -200

(1)	Alerted in a timely manner (North did not ask as North knew the meaning) and explained, at South's second turn to bid as transfer to clubs.
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The Facts: East's card was marked that 1NT in this sequence was a transfer to clubs. West's card was not marked. West intended 1NT as generic "forcing". North said he would have bid 2♣ without the Alert, and could then bid 4♠ later.

The Ruling: Adjust to 4♠ doubled by North down one, N/S minus 200, per Laws 21A3, 40C and 12C2. An auction like 1♥, double, 1NT, 2♣, 2♥, pass, 4♥, 4♠ is probable and likely without an Alert.

The Appeal: E/W stated that North should have known that it was not possible for West to hold such a hand, since he had so many clubs and South had to have tolerance for clubs, given his takeout double.

West stated that the relay meaning of the bid was indeed the agreement, but that she had forgotten it and thus had treated her hand as a standard 1NT forcing auction. West stated that she had not marked down the relay meaning since the convention card had been completed only an hour before game time, and she didn't know where to put it on the convention card.

North stated that his partner did not have to have a tolerance for clubs with his takeout double, as he might have a diamond/spade hand which he could show with a diamond advance bid (equal level conversion).

The Decision: Based upon the non-matching convention cards and West's manner of bidding the hand, East's Alert of the 1NT bid was deemed to be misinformation. North was unable to show the true nature of his hand based on the misinformation and, therefore, would have been able to do so had 1NT not been alerted.

Several players in the 4,000-5,000 peer group were consulted. Without an Alert of 1NT, at least three players would have bid clubs over the double with a plan to bid spades at a later point. It was clear from these polls that N/S had been damaged due to the fact they had been denied that opportunity based on misinformation.

E/W were in violation of procedure by not having two convention cards that matched. It should have been clear to them that they were at fault due to this and should not have pursued the issue. E/W are experienced players, and should have realized that N/S had been disadvantaged.

North did not ask the meaning of the Alerted 1NT bid. He was familiar with the relay to 2♣ meaning, as he played a similar system himself. In the absence of such an Alert, he would have bid 2♣, and then bid spades over a subsequent heart bid to show the shape of his hand.

An appeal without merit warning (AWMW) was given to E/W.

The Panel: Harry Falk (Reviewer), Candy Kushner and Jean Molnar.

Players Consulted: Several players with between 4,000 and 5,000 masterpoints.

Commentary:

Polisner The writeup is unclear. Was 1NT conventionally a relay or a transfer to 2♣? North claimed that he didn't ask the meaning as he played this same method. Therefore, if it was a relay, North could have bid 2♣ and then spades as he claimed. I would not have adjusted the table result.

Rigal Harsh but fair on E/W. My guess (if I had to) was that West simply forgot -- i.e. psyched - but with the mismatching cards I like penalizing the offenders. As a separate issue; did North do the right thing by assuming his opponents had had this precise accident rather than asking questions? How did he know what 1NT really meant -- aren't there other possibilities than a transfer? Since he was right I guess he did know!

Smith Good and thorough job by the director and the panel.

Wildavsky I agree, this appeal had no merit.

Wolff Another impossible convention disruption (CD) adjudication. Sad evidence revolves around the CD'ers showing up at the committee hearing arguing for position. To me, this might mean they are not likely to do anything to prevent CD from happening again. How long might it be before all people involved in trying to improve the process will finally come together and eradicate CD by punishing it out of existence? Without CD, bridge is a wonderful, fair, highly competitive game. With it and when CD strikes, we might as well be playing another card game since all adjudication results in hypothetical artificiality having nothing to do with bridge.

APPEAL	Non-NABC+ Five
Subject	Misinformation (MI)
DIC	Millard Nachtwey
Event	LM - 5000 Pairs
Session	Second Qualifying
Date	July 20, 2007

BD#	24
VUL	None
DLR	West

2235 Masterpoints	
♠	K J 5
♥	7
♦	A Q J 9
♣	K J 7 6 3

653 Masterpoints	
♠	A Q 6 3
♥	9 4 3 2
♦	4
♣	T 9 4 2

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2030 Masterpoints	
♠	7 2
♥	A K 6
♦	T 8 5 2
♣	A Q 8 5

624 Masterpoints	
♠	T 9 8 4
♥	Q J T 8 5
♦	K 7 6 3
♣	

West	North	East	South
Pass	1♦	Pass	1♥
Pass	2♣	Pass	2♦
Pass	Pass	Pass	

Final Contract	2♦ by North
Opening Lead	♠2
Table Result	2♦ down 1, N/S -50
Director Ruling	2♦ down 1, N/S -50
Panel Ruling	2♦ down 1, N/S -50

The Facts: E/W agreement is to lead low from two or four cards. The play started with the ♠2 to the ♠A, and ♠3 returned. North looked at the E/W convention card, saw second and fourth in the leads area, and played the ♠K. He then played ♦A and ♦Q and went down one. He claimed the E/W convention card did not have the "low from doubleton" circled. E/W disputed this, and produced a correct convention card five rounds later. Declarer claimed that if he had known of the probability of xx, he might have played the ♠J.

The Ruling: Despite the failure to pre-Alert, declarer had enough knowledge of the E/W agreement that he should have asked the key question – "what do you lead from xx?" The damage was not a direct result of the failure to Alert, thus the table result of 2♦ down one, N/S minus 50, stands.

The Appeal: North was the only player to attend the hearing. He reiterated that he might have played the ♠J had he known of the possibility of a low lead from a doubleton. He did not explain what he thought second and fourth meant.

The Decision: The play went ♠2 to the ♠A and the ♠3 to the ♠K. Declarer played the the ♦A and Q, got the news of the 4-1 break, then led a heart to the king, and East led a trump. Declarer won in hand, ruffed a club, and led a spade to attempt (unsuccessfully) to end play East.

Four players with 2,000-2,500 masterpoints were consulted. All played the ♠K, saying it was too risky to finesse. One pointed out that any gain from a successful finesse is illusory as you will never get a second spade trick if you play a crossruff. All four led a heart at trick three.

While Law 40C was violated, the panel ruled the table result of 2♦, down one, stands. While there was a failure to Alert, the risk of taking no spade tricks if declarer finessses is so high and the potential gain from a successful finesse so low that the panel deemed it not to be “likely” under Law 12C2. To determine a correct score for E/W, the panel also looked at the end result after taking successful spade finesse at trick two. If declarer were to play the ♠J, play two rounds of diamonds and lead a heart, East will win and return a trump. Declarer can win and play the ♠K with East pitching to avoid the end play. Declarer can now ruff a club and lead a heart to the ace. East can get out with a diamond leaving this end position with North on lead:

	North	
	♣ K J 7	
West		East
♠ Q		♣ A Q 8
♣ T 9		
	South	
	♠ T	
	♥ J T	

When shown this end position, declarer did not point out that he could take one more trick by leading the ♣K or ♣J. Thus the panel concluded that minus 90 did not meet the “most unfavorable result that was at all probable” criteria under 12C2.

The director’s ruling of 2♦ down one, N/S minus 50, was upheld.

The Panel: Charles MacCracken (Reviewer), Matt Smith, and Gary Zeiger.

Players Consulted: Four players with 2,000 – 2,500 masterpoints.

Commentary:

Polisner I am afraid that the panel used Law 12C2 incorrectly. That law is used only when awarding an assigned adjusted score - not to decide if a play or call was “likely” or “at all predictable”. I would have awarded a split core of down one for N/S and minus 90 for E/W which does use 12C2 to adjust the score

Rigal Let’s focus on the real issues here. Eight tricks are trivially cold after two rounds of spades won by the king. Declarer leads a heart and wins the trump return, and has six tricks on a cross-ruff (or can even ruffing finesse in hearts and STILL make eight tricks). Any damage to North was done by his own stupidity, not by the opponents’ leads.
By the way a propos the lead style; ‘second and fourth’ does NOT mean low from a doubleton. It means fourth from honors and second from three or four cards. So there WAS MI -- but no damage.
I’m going to keep a MAPA record (Miserable And Pettifogging Appeal by someone trying to get something for nothing). This is MAPA1

Wildavsky Good work all 'round.

Wolff I think N/S should keep minus 50 in 2♦ down one, and E/W get a procedural penalty of between 1/4 and 1/2 of a board for not calling attention to the agreement of leading low from a doubleton. Let the punishment always fit the crime.

APPEAL	Non-NABC+ Six
Subject	Unauthorized Information (UI) - Tempo
DIC	Mike Flader
Event	First Friday/Saturday KO - Bracket 15
Session	Round Two
Date	July 21, 2007

BD#	30
VUL	None
DLR	East

130 Masterpoints	
♠	T 9 8
♥	J 9 8
♦	T 8 6
♣	J 9 5 3

136 Masterpoints	
♠	K J 2
♥	Q 3 2
♦	A 9 7 4
♣	T 7 4

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91 Masterpoints	
♠	A 6
♥	A 7 4
♦	K Q 3
♣	A K Q 6 2

171 Masterpoints	
♠	Q 7 5 4 3
♥	K T 6 5
♦	J 5 2
♣	8

West	North	East	South
		Pass	2♣
Pass	2♥ ¹	Db1 ²	2NT ³
Pass	3NT	Pass	Pass
Pass			

Final Contract	3NT by South
Opening Lead	♥2
Table Result	3NT, making 3, N/S +400
Director Ruling	2NT, making 3, N/S + 150
Panel Ruling	3NT, making 3, N/S +400

(1)	Alerted as double negative.
(2)	Shows desire for heart lead.
(3)	Bidder said "huh."

The Facts: When North bid 2♥, South alerted. After East doubled, South muttered "huh" and broke tempo, then bid 2NT.

The Ruling: Contract is 2NT making three, N/S plus 150 per Law 16A and Law 12C2.

The Appeal: N/S appealed and all four players attended the hearing. North stated that partner's bid showed 22-24 HCP and that she couldn't pass 2NT at anything less than game, despite the fact that partner's hand might be limited to 22 HCP. She didn't think that a break in tempo (BIT) or the "hmm" uttered by her partner made any difference in the meaning of the bid. She also liked the texture of her hand with the tens and nines, and since she promised less than a king, she was at the top end of her bid and that in a team game, she had to be in game.

In N/S's methods a 2NT opening shows 20-21 HCP. South stated that he often makes sounds and mannerisms and that he didn't think his partner's actions were affected in any way by the sound he had uttered.

The Decision: Ten players of 100-200 masterpoints were polled. Seven players were asked to respond to the original auction after the 2NT rebid; five bid 3NT with the North cards. One player passed 2NT, but when asked what a slow 2NT bid might show, she had no idea that it meant anything different than a bid in tempo. One player thought that a slow 2NT bid showed that opener might be at the top of his range or might have been thinking of bidding 3NT on his own.

Three players were given the entire auction. They were all asked what the 2NT rebid showed, and all responded that it meant partner had a balanced 22-24 count. When asked what a slow 2NT rebid would show, all said that it meant exactly the same as an in tempo 2NT bid.

Based upon these interviews, it was determined that at this level of play, most players were not aware of what the BIT might suggest. It was ruled, therefore, that the Unauthorized Information did not demonstrably suggest the chosen action. Since N/S did not violate Law 16A, the panel restored the table result of 3NT by South, making three, N/S plus 400,

The Panel: Harry Falk (Reviewer), Bernie Gorkin and Gary Zeiger.

Players Consulted: Ten players with between 100 and 200 masterpoints.

Commentary:

Polisner I can only wonder what the reason for the ruling was. Seems to be quite a simple ruling.

Rigal Excellent Committee Ruling -- the initial director ruling surprises me because I would have expected the director to come to the same conclusion as the players canvassed; but, in a sense, that is unimportant since justice was done at the end.

Smith Good job by the panel. Hesitations and the like don't carry the same implications to newer players as they do to those with more experience.

Wildavsky A player who was considering 2NT might well have been thinking of 3NT instead. On the other hand, he might have been thinking of making a forcing pass. I would find it difficult to demonstrate that a slow 2NT suggests 3NT. I prefer the panel's ruling, but the tournament director's (TD's) was not clearly mistaken. I'm always happy to see the TD cite the laws he applied -- I'd have liked to see him explain his reasoning as well.

Wolff The committee's decision not the director's decision was correct. Why didn't either body get into how 3NT was made. Since it should be defeated, there should be no discussion on whether to allow the contract to be bid.

APPEAL	Non-NABC+ Seven
Subject	Unauthorized Information (UI) - Tempo
DIC	Bill Michael
Event	Tuesday Evening Side Swiss
Session	Only
Date	July 24, 2007

BD#	23
VUL	Both
DLR	South

2540 Masterpoints	
♠	K Q 6 4 2
♥	8
♦	A K T 9 8 2
♣	A

1135 Masterpoints	
♠	9 7 5
♥	J T 5 3 2
♦	
♣	J T 6 3 2

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1491 Masterpoints	
♠	T 3
♥	K Q 9 6
♦	J 4 3
♣	K Q 9 7

7254 Masterpoints	
♠	A J 8
♥	A 7 4
♦	Q 7 6 5
♣	8 5 4

West	North	East	South
			Pass
Pass	1♦	Pass	2♦ ¹
Pass	4♦ ²	Pass	5♣ ³
Pass	5♦ ⁴	Pass	6♦
Pass	Pass		

Final Contract	6♦ by North
Opening Lead	♥K
Table Result	6♦ +1, N/S +1390
Director Ruling	5♦ +2, N/S +640
Panel Ruling	6♦ +1, N/S +1390

(1)	2♦ = inverted, not Alerted
(2)	4♦ = minor suit Roman Key Card Blackwood
(3)	5♣ explained as 0 or 3 key cards after the auction completed by North. South intended to show 2 key cards and trump queen, no correction to explanation given
(4)	5♦ = slight break in tempo

The Facts: As stated above. Director determined there was a slight break in tempo (BIT) with the 5♦ bid.

The Ruling: There was a BIT. There are logical alternatives to bidding 6♦, including pass. The BIT suggested the action taken. The result was adjusted per Law 16A2 and Law 12C2 to 5♦ making seven, N/S plus 640.

The Appeal: N/S attended the review. E/W did not attend, but did stop by to state they trusted N/S to fairly present the facts. South said he had enough to bid 6♦ over 4♦, but thought that they might have a grand slam. He said he would have bid the grand slam if he held a sixth diamond, or maybe even a fifth. He repeated his belief that 5♦ asked for kings, although he did not see how he could hold one and be a passed hand. North said he had a senior moment, he was tired and could not remember what 5♣ showed. He just knew that N/S should not be playing 5♣, so he bid 5♦. He estimated the break in tempo at 5-7 seconds. North thought less, but certainly no more.

The Decision: Three players were asked for their opinions. Two were absolutely positive 5♦ asked for kings and South had to bid 6♦. North could not have fewer than three key cards and still be willing to immediately force his side to 5♦ even if South had zero aces. The third said he would pass because he thought 5♥ would ask for kings. He also said that a 5-7 second BIT at this level of bidding should not be considered UI and saw no problem with bidding 6♦. The question was asked “How do you sign off in 5♦ over the 5♣ bid?” The answer was that if partner shows two key cards and the trump Q, you have to be going to slam.

Based on the expert testimony, South’s contention that he was forced to bid on regardless of any BIT was accepted. Since Law 16A2 was not violated, the table result of N/S plus 1390 was restored.

The Panel: Charles MacCracken (Reviewer), Patty Holmes, Millard Nachtwey, Tom Whitesides and Gary Zeiger.

Players Consulted: Donna Compton, Gary Cohler and Jeff Roman.

Commentary:

Polisner What does a “slight BIT” mean? In a Roman Keycard Blackwood sequence which starts with something other than 4NT, most players do not have the meaning of the responses committed to memory and will need to take a few seconds to make sure that the response is understood correctly. If there was not an unequivocal BIT, then the table result stands. However, even if there was UI, how can there be any LA holding two aces and the trump queen as a passed hand?

Rigal There is bridge, and there is Non-NABC+ bridge. The idea that one could not sign off in the trump suit after keycard is shocking, even to me as a case-hardened studier of the idiocies of bridge players. The argument that as a passed hand you can’t have more is a reasonable one, but what really seems to have happened is that South bid on because of his partner’s tempo or failure to Alert 2♦. Was there authorized information (AI) to allow him to do so? The canvassed players say yes; those who live by the canvassed players die by it too.

Smith Five to seven seconds to sign off after asking for aces seems to me to be a significant amount of time and shows doubt about whether to sign off or not. So, I don't agree with the third polled player's opinion on that matter. But I am swayed to the correctness of the panel's ruling by the bridge arguments of the other two polled players. I would have preferred to see a few more polled players with the same opinion to make me more comfortable that the third player's opinion was an anomaly.

Wildavsky A close one. The poll showed that pass was a LA. Was there UI, and if so what did it demonstrably suggest? I have no quarrel with either the tournament director's or the panel's ruling.

Wolff Allowing 6♦ making seven would be my choice as it was the committee's, but there are more important issues to be tackled.

1. Since South, being a passed hand, could have no key cards (KQJ of both hearts and clubs are still out there) isn't it conventional for the Blackwood bidder to be conservative and allow the responder to press on when he has his announced three?
2. In these days of so many Blackwood asks and some different responses, how can we be sure that both parties know the asks and the responses. Obviously we can't, so in order to form a more perfect bridge union, shouldn't we require close to perfect asks and answers by the convention users instead of soft compliance.

I think we should spend some time directly discussing these two points rather than fly to worlds we know not of. Granted that is not as much fun, but somebody has got to do it.

APPEAL	Non-NABC+ Eight
Subject	Misinformation (MI)
DIC	Marie Killoran
Event	299er Swiss Teams
Session	Second
Date	July 24, 2007

BD#	32
VUL	E/W
DLR	West

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

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

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283 masterpoints	
♠	K J 9 4 3
♥	A
♦	A Q 8 6
♣	Q 6 4

167 Masterpoints	
♠	6 5 2
♥	K Q J 6 2
♦	2
♣	A K J T

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

Final Contract	3NT by North
Opening Lead	♠4
Table Result	3NT down 3, N/S -150
Director Ruling	3NT down 3, N/S -150
Panel Ruling	3NT down 3, N/S -150

The Facts: The play went ♠4 to the ten and queen. ♥T to the ace, ♠K ducked and another spade to the ace, West pitching the ♣2. North now asked what signaling method E/W used and was told "odd-even". He then played a club to the ten and, since he plays suit preference with his odd-even discards, assumed West had to have the ♦A for her ♣2 play. He played a diamond to the king for down three.

The Ruling: Initial ruling was 3NT making three, N/S plus 400. After consultation, this was changed per Law 40C, which was not violated, so no redress for N/S and the table result was allowed to stand, 3NT down three, N/S minus 150.

The Appeal: North was the only player to attend the hearing. He was adamant that the only way to play odd-even discards was with suit preference. He then said “Bridge is a game of rules” and was very disappointed that the directors would not back him up. His opponents did not know how to play odd-even, so in their ignorance he was misinformed. He was lied to.

It was pointed out that after the club discard, all he had to do was cash the ♣A to see if the suit came home.

The Decision: The panel thought North to be rather disingenuous to trust his opponent’s carding. He had an easy route to nine tricks and the best he could do after the diamond play was break even. The panel restored the table result of N/S down three, minus 150. N/S were not given an appeal without merit warning (AWMW) because of the change of the initial table ruling.

The Panel: Charles MacCracken (Reviewer), Patty Holmes, Millard Nachtwey, Tom Whitesides and Gary Zeiger.

Players Consulted: None.

Commentary:

Polisner I thought that the directors consulted before issuing a ruling. If not, they should. If a correct ruling was given initially and then appealed, an AWMW would be warranted.

Rigal North has a point -- technically though it is a ‘Miserable And Pettifogging’ one. Odd-Even discards mean that odd cards are encouraging and even cards are discouraging and suit-preference. But, even if there was MI (and here there arguably was if West’s even cards are simply discouraging), there was no damage. There is no reason for declarer to do anything but test a second round of clubs before diamonds -- then he will know what he needs to do. (And West could have had the ♦Q instead of the ace). Had the initial ruling gone the other way this would be an easy AWMW.

Smith A clearly correct panel decision in a case that I'm sure required tactful handling.

Wildavsky Fair enough.

Wolff Certainly a correct ruling by the committee. Typical nerdy thinking by the declarer - e.g. he, the declarer, had the right to get the picture perfect signal from the opponents and if not and the signal was incorrect, the declarer was entitled to redress. I cannot imagine a person more off base, but, sadly, he probably represents a fair portion of what some people believe. Pity!

APPEAL	Non-NABC+ Nine
Subject	Misinformation (MI)
DIC	Chris Patrias
Event	0-5000 Mini-Spangold
Session	First Day - Afternoon
Date	July 23, 2007

BD#	15
VUL	NS
DLR	S

2,185 Masterpoints	
♠	A J 7 5 4
♥	3
♦	J 9
♣	A K J 5 3

3,066 Masterpoints		Summer 2007 Nashville, Tennessee	3,067 Masterpoints	
♠	K 10 6 3		♠	Q
♥	A K Q 7 6 5		♥	8
♦	4		♦	A K Q 10 8 3 2
♣	10 2		♣	Q 9 8 6

3,233 Masterpoints	
♠	9 8 2
♥	J 10 9 4 2
♦	7 6 5
♣	7 4

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

Final Contract	5♦ by East
Opening Lead	♠2
Table Result	5dx making 5, E/W +400
Director Ruling	5dx making 5, E/W +400
Panel Ruling	5dx making 5, E/W +400

(1)	At least 4 – Canape' could have a longer suit.
(2)	Gerber – Not Alerted.
(3)	4♥ = 1 Ace.

The Facts:

4♣ Gerber was not explained before the opening lead. 4♥ shows one ace. South led a low spade. Declarer played a low spade from dummy. North played ♠J. Declarer won the ♠Q. 5dx made. North alleges he would have played the ♠A and played the two high clubs if he knew it was Gerber. Thought declarer might be void in Spades or partner under-leading ♠Q.

The Ruling: The table result of 5dx making five, N/S plus 400 stands. The damage suffered was not a direct result of the failure to Alert. The panel did not see a causal connection between the failure to alert 4♣ and the failure to defeat the contract. Three players of equal masterpoint holdings to North cashed the ♠A and ♣AK and saw no reason to duck the trick to try for a larger score.

The Appeal:

North said if the delayed Alert of 4♣ being Gerber had been made he would have won his spade ace. He thought 4♣ was natural and that East could be void in Spades and his partner had led from the queen. When asked about their opening leads, North said third and fifth, he then realized that his partner could not have 4 Spades – either 3 or 1. He then said that he thought E/W had had a bidding accident. Discovery did not make North cancel his appeal.

E/W acknowledged their failure to alert 4♣. They also said that since they had explained thoroughly their Canape' system, North should not have been surprised at the long diamond suit.

The Decision:

The panel felt that North should have taken his three cashing tricks immediately and assured the defeat of the contract. The panel did not see a causal connection between the failure to alert 4♣s and the failure to defeat the contract. Three players of equal masterpoint holdings to North cashed the ♠A and ♣AK and saw no reason to duck the trick to try for a larger score. An appeal without merit warning (AWMW) was issued to N/S.

The Panel: Candy Kuschner (Reviewer), Charlie MacCracken, Matt Smith and Gary Zeiger.

Players Consulted: Three players with about 2,100 masterpoints each.

Commentary:

Polisner It is a sad commentary on our masterpoint system that a player (North) can accumulate 2,185 of them and not comprehend that one discard of a club (if East was void in spades) would be significant unless declarer had 0184 distribution.

Rigal Excellent ruling and AWM; no need to waste trees here – Miserable and pettifogging appeal (MAPA) three.

Wildavsky I'd have considered adjusting only the E/W score, per Law 72B1. E/W committed an infraction, and it's possible they gained thereby.

Wolff The proper ruling, of course. To me it shows a strong lack of education on appeals to the great bridge masses. What to do, I am not sure, but possible seminars and ACBL Bulletin articles may help.

APPEAL	Non-NABC+ Ten
Subject	Played Card
DIC	Chris Patrias
Event	0-5000 Mini-Spangold
Session	First Day - Afternoon
Date	July 23, 2007

BD#	12
VUL	None
DLR	W

4,124 Masterpoints	
♠	Q T 6 3 2
♥	Q 8 7 6 3
♦	Void
♣	A Q 4

340 Masterpoints		Summer 2007 Nashville, Tennessee	1,640 Masterpoints	
♠	5		♠	K J 8 7
♥	5 4		♥	A
♦	A K T 6 5		♦	Q J 9 8 7 4
♣	J T 7 6 2		♣	8 5

3,647 Masterpoints	
♠	A 9 4
♥	K J T 9 3
♦	2 3
♣	K 9 3

West	North	East	South
2 NT ¹	Pass	5 ♦	5 ♥
Pass	Pass	Pass	

Final Contract	5 ♥ by South
Opening Lead	♦ Ace
Table Result	5♥ S, down 1, N/S -100
Director Ruling	5♥ S, down 1, N/S -100
Panel Ruling	5♥ S, down 1, N/S -100

(1)	2 NT for Both Minors
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The Facts: Declarer stripped hand to spades and hearts – Dummy ♠QT632 and ♥xx. Declarer led ♠Q from dummy followed by ♠K-ace-5. From hand, declarer now lead ♠4. West played ♦5 and then declarer called "low spade." (Declarer said she said ♠10 in same breath. Opponents said she saw dummy reach for a low spade and then said ten.)

The Ruling: Declarer called for small spade – the director ruled that a small spade had to be played. (Law 46B1) This resulted in 5♥ going down one, N/S minus 100.

The Appeal: E/W said there was a pause after declarer called “small.”

The declarer said that she changed her designation from a small spade to the ♠10 “in the same breath.” North said he clearly heard small and moved his hand toward the ♠2 without hesitation. East had started to pull a card.

The Decision: The panel felt that after declarer played the ♠Q from dummy, covered by the ♠K and winning her ♠A there was some concern about whether she thought she had led the ♠9 from her hand making the call of a low spade correct. The panel upheld the table ruling of a small spade resulting in 5 ♥ down one for N/S minus 100.

The Panel: Candy Kushner (Reviewer), Jean Molnar, Matt Smith and Gary Zeiger.

Players Consulted: None.

Commentary:

Polisner Strictly a fact based case. Easy decision.

Rigal I find the played card concept and the phrase ‘in the same breath’ very difficult. On the surface of it, E/W were not disputing the N/S claim that declarer corrected her play at once. The committee argument that declarer did not know which card she had led is totally without foundation (if she thought she had led the nine she would not have corrected dummy’s card). I’d be inclined to allow declarer to change the card --and as E/W I might not have called the director!

Wildavsky Oy vey! Call small? Play small. Nicely played 'till that point though!

Wolff The only mistake declarer really made, was after she called for a small spade from dummy and East won the trick cheaply, was to not proclaim, "Oh, Shit." Those magic words have been known to move mountains!

APPEAL	Non-NABC+ Eleven
Subject	Misinformation (MI)
DIC	Harry Falk
Event	Thursday AM Side Game
Session	Morning - Only
Date	July 26, 2007

BD#	2
VUL	N/S
DLR	E

261 Masterpoints	
♠	A Q J 6
♥	A 9 4
♦	K Q J T 4
♣	2

1,026 Masterpoints		Summer 2007 Nashville, Tennessee	1,614 Masterpoints	
♠	K T 9 8 7		♠	4 2
♥	2		♥	Q 8 5 3
♦	9 7 5 2		♦	Void
♣	Q J 7		♣	A K T 6 5 4 3

3,218 Masterpoints	
♠	5 3
♥	K J T 7 6
♦	A 8 6 3
♣	9 8

West	North	East	South
		1 ♣	1 ♥
1 ♠	4 ♥ ¹	Pass	Pass
4 ♠	Dbl	Pass	Pass
Pass			

Final Contract	4 ♠ Dbl by West
Opening Lead	♣ Ace
Table Result	4 ♠ Dbl, down 5 N/S +1100
Director Ruling	4 ♠ Dbl, down 5 N/S +1100
Panel Ruling	4 ♠ Dbl, down 5 N/S +1100

(1)	Explained as “pre-emptive” as per agreement
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The Facts: West asked the meaning of the jump to 4♥ at her second turn to bid. West was told “Pre-emptive.” N/S convention card agrees. West chose to bid 4♠. After the hand was played East said he would have run to 5♣ had he known the nature of North’s hand.

The Ruling: No violation of Law 40 – Result stands.

The Appeal: West said she never would have bid 4 ♠ if she knew North could have a good hand. She admitted South could have had a better hand instead. West confirmed her 1 ♠ bid showed five or more spades.

East said he would have bid 5 ♣ over 4 ♠ doubled if he had known that North could have a good hand. When the reviewer mentioned his diamond void and doubleton spade he was still adamant he would have bid 5 ♣.

North bid 4♥ instead of 2♠ because LHO had opened the bidding and RHO had responded, so he gave up on slam and chose not to divulge his hand.

The N/S convention cards both said jump raises were weak.

The Decision: Based on the matching convention cards and North's reasonable rationale for bidding 4♥, the panel found no basis to conclude N/S had a different understanding about the meaning of 4♥.

Absent misinformation or some other violation of Law the panel had no reason to consider an adjusted score. The panel considered whether the appeal had merit and assigned an appeal without merit warning (AWMW) to E/W. Prior to convening the panel the Reviewer asked four of West's peers what they would have bid at West's second turn. All four players passed and said they didn't care what North might have for the 4♥ bid.

The Panel: Gary Zeiger (Reviewer), Bernie Gorkin and Jean Molnar.

Players Consulted: Four players with about 1,000 masterpoints.

Commentary:

Polisner Let's see now. West bid 4♠ on air contending that the alleged preemptive nature of the 4♥ bid inspired this absurd bid and then wants redress. An AWMW doesn't seem anywhere near enough to teach this so-called bridge player a lesson.

Rigal Excellent ruling and AWMW; no need to waste trees here – Miserable and pettifogging appeal (MAPA) four.

Smith Good, including the AWMW.

Wildavsky I have no doubt that East would have run had he known the nature of North's hand. Unfortunately for East, bridge is played with closed cards. No merit.

Wolff More unbelievable naiveté. Lack of education is running rampant.

APPEAL	Non-NABC+ Twelve
Subject	Misinformation (MI)
DIC	Marilyn Wells
Event	Wednesday Daylight Open
Session	Second
Date	July 26, 2007

BD#	34
VUL	N/S
DLR	E

245 Masterpoints	
♠	T 8 4
♥	9
♦	J T 6 4
♣	A Q T 4 2

2,700 Masterpoints		Summer 2007 Nashville, Tennessee	4,000 Masterpoints	
♠	A Q 5		♠	K 9 3 2
♥	T 8 7 4		♥	Q J 5
♦	Q 5 3		♦	A 7 2
♣	J 7 6		♣	9 8 5

345 Masterpoints	
♠	J 7 6
♥	A K 6 3 2
♦	K 9 8
♣	K 3

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

Final Contract	3♣ by South
Opening Lead	♣6
Table Result	3♣ by S Made 3, N/S +110
Director Ruling	3♣ by S Made 3, N/S +110
Panel Ruling	3♣ by S Made 3, N/S +110

(1)	Forcing.
(2)	Not Alerted as could be a 2-card suit.
(3)	E/W contended but N/S disagreed that the auction had actually gone as shown below:

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

The Facts: E/W were not Alerted that the 2♣ call could be on two cards as 2♦ guarantees 4 cards. West says he wouldn't have led a club if he knew it could be as short as two cards. When the ruling was delivered, West said he would have led a spade since partner bid them. This evidence was not presented until that time. The opponents, individually, confirmed the auction that is displayed first above.

The Ruling: Lack of Alert did not cause the choice of opening lead to allow contract to make. Law 40C does not apply. The table result of 3♣ by South making three, N/S plus 110 was allowed to stand

The Appeal: N/S had said at the table that they had the agreement 2♦ would show four diamonds. At the hearing South said she had been told that this was standard. West was adamant about his version of the auction, but had no explanation for why the table director was given the original auction. He claimed, if he had known that South could have had only two clubs, a spade lead would be automatic, because spade tricks could disappear.

N/S were adamant that 3♣ had been bid immediately and spades had never been bid. North would have expected at least three diamonds for a 2♦ bid.

The Decision: Five of West's peers were given West's opening lead problem with correct information about the 2♣ bid. While the choice of leads varied, none said different information would make the slightest difference as to what was led. These players were also given each version of the auction, and the opening leads remained the same. No player led a spade under either version of the auction. The panel was uncertain if the agreement about the 2♣ rebid really existed but was convinced it was not germane to the choice of opening lead. The panel upheld the director's decision of the table result 3♣ making three N/S plus 110. The panel gave E/W an appeal without merit warning (AWMW) since they should have known the possibility of a doubleton club in South wasn't relevant to the choice of opening lead and because they failed to articulate any reason why the panel should see a connection.

The Panel: Gary Zeiger (Reviewer), Bernie Gorkin and Jean Molnar.

Players Consulted: Five players with 2,500-3,000 masterpoints.

Commentary:

Polisner Excellent ruling and decision.

Rigal Excellent ruling and AWMW; no need to waste trees here – miserable and pettifogging appeal (MAPA) five.

Smith Again a very good decision following good methodology. AWMW richly deserved by players of this experience.

Wildavsky The AWMW was harsh. N/S committed an infraction, and it's reasonable to suppose it might influence the opening lead. The differing auctions lead us into the "Twilight Zone." The panel was able to avoid entering the Zone by determining that the ruling would be the same on either auction. I'm a little surprised that no one polled would have led partner's suit.

Wolff Everyone was "right on" in this appeal.

APPEAL	Non-NABC+ Thirteen
Subject	Misinformation (MI)
DIC	Chris Patrias
Event	Mini-Spangold 0-5000
Session	Round of 8 Segment 1
Date	July 26, 2007

BD#	3
VUL	E/W
DLR	S

3,020 Masterpoints	
♠	A 7 2
♥	T 7
♦	A K T 8 5
♣	Q 6 4

4,816 Masterpoints		Summer 2007 Nashville, Tennessee	3,400 Masterpoints	
♠	K Q 9 5		♠	J 8 3
♥	A 9 5		♥	8 6 4
♦	4		♦	9 6
♣	K J T 9 2		♣	A 8 7 5 3

4,412 Masterpoints	
♠	T 6 4
♥	K Q J 3 2
♦	Q J 7 3 2
♣	

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

Final Contract	6♦ by North
Opening Lead	♣A
Table Result	6♦ N, Made 6, NS +920
Director Ruling	6♦ N, Made 6, NS +920
Panel Ruling	6♦ N, Down 2, EW +100

(1)	Guarantees at least a 4-card major (Alerted).
(2)	Natural.
(3)	Not Alerted. East was told it could be a splinter – delayed explanation. West was told it was a “fit” jump.
(4)	West told it was ambiguous, control or natural.

The Facts:

East claimed that he would have led a spade had he known that the 3♥ bid was a fit jump and not a splinter.

The Ruling: The director ruled that the MI of the 3♥ bid did not damage E/W. Several leading players were consulted about this hand. They all agreed that despite either explanation of the 3♥ bid, they would always lead the ♣A. Table result stands. Law 40C.

The Appeal: Behind screens West was told by South that 3♥ was a fit showing jump. North did not Alert East but volunteered 3♥ “might be a splinter.” Both of N/S’s convention cards clearly state they play fit showing jumps in many situations, including this one. E/W play a big club system. The 1♦ bid promised zero or more diamonds and at least one four-card major.

East said he led a club because partner had doubled 4♣ and South shouldn’t be short in hearts and clubs. If he had known that 3♥ was fit showing, he would have assumed 4♣ showed shortness. He would have led a spade since if South had hearts, West had spades.

South said, at this level, East should have been able to work out that, with five of his own clubs, West and North couldn’t both have clubs. If West wanted a club lead, say with KQx or whatever, South’s cuebid must show shortness since East himself had the ace.

The Decision: Nine of East’s peers were given his opening lead problem, with full system information and correct information about South’s fit-showing jump. Six players led a Club, either ace or small, and would not have changed their lead if 3♥ was a splinter. Three players led a spade. One spade leader would lead a spade regardless of the meaning of the 3♥ bid. Two of the spade leaders would have led a club if 3♥ was a splinter. Their reasoning duplicated that of East. Since N/S had clearly violated Law 40C, E/W were entitled to redress if a better result met the standards required by Law 12C2. Based on player input, a spade lead was obviously sufficiently “likely.” Since two of the three spade leaders followed the same logic demonstrated by East, the panel was satisfied that E/W were entitled to redress under 12.C.2 The panel assigned a result of 6♦ by North, down two, E/W plus 100.

The panel was aware the explanation of “splinter” should have seemed strange to East since nine hearts would have to have been shared by North and West. None of the players consulted about the hand picked up on this inference, so the panel did not consider holding East liable for not considering it.

The Panel: Gary Zeiger (Reviewer), Bernie Gorkin and Jean Molnar.

Players Consulted: Several leading players by the table director. Nine players with about 3,400 masterpoints by panel reviewer.

Commentary:

Polisner With 3,400 masterpoints, a player should be able to deduce that 3♥ was not a splinter especially with the ambivalent explanation. One of the problems with these types of polls is that the “peers” may not take the time required to come to the conclusion that is obvious. Table result stands.

Rigal I think the reasoning the panel used to point out the nine hearts between North and West is a fair one. But I think the initial ruling might have gone the other way, since there was an infraction and some doubt, and the final verdict had to go the way of the non-offenders because of the player's comments. This is the sort of case that might be best handled by a law 12C3 adjustment or a reciprocal procedural penalty (PP) -- since the Mini-Spingold is an expert event in everything but name.

Smith A very thorough and good job by the panel.

Wildavsky Both rulings seem reasonable. When did West learn that 3♥ showed a fit? It's possible he wouldn't have doubled 4♣ had he known. With screens he probably should have asked with or without an Alert – the bid has no standard meaning.

Wolff I agree. Wrong description---BIG PENALTY. GOOD!

APPEAL	Non-NABC+ Fourteen
Subject	Misinformation (MI)
DIC	Bob Leonard
Event	Open Pairs
Session	First
Date	July 28, 2007

BD#	24
VUL	None
DLR	West

883 Masterpoints	
♠	6 5
♥	3
♦	A K Q J 6 3
♣	K 5 3 2

4,800 Masterpoints		Summer 2007 Nashville, Tennessee	3,400 Masterpoints	
♠	A T 7 3 2		♠	K
♥	Q 8 5		♥	A K T 7 4 2
♦	T 5		♦	9 8 4 2
♣	A T 8		♣	6 4

151 Masterpoints	
♠	Q J 9 8 4
♥	J 9 6
♦	7
♣	Q J 9 7

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

Final Contract	4♦ by North
Opening Lead	♥A
Table Result	4♦ N, made 4, N/S + 130
Director Ruling	4♦ N, made 4, N/S + 130
Panel Ruling	4♦ N, made 4, N/S + 130

The Facts: The director was called to the table after the opening lead. West claimed that South had made a “negative free bid” and it was not Alerted. The convention card was not marked for negative free bids.

The Ruling: No evidence as to a partnership agreement of the meaning of the 2♠ bid. Table result of 4♦ by North, making four, N/S plus 130 stands. (law 40A1).

The Appeal: West said that, if he knew that South had a non-forcing 2♠ hand, he would have bid 3♦ (invitational heart raise). He felt that if South had the 10+ points his bid indicated, his partner’s weak jump overcall would have been at the bottom of their range – i.e. five or six points.

When North was asked what she expected from South’s 2♠ bid, she said, “I thought he had five or six spades.” She said she could have passed if she had not had such a good suit of her own. Neither North nor South knew the expression “negative free bid.” South said they play negative doubles, but he wanted to show the fifth spade.

The Decision: Eleven people with 2000 plus masterpoints were polled. None passed over 2♠. Calls ranged from double, 3♦, 3♥ and 4♥. When asked whether the meaning of the 2♠ bid was important to their bidding decision, the answer was “No.” The panel felt that West had the experience to show his hand and failed to play bridge when he passed over 2♠. The panel wasn’t certain that any misinformation had occurred so law 40 might not have applied at all. The director’s decision of the table result of 4♦ by North, making four, N/S plus 130 was upheld.

The panel saw no merit to the appeal and issued an appeal without merit warning (AWMW) to E/W.

The Panel: Candy Kushner (Reviewer), Jean Molnar and Gary Zeiger.

Players Consulted: Eleven players with 2,000 or more masterpoints.

Commentary:

Polisner Any player with 4,800 masterpoints who wouldn’t bid something over 2♠ and then complain about the opponents bidding, should have half of his masterpoints removed.

Rigal Close to a miserable and pettifogging appeal (MAPA) but I understand why West passed; of course it does look normal to raise at once -- but why would that result in anything but the same 4♦ contract? OK, I’ll give it an award! MAPA six.

Smith This was a very distasteful appeal that received a well-deserved AWMW.

Wildavsky This appeal had merit. Just look at the testimony. "She (North) said she could have passed if she had not had such a good suit of her own." So 2♠ was not forcing. Non-forcing free bids require an Alert, so E/W were misinformed. West may have done something foolish, but there's no chance he'd have done it had he been correctly informed. It's not clear to me what the poll was intended to accomplish. E/W do not need to play perfectly to receive redress. At a minimum, the N/S score ought to have been adjusted, per Law 72B1.

Wolff My first inclination is to agree with the panel, but if so I, like the panel, would have been dead wrong. Many players are natural players and the thought of not immediately acting with the West hand would not occur to a natural player. But, some either lack natural skills, or prefer scientific, so consequently, like West here, look at bridge differently and reason that if South is making a normal forcing bid of 2♠, East must be extremely weak. In addition, West may like the opponents bidding spades and hopes they find a home there later.

The upshot of all this is that West is entitled to an Alert (Negative free bid) and even though the majority of players do not reason as he does (West has 4,800 master points) our hats should be off to that type of player where bridge may not come naturally. At the very least, N/S's good result should be taken away, either by a procedural penalty or allowing E/W to bid and make plus 420 or plus 450. N/S were wrong, but came out of this committee squeaky clean and prosperous.

Since the appeal had merit, the panel made an egregious error by issuing an AWMW.

APPEAL	Non-NABC+ Fifteen
Subject	Defective Trick
DIC	Ken Van Cleve
Event	Side Game
Session	Evening
Date	July 28, 2007

BD#	14
VUL	None
DLR	East

1719 masterpoints	
♠	A Q 6 5 2
♥	9 6
♦	9 2
♣	Q 7 6 4

424 masterpoints		Summer 2007 Nashville, Tennessee	394 masterpoints	
♠	K 8 4		♠	9 7
♥	7 3 2		♥	K 5 4
♦	A Q 4		♦	J T 8 6 5 3
♣	A K T 8		♣	J 9

3580 masterpoints	
♠	J T 3
♥	A Q J T 8
♦	K 7
♣	5 3 2

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

Final Contract	3NT by West
Opening Lead	♠5
Table Result	3NT making 5, +460 E/W
Director Ruling	3NT making 5, +460 E/W
Panel Ruling	3NT making 5, +460 E/W

(1)	15-17 HCP.
(2)	Transfer to Diamonds. West forgot agreement.

The Facts: The director was called during trick five. The play had proceeded:

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

After South discarded, declarer played the ♥2. Declarer said he was tired, and had forgotten he had already played to that trick.

The Ruling: The director judged that West had contributed a fifth card to the trick. In accordance with law 45E2, the ♥2 was restored to declarer's hand.

The Appeal: N/S appealed. All four players attended the review. South said N/S had already turned over their cards for trick five. Dummy's card had been detached, but not completely turned over. South asserted it was more likely declarer was discarding the ♥2 on the ♦10, forgetting he hadn't called it yet. This would make the ♥2 a lead out of turn, which N/S would have accepted.

West reiterated his statement to the table director.

The Decision: Either scenario seemed plausible to the panel. Since the ♦J hadn't been completely turned over yet, declarer's version was certainly possible, but since the N/S cards had been quitted, their version was also possible.

Without a compelling reason to do otherwise, the panel deferred to the table director's finding of fact, in which case Law 45E2 was correctly applied. The panel upheld the director's decision resulting in 3NT by West, making five, E/W plus 460.

The panel was unanimous that this appeal had substantial merit.

The Panel: Gary Zeiger (Reviewer), Candy Kushner and Jean Molnar.

Players Consulted: None.

Commentary:

Polisner Bad sportsmanship at its best. What did North think about this five-point invitation? Perhaps misdefending by eighth tricks can create this type of sportsmanship.

Rigal I've never seen this position before so must reluctantly concede there is some merit to the case. Would a player who has forgotten he is playing transfers be more likely to play two cards to a trick or to follow to a card he has not led? This ranks up with 'how many angels can dance on the head of a pin?' and is just as relevant to modern life.

Smith A tough call for the director and panel to make. I wouldn't criticize a decision either way on this one.

Wildavsky Good work all 'round.

Wolff I agree with the lesser important decision of allowing E/W to score plus 460 and that West was only trying to follow to dummy's good diamonds and not leading out of his hand. However, North's poor anger management should not be catered to and his bringing this appeal shows a clear attempt of trying to get something for nothing, especially since he erred in not rising with the queen of clubs and wind up defeating 3NT six tricks. Sure North has a right to get ugly, but not with the opponents only with himself. He needs to be reminded of what he did.

APPEAL	NABC+ ONE
Subject	Misinformation (MI) - Incomplete Explanation
DIC	Henry Cukoff
Event	Von Zedtwitz LM Pairs
Session	Second Qualifying
Date	July 20, 2007

BD#	19
VUL	E/W
DLR	South

Carlos Pellegrini	
♠	Q 8 2
♥	A T 3
♦	A 2
♣	A K J 7 5

Han Peters		Summer 2007 Nashville, Tennessee	Rick Kaye	
♠	A J 7 6		♠	K T 9 4
♥	8 6		♥	J 9 2
♦	6 5 3		♦	Q 9 7 4
♣	Q 6 4 3		♣	T 9

Serge DeMuller	
♠	5 3
♥	K Q 7 5 4
♦	K J T 8
♣	8 2

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

Final Contract	3NT by North
Opening Lead	♣T
Table Result	Made 5, N/S +460
Director Ruling	3NT, N, made 3, N/S +400
Committee Ruling	3NT, N, made 3, N/S +400

(1) Alerted.

The Facts: Before the opening lead, East asked if the sequence showed spades. North said, "Yes, he should have spades." South did not correct this explanation prior to the opening lead. When dummy was faced, the director was called. East told the director (away from the table) at this point that he would have led a spade if he hadn't been misinformed about spades..

The Ruling: In accordance with law 40C, the director determined that failure to explain completely the meaning of South's calls damaged E/W. Therefore, in accordance with law 12C2, the score was adjusted to the result with a spade lead – 3NT by North making three, N/S plus 400.

The Appeal: South said that he made a checkback rebid to give North a choice of rebidding 3NT or 4♥. His 3♦ bid had promised five hearts. N/S's convention cards did not reflect the fact that South's failure to show spades on the second round denied a 4/5 distribution and the explanation made no mention of that fact.

The Decision: The committee was very concerned because N/S's convention card did not indicate their full agreement as stated at the hearing. Both the bid and explanation at the table appeared to be an attempt to discourage a spade lead.

The committee judged that East's decision not to lead a spade was affected by the statement that South's 3♦ bid and subsequent bid of 3NT over 3♥ showed spades. The fact that East told the director that he would have led a spade before it was known that a spade lead was right substantiated his claim.

The committee upheld the table director's decision of an adjustment to – 3NT by North making three, N/S plus 400.

The Committee: Gail Greenberg (Chair), E.J.D. Kales, Ellen Kent, Chris Moll and Tom Peters.

Commentary:

Goldsmith What was the actual agreement? I bet it was "3♦ is an artificial checkback to find out more about partner's major suit holdings," not that it shows any specific distribution. So North misexplained. But I think he misexplained because he was asked a "bad" question. North was just trying to be helpful; if he had been asked, "please explain 3♦," he would have given the correct explanation, but when East suggested that when South rejected hearts he must be looking for spades, North thought East was right. It didn't occur to either of them that if South were looking for spades, he might have bid 3♠ over 3♥. In other words, East was asking questions about North's general bridge knowledge, not about N/S's agreements. Since N/S don't have to disclose North's general bridge knowledge, South does not have to correct it, though he ought to have said something like, "our agreement is that 3♦ asks partner to describe his major suit holdings. You can infer what you want about my hand from my subsequent actions." On the other hand, East's confident belief that South's bidding promised spades probably convinced South that he had misbid, so it didn't occur to him to correct his partner (and opponent, really).
Table result stands. Don't put words into your opponents' mouths. Important point for appeals committees: if you think there has been misinformation, make absolutely sure what the actual agreement is, and please include it in the write-up.

- Polisner** I agree with the ruling and decision, but only on the basis that South did not correct the “explanation.” This case is a typical example of North trying to be helpful and explaining what he thought the logic of the auction was rather than the partnership understanding. Had he said “no agreement,” it would have been fine.
- Rigal** Why no appeal without merit warning (AWMW)? There are plenty of different styles of play for new minor here, but obviously North and South appeared not to be playing the same one. Without knowing their full methods one can’t say just what N/S were doing (What did calls of 3♥ or 3♠ by South mean over 2NT? This should have been documented.). While he may not have been trying to put East off, South should have corrected his partner’s explanation unless he had misbid or psyched. There was no merit on the facts as stated.
- Smith** Why did NS appeal? Law 75D2 states that: before the lead, dummy or declarer “must inform the opponents that, in his opinion, his partner's explanation was erroneous.” South's testimony to the committee confirms that he believed his partner's explanation was erroneous. Certainly it appears East would be much more likely to lead a spade with a corrected explanation by South. So I see no merit to this appeal, and I would not object to a procedural penalty to N/S for South’s failure to follow 75D2.
- Wildavsky** I don't understand what N/S hoped to accomplish. Did they really want to win a board through misinforming their opponents? What made them think they could get away with it? This appeal had no merit, and I'd have looked for a procedural penalty to apply in addition. South knew that North had not explained their agreement as South understood it, and both ethics and self-interest ought to have prompted him to speak up. As Ayn Rand put it, "The moral is the practical."
Yes, East asked a leading question. He should have said, "Please explain your auction." That does not absolve N/S of their responsibility to answer correctly. The main danger from asking a leading question is transmitting UI to partner. That was not a factor in this case.

Wolff

I agree with the tournament director's and this committee's decision, but we need to get the facts straight. Everything was agreed upon except when the committee says East said he would have led a spade if he was properly informed. Remember East didn't make that statement until he had seen the dummy put down two little spades and thought there was very little chance of North having four of them. In spite of that, N/S owed a better explanation of their system to E/W. If players expect to play scientifically and have ways of checking back they MUST announce their system understandings to their opponent's, especially before the opening lead. This one seems flagrant and I think N/S were lucky they didn't get a procedural penalty (PP).

Zeiger

Presumably N/S appealed. The committee seemed concerned that N/S were intentionally not giving full disclosure, yet they neither gave N/S a PP, nor an AWMW. What am I missing?

APPEAL	NABC+ TWO
Subject	Disputed Claim
DIC	Henry Cukoff
Event	Von Zedtwitz LM Pairs
Session	First Qualifying
Date	July 20, 2007

BD#	1
VUL	None
DLR	North

Steve Grogg	
♠	9 8 5 4 2
♥	K
♦	A J 7 5
♣	J T 8

Rich Regan		Summer 2007 Nashville, Tennessee	Jim Hawkes	
♠	7 6 3		♠	A K Q J T
♥	Q J T 9 7		♥	8 6 5
♦	Q 3		♦	4 2
♣	A 9 6		♣	7 5 2

Ann Baum	
♠	
♥	A 4 3 2
♦	K T 9 8 6
♣	K Q 4 3

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

Final Contract	5♦, doubled by North
Opening Lead	♠A
Table Result	Made 5, N/S +550
Director Ruling	5♦ dbl made 5, N/S +550
Committee Ruling	5♦ dbl down 1, N/S -100

(1)	Constructive spade raise.
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The Facts: After East ruffed a club at trick ten, North claimed and said, “High cross-ruff.” The director was called. The director discovered that during the previous play declarer had ruffed a fourth heart in the North hand. East had failed to over-ruff.

The position after trick 10:

♠	9
♦	A J

♥	7
♦	Q 3

♠	Q J
♦	4

♦	K T
♣	Q

The Ruling: In accordance with law 70E, the director judged that, in the absence of an over-ruff, it would have been irrational for declarer to play East for the trump queen. Therefore, the claim of the last three tricks was allowed and the table result of 5♦ doubled making five, N/S plus 550 was allowed to stand.

The Appeal: Only one member of each side attended the hearing. E/W contended that declarer was rattled having lost an unnecessary club trick and that he had lost track of the trump queen and the number of trump outstanding. This contention was supported by declarer’s line of play.

North said he knew East did not have the trump queen when he did not over-ruff the fourth heart.

The Decision: North misspoke when he claimed on a high cross-ruff. The queen of trump, although most likely in the West hand, had not appeared. The committee felt declarer, when East did not over-ruff, forgot the ♦Q was still out. Most likely he was annoyed with himself for losing an unnecessary trick by allowing East to trump a club. In a Life Master’s Pairs declarer should know better than to claim with an incomplete explanation.

The chair’s explanation to declarer was that a Life Master Pair declarer should know how to make a proper claim. Therefore, the inadequacy of the claim cannot be attributed to not knowing the rules governing claims but rather to a temporary mental block.

The committee disallowed the claim of the last three tricks (awarding E/W one of the last three tricks) and adjusted the result to 5♦ doubled down one, N/S minus 100.

The Committee: Gail Greenberg (Chair), E.J.D. Kales, Ellen Kent, Chris Moll and Tom Peters.

Commentary:

- Goldsmith** I'd like to see the rest of the play listed, but if South wasn't making 12 tricks, there's a pretty good inference that he was confused, so I like the appeals committee's judgment.
- Polisner** Correct ruling - horrible decision and defies an understanding of Law 70E.
- Rigal** I understand the logic of the statement made by the committee but not its application of it in practice. The words 'high-crossruff' require declarer to ruff the spade HIGH -- don't they? Now how can declarer lose another trick by inferior as opposed to irrational play? I don't get it! As I say, if there were a sequence of plays based on an incomplete claim that could result in E/W getting a trick, you'd want to give it to them; but not here.
- Smith** This seems a bit harsh to me, but maybe seeing the entire line of play might persuade me that the committee got this one right. I find the fact that East did not overruff a heart earlier strong evidence that this declarer knew what was going on but simply verbalized it badly. I expect that he meant that he would ruff a spade return high and play West for the "marked" diamond queen. Although it is of course possible, I doubt he forgot about the existence of the diamond queen. So I would allow the claim on the basis that not playing West for the diamond queen (an "unstated line of play") would be irrational (Law 70E).
- Wildavsky** Good work by the appeals committee. The tournament director got this one wrong.
- Wolff** During my long career in bridge I've seen players, who have lost track of the play, try and recoup by claiming, hoping for the best. Against that is the distasteful nature of what can happen and this hand is a good example. Because of the kind defensive distribution N/S can easily make 12 tricks with diamonds as trump. West has made what almost every good player would say, "A truly terrible double with the opponent's voluntarily bidding it and West not having anything of difference making to double with." While N/S might deserve minus 100 on this hand because of North's rather hopeless play and claim why in the world in a matchpoint event should E/W convert a bottom to a top merely because of unusual circumstances. Many will not agree with me, but this is a game where winners emerge while losers gather together at the bottom. N/S will be one of the latter, but why should E/W emerge and get a windfall? Protect the field (PTF)- NS minus 100, EW minus 550.
- Zeiger** I was the table director for this one. I'm not convinced we were wrong, but the committee addressed the right issues, and came to a very reasonable conclusion.

APPEAL	NABC+ THREE
Subject	Unauthorized Information (UI) - Tempo
DIC	Henry Cukoff
Event	Von Zedtwitz LM Pairs
Session	First Qualifying
Date	July 20, 2007

BD#	14
VUL	None
DLR	East

Rick Binder	
♠	A Q 9 4 3
♥	K 9 7 5 4 3
♦	T 3
♣	

Bob Meixner		Summer 2007 Nashville, Tennessee	Wesley Suzuki	
♠	J 6		♠	7 2
♥	Q 8		♥	A T 6
♦	A K J 8 4 2		♦	Q 6
♣	T 7 3		♣	K Q J 5 4 2

Mark Aquino	
♠	K T 8 5
♥	J 2
♦	9 7 5
♣	A 9 8 6

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

Final Contract	5♠ by South
Opening Lead	♦K
Table Result	Down 2, N/S -100
Director Ruling	5♠ down 2, N/S -100
Committee Ruling	4♠ down 1, N/S -50

(1)	At least 10 points – no upper limit.
(2)	20 second break in tempo (BIT).

The Facts: The director was called after West's BIT. The director found that there was agreement about the BIT and instructed the table to call back if there was a problem regarding the BIT. The director was called back after the hand and discovered the facts about the 2♦ bid as above.

The Ruling: The director judged that 4NT was not suggested by the BIT (double or 5♣ might be suggested); therefore, whether pass was a logical alternative (LA) was not relevant. In accordance with law 16A, there was no infraction and no adjustment.

The Appeal: N/S argued that West's BIT suggested that East bid and that a pass by East was a LA.

East said that his clubs were worthless on defense and that with a fitting diamond honor and long, strong clubs, bidding on was indicated. West's 2♦ bid suggested 10+ HCP but was not a game force.

The committee discovered that E/W did not have the agreement that West's pass of 4♠ was forcing. East did not double 4♣ because on a similar auction (1♠-pass-4♣) a double would ask for the lead of a heart.

The Decision: A clear BIT was established. Since players seldom take a long time considering whether to double, but more often are thinking about bidding, the committee determined that the BIT demonstrably suggested that East bid. The committee judged that a pass by East was a LA to bidding. With a singleton spade or the ace/king of diamonds and the ♣A, West would almost surely have taken action over 4♣. So, at best, 5♣ or 5♦ would require a finesse or two and might be hopeless. On the other hand, East's doubleton diamond (as opposed to having three diamonds) was all right for defense. It would not be surprising for E/W to have four tricks in the red suits on defense or one black suit trick and three tricks in the red suits. Therefore, the committee disallowed the 4NT call and adjusted the result to 4♠ by South down one, N/S minus 50.

The Committee: Doug Doub (Chair), Mark Bartusek, Ed Lazarus, Richard Popper and Jim Thurtell.

Commentary:

Goldsmith The director's decision was egregious. When are we going to see accountability for directors on cases like this? Good job, appeals committee.

Polisner Poor ruling and excellent decision and reasoning.

Rigal The situations that involve trying to work out what West was thinking about are always hard. East appears to have read his partner correctly as wanting to bid (as opposed to not being brave enough to double) and acted accordingly. The committee was right and the director wrong -- in my opinion, the director should have adjusted and required E/W appeal, if desired.

Smith Although it is not clear in the write-up, it seems that the director's ruling assumed that E/W were in a forcing auction. If not, then the ruling does not make sense to me. I agree with the committee that the huddle clearly suggests not passing, and, since the committee discovered that this was not a forcing auction for this pair, then pass was a logical alternative. I agree with the committee's decision here.

Wildavsky The tournament director got this one badly wrong. The appeals committee corrected an injustice.

Wolff Good ruling all around. Don't allow the BIT pass to gain.

Zeiger I refuse to believe the directors decided that whether pass was a LA was not relevant. I'm betting there was an error in transcription somewhere. *(Editor: You lose. The director decided that if pass was a LA the 4NT was not demonstrably suggested. If pass was not a LA, there was no infraction. Seems to me that therefore it is irrelevant whether pass was a LA.)* Maybe they thought pass simply wasn't a LA, an opinion with which I disagree. Good work by the committee.

APPEAL	NABC+ FOUR
Subject	Misinformation (MI)
DIC	Henry Cukoff
Event	Von Zedtwitz LM Pairs
Session	Second Semifinal
Date	July 21, 2007

BD#	17
VUL	None
DLR	North

Andrew Kaufman	
♠	K Q T 5
♥	K 8 7 5 2
♦	
♣	K 9 8 7

Jared Lilienstein		Summer 2007 Nashville, Tennessee	Jacek Pszczola	
♠	6 3 2		♠	A J 9 7
♥	J T 6		♥	A
♦	Q J T 8 7		♦	A K 5 4 2
♣	T 3		♣	A J 2

Vic Quiros	
♠	8 4
♥	Q 9 4 3
♦	9 6 3
♣	Q 6 5 4

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

Final Contract	4♦ by West
Opening Lead	♥2
Table Result	Made 5, N/S -150
Director Ruling	4♦ W making 5, N/S -150
Committee Ruling	5♦ W making 5, N/S -400

(1)	Four spades – five hearts and minimum opening bid (Flannery).
(2)	Alerted and described as inviting game.

The Facts: East asked twice (before his second double and final pass) about the meaning of the 3♥ bid and was told it was invitational. After the play of the hand, South maintained that the sequence was undiscussed and North claimed that his description was correct. East claimed that he would have bid 5♦ with correct explanation.

The Ruling: The director determined that East had sufficient information to bid his hand properly. Therefore, in accordance with law 21B2, there was no damage. The table result of 4♦ making five was allowed to stand – N/S minus 150.

The Appeal: East asked twice about the meaning of 3♥. North appeared very sure that it was invitational. East said that he felt he had a close decision between passing 4♦ and bidding 5♦. The MI caused him to lean toward a pass. Neither North nor South appeared at the hearing.

The Decision: N/S did not appear at the hearing, so without any evidence to the contrary, the committee had to assume mistaken explanation rather than mistaken bid. The committee felt that it was possible that South had an invitational raise, which would imply that West was broke. In that case, 4♦ may be the limit of the hand. Therefore, E/W may have been damaged by the MI and should get redress. The committee adjusted the result to that which would have been obtained had East bid 5♦ ; E/W plus 400, N/S minus 400.

Dissenting opinion (Jeff Goldsmith):

I believe East can tell from his hand that South did not have an invitational raise. If North has 11 HCP, South has at most 8. Perhaps he is inviting with shape rather than high cards, but, if so, regardless of what N/S call it, it is a preemptive raise. It's not as if South was upgrading his hand due to holding a couple of aces. In fact, West had a working two-count (but it could have been zero and 5♦ would still have made if diamonds were 2-1), so I do not see how the purported MI was relevant to East's decision. This is, however, a close call. I suspect that some committees would rule as ours did and some as my dissent.

The Committee: Jeff Goldsmith (Chair), E.J.D Kales, Ed Lazarus, Chris Moll and Jim Thurtell.

Commentary:

Goldsmith I like my dissent, including the weasel words at the end. At least two dozen players came up to me to talk about this case. One was North, who said that he could show me system notes to prove his case. As the write-up says, however, that was moot. He was not there, so we have to assume mistaken explanation (law 75). The rest all wanted to tell me if they agreed with the appeals committee or my dissent. Roughly 3/4 agreed with the dissent, but I figure it's probably three times as likely that someone would come up to me to discuss the hand if they agreed with me vs. not, so it looks as if this is really a close call.

Polisner I completely agree with the dissenter and don't think that it is a "close call." East took a double shot by passing and should not be rewarded.

Rigal I prefer the majority committee decision to that of the dissenter, if for no other reason than North should know better than to give 'his' explanation of a bid not that of the partnership. Whatever the case, N/S are entitled to no more than minus 400, probably by way of a procedural penalty (PP). Yes, E/W are big boys and East can infer some shape on his left as opposed to high cards, but I think he went the extra mile to find out his opponents' methods.

- Smith** I assume the director was not presented with any evidence to show whether North or South was correct, so presumably East did receive misinformation. East seems to have been skeptical of the answer he received from North (hence his second question), but he seems to have done his best to get the correct information and even to give North a chance to say that he was speculating on what 3♥ meant. It is barely possible that South had an invitational bid from East's point of view, so I agree with the committee decision in this case. But it is a close one.
- Wildavsky** I agree with the appeals committee decision. A point the dissent doesn't mention is that even if East has strong evidence that South intended his raise as preemptive he also has strong evidence to the contrary, namely North's explanation. He ought not to have to weigh one against the other. The dissent should note that the N/S score would always be adjusted to minus 400, per law 72b1 -- the only question is whether or not to adjust the E/W score.
- Wolff** I tend to give E/W plus 400 in 5♦, but I would certainly give NS minus 400 since it is possible that the convention disruption (CD) caused East not to raise. CD usually confuses and so it likely did here. If one argues, such as Jeff Goldsmith did in his dissent, (which I think very reasonable) it then would be proper to keep E/W at plus 150, but still remind N/S with minus 400.
- Zeiger** N/S absence from the hearing was not relevant. MI was obvious from South's table comments. I agree with Jeff Goldsmith that his case is very close. In fact, I would rule that N/S violated Law 40C, and give them minus 400. However I would not give E/W redress. East is a world class player. He should have been able to make the right decision."

APPEAL	NABC+ SIX
Subject	Misinformation (MI)
DIC	Tom Whitesides
Event	Truscott USPC Senior Swiss Teams
Session	First Qualifying
Date	July 23, 2007

BD#	21
VUL	N/S
DLR	North

Bob Autry	
♠	T
♥	A 8 7
♦	T 6
♣	K Q J T 8 6 4

Bob Glasson		Summer 2007 Nashville, Tennessee	JoAnn Glasson	
♠	A		♠	8 7 3
♥	J 9 6 5 3		♥	K 2
♦	Q 9 7 4 2		♦	A K 8 3
♣	A 5		♣	9 7 3 2

Charles Davis	
♠	K Q J 9 6 5 4 2
♥	Q T 4
♦	J 5
♣	

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

Final Contract	3♠ by South
Opening Lead	♦2
Table Result	Made 4, N/S +170
Director Ruling	3♠ by S, made 4, N/S +170
Committee Ruling	5♦ E making 5, E/W +400

(1) Non-forcing by agreement. Not Alerted.
--

The Facts: The director was called after the auction ended before the opening lead. Away from the table, West said that not vulnerable versus vulnerable that he would have doubled a non-forcing 3♠ bid.

The Ruling: The director judged that a double by West was not at all probable. In accordance with laws 21B3 and 12C2 the table result was allowed to stand.

The Appeal: West asserted that had he known that 3♠ was non-forcing he would have doubled. He made that statement before the opening lead was made and dummy revealed. The director was called immediately after the auction ended.

North pointed out that the convention card does not have a box in the opening preempts section that indicates that a new suit being non-forcing is Alertable. Having been away from bridge for years he was unaware that such an agreement is not standard and he had no way to find out. South said that he and his partner did not have an agreement that a new suit was not forcing. In fact, he thought it was, but decided to bid 3♠ “come what may.”

The Decision: The committee believed that West would have doubled 3♠ had he known South was limited in strength as he was non-vulnerable with picture book shape. The moment that West makes a takeout double, forcing the hand to such a high level, East with a match in diamonds and three key cards in partner’s suits would surely not stop short of game. Therefore, the result was changed to 5♦ by E/W making five, E/W plus 400 and N/S minus 400.

The committee furnished N/S with the written published description of Alertable calls, which is available to all players. The N/S pair was encouraged to decide what agreement they wish to follow in the future. Should they decide to agree that new suits below game are non-forcing, they must Alert when the sequence occurs.

The Committee: Gail Greenberg (Chair), Ellen Kent, Ed Lazarus, Chris Moll and Tom Peters.

Commentary:

Goldsmith I'm with South. I don't believe that N/S had any such agreement. North passed a forcing bid. Surely South would have bid 4♠ if he thought 3♠ was not forcing. The default agreement is that new suits are forcing; one has to show written evidence to establish an agreement to the contrary. Normally, a pair has to prove misbid rather than misinformation (law 75D), but in some cases the misbid is so blatantly obvious that the appeals committee ought not to be in doubt.
Result stands.

Polisner I disagree with the decision as in the absence of a partnership agreement, there is no Alert required for something that is not a convention or an agreement. If there was no MI, then there cannot be an adjustment.

Rigal Very strange director ruling corrected by the committee. I cannot understand why the director would make the non-offenders appeal in a case of this sort, where in an NABC event surely 50% of the field would act here --rightly or wrongly?

Smith I don't agree with this decision for different reasons than the committee or director considered. The ACBL Alert pamphlet states: "Players who, by experience or expertise, recognize that their opponents have neglected to Alert a special agreement will be expected to protect themselves." After North passed 3♠, East knew something was going on and should have asked if an Alert had been missed. Had she done so, the director could have been called and Law 21B1 would permit the director to revert the auction to West over 3♠. I even believe it would be appropriate for West to speak up after North's pass. So once East (and West) chose to take no action after the pass, then I don't think we should protect them.

Wildavsky The write-up says, "The committee believed that West would have doubled 3♠ had he known South was limited in strength..." The committee's task is not to decide what would have happened, which is often impossible, but rather to judge which results were likely which at all probable in the absence of the infraction. Here it would not have made a difference to their ruling -- if they believed that West would have doubled, then they certainly believe that it's "likely" (roughly at least one chance in three) that he'd have doubled. The tournament director (TD) is not the one best equipped to make bridge judgments like this. I presume he consulted with other TDs. Taking a poll would have been even better. I prefer the appeals committee's ruling to the TDs.

Wolff Here, I certainly agree that E/W deserved plus 400 in 5♦ bid and made. Instincts should probably have told N/S to Alert since it is a tremendous difference here between non-forcing and forcing. One may ask, "Should less than top-level players realize this difference?" My answer is definitely an unqualified YES! If we expect more from our players we might get more and when we do not, their bad result will, at least, be a learning experience.

Zeiger The committee decision is predicated on its assumption N/S had agreed to play 3♠ as non-forcing. N/S said they had no agreement either way. North simply thought non-forcing was standard, while South thought otherwise. The committee is not obligated to accept this testimony, of course, but it should have explained its reasons for rejecting it.

APPEAL	NABC+ SEVEN
Subject	Misinformation (MI)
DIC	Henry Cukoff
Event	Wernher Open Pairs
Session	First Qualifying
Date	July 24, 2007

BD#	8
VUL	None
DLR	West

Shelly Dunietz	
♠	K 7
♥	A J 8 6 4
♦	Q 8 7 2
♣	T 3

Elise Parish		Summer 2007 Nashville, Tennessee	Dan Parish, Jr.	
♠	J 9 5 2		♠	Q 8
♥	K T 5		♥	Q 9 3
♦	A 6		♦	J 9 4
♣	A Q 5 2		♣	J 8 7 6 4

Erez Hendelman	
♠	A T 6 4 3
♥	7 2
♦	K T 5 3
♣	K 9

West	North	East	South
1♦ ⁽¹⁾	1♥	Pass	1♠
1NT	Pass	Pass	Pass

Final Contract	1NT by West
Opening Lead	♠K
Table Result	Made 3, E/W + 150
Director Ruling	1NT W made 3, E/W + 150
Committee Ruling	1NT W made 3, E/W + 150

(1) Announced as, "Could be short."

The Facts: The director was called at the end of the play of the hand when it was discovered that West had only 14 HCP for her 1NT rebid. E/W play a strong club system with 10-13 notrump openings. There was no discussion at the table about E/W agreements pertaining to notrump opening bids or rebids or about E/W's system.

The Ruling: The director determined that E/W did not have an agreement that the 1NT rebid showed 14-16 HCP. Since there is no requirement to pre-Alert the fact that E/W were playing a strong club opening, the director judged that there was no infraction – misinformation. The table result was allowed to stand.

The Appeal: N/S claimed that whenever a pair plays a strong club and 10-13 one notrump opening bids, they are always pre-Alerted everywhere else they play. Additionally, a director informed them that there is a requirement to Announce a 1NT rebid following responders's suit bid if the rebid shows the equivalent of a strong one notrump opening bid. North stated that she would have bid again if she had known the 1NT could be so weak.

E/W stated that they always Announce (*Editor's note: A strong 1NT rebid by opener after a one-level response by partner requires an Alert not an Announcement.*) a 1NT rebid as 14-16 if responder bids at the one-level. East stated that they have no agreement about this apparently illogical auction in their system, and that he even considered whether partner might be trying to show some sort of minor-suited hand. The director confirmed that pre-Alerting a strong club system is not required by ACBL regulations and that players are expected to be prepared to handle various commonly used systems. Additionally, there is no requirement to Alert the 1NT rebid in this auction. There is a requirement to Alert the range of a strong 1NT rebid after responder bids a suit at the one-level

The Decision: The committee determined that the E/W convention cards were visible on the table and that N/S had never bothered to inspect the convention cards. N/S had regularly played together for a couple of years with North having 2,000 masterpoints and South having about 7,500 (5,000 of which were eligibility points assigned to players who have experience from playing in non-ACBL bridge organizations). Since the committee determined that N/S were experienced enough to protect themselves in a situation such as this, the committee allowed the table result to stand.

The committee judged that the appeal did not have substantial merit and issued an appeal without merit warning (AWMW).

The Committee: Mark Bartusek (Chair), Fred King, Chris Moll, Jim Thurtell and Patty Tucker.

Commentary:

Goldsmith 10-12 or 10-13 NTs create Alerts on 1NT rebids. 1NT was alertable. The rule is "1NT rebids are Alertable if strong." 14-16 is strong, therefore Alertable. The Alert Chart doesn't say anything about if responder passes, so it looks like a 1NT rebid in this position showing 18-19 (standard with strong NT) is Alertable. That's probably wrong and ought to be dealt with, but given the wording of the Alert Chart, this 1NT rebid is Alertable. This is a technicality, but that's the way things go sometimes. Edgar liked to rule using favorable technicalities and ignore unfavorable ones---I'll follow his lead on this one.

- Polisner** I am not comfortable with this result. This is ambiguous to E/W playing Kaplan/Sheinwold and the 1NT rebid would show 18+ which would be a required Alert. Since E/W stated that they always Alert 1NT as 14-16, why is this auction different? I am not sure what would have happened if East had Announced the rebid as 14-16, but I think that should have been the focus of the case.
- Rigal** We are back in to the territory of tree-wasting and miserable and pettifogging appeals. Just what (if anything) were N/S thinking during the bidding, play, and appeal process?
- Smith** Good job by the director and the committee.
- Wildavsky** I think this appeal had merit. In Standard American this sequence would show 18-19 HCP. West may not have known what 1NT showed, but he knew that West held fewer than 17 HCP. ARGUABLY, N/S were entitled to an Alert to clue them in.
N/S did not argue their case well, so the write-up covers some points that are irrelevant.
- Wolff** It would be nice, not to mention ethical, for E/W to volunteer to N/S after the 1NT rebid that it showed 14-16, but I agree that the rules don't require it so what else is new? N/S should have protected themselves by South, who could have rebid 2♦, holding an ace and two kings and hearing her partner overcall 1♥. I agree with the decision.

APPEAL	NABC+ EIGHT
Subject	Unauthorized Information (UI) - Tempo
DIC	Tom Whitesides
Event	Truscott USPC Senior Swiss Teams
Session	Second Final
Date	July 24, 2007

BD#	12
VUL	N/S
DLR	West

Steve Love	
♠	A 8 7 6 5
♥	K T 9 5 4 3
♦	A 9
♣	

Leo Bell		Summer 2007 Nashville, Tennessee	Marshall Miles	
♠	Q T		♠	K J 4 3
♥	A J 6		♥	8
♦	J 3 2		♦	K T 8 7 6 4
♣	K Q 8 6 3		♣	9 7

Marc Leventhal	
♠	9 2
♥	Q 7 2
♦	Q 5
♣	A J T 5 4 2

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

Final Contract	4♥ by North
Opening Lead	♣9
Table Result	Made 4, N/S + 620
Director Ruling	4♥ N, made 4, N/S +620
Committee Ruling	4♥ N, made 4, N/S +620

(1)	12-14 HCP.
(2)	Shows both majors.
(3)	Lebensohl.
(4)	Break in tempo (BIT) of seven or eight seconds.

The Facts: The director was first called immediately after North bid 3♥ and was called back after the play of the hand. E/W stated that South broke tempo over East's 2NT bid. N/S acknowledged the break in tempo (BIT) but said that, since 2NT was Alerted, South needed time to think.

The Ruling: The director determined that there was an agreed BIT by South. The director judged that, in accordance with law 16A, that there was no logical alternative (LA) to North's 3♥ call. Therefore, the table result of 4♥ by North making four, N/S +620 was allowed to stand.

The Appeal: E/W argued that although it is attractive to bid with the North hand, he had already shown a good hand by entering at the two-level with unfavorable vulnerability. East could have a game going hand and still bid 2NT; so, 3♥ is not without risk. If North passed over 3♣, East would bid 3♦ and South might bid 3♥ and be set in 4♥ on a diamond lead, or N/S might not reach game. There is a risk in North's bid of 3♥, but, when South hesitated over 2NT, that risk was virtually eliminated.

North had shown the majors with his 2♦ bid, but he had not shown 6-5 distribution. Opener had a minimum opening bid and LHO's 2NT bid most often is a competitive hand with a long minor. If East did have a game going hand, it would not be one that had significant interest in penalizing the opponents, since he had not doubled 2♦. With a five loser hand, good intermediates in his primary suit, and a void in the suit the opponents might be about to play, North thought it was clear to bid.

The committee discovered that, when 2NT was Alerted, South inquired. West answered, "If you pass, I am required to bid 3♣. East has one of several possible types of hands." After the explanation, N/S judged that South took 3-5 seconds to bid, some of which involved digesting the explanation. They did not consider the time South took to constitute a BIT. E/W stated that South took about seven seconds to pass after the explanation.

The Decision: It was not clear to the committee that the time South took to bid constituted a BIT. Although players are encouraged to explain their bids rather than use the convention's name, for conventions that are widely used and understood it is often more helpful to name the convention. It probably took South a few seconds to translate West's explanation into Lebensohl, followed by a couple of seconds to consider his call. However, considering the powerful North hand, the question of whether South broke tempo became moot.

In order for a call to be considered a logical alternative (LA), it must be one that at least a significant minority of your peers would seriously consider making and some would actually make. The committee judged that pass was not close to being a LA call to the selected 3♥ call.

Therefore, the table result and director's decision of 4♥ by North making four, N/S plus 620 was allowed to stand.

Additionally, the committee judged that E/W should have recognized that there was no LA to 3♥ upon seeing the North hand at the end of the play of the hand, and should not have appealed the director's decision. Therefore, the committee issued an appeal without merit warning (AWMW) to E/W and to their team captain.

The Committee: Doug Doub (Chair), Tom Carmichael, Michael Huston, Mike Kovacich and Bob White.

Commentary:

- Goldsmith** I think this is a close call, but I bet that some number of North's peers would pass 3♣. If so, then pass is a LA. My experience has been that pretty much in any competitive bidding situation unanimity does not occur. Will several not bid or will only a very few? I don't know, and I don't think the appeals committee (AC) knows either.
But that doesn't matter at all. If North passes 3♣, East will bid 3♦, and no one can tell North he can't bid 3♥ now, which will get raised.
So result stands, and ought there to be an AWMW for E/W? East is a Hall of Fame member, and I think we ought to hold those people to a high standard--he ought to have realized this. AWMW is a decision. If it's a decision, I don't give one.
- Polisner** Once a determination was made that there was no BIT, the case is over. No adjustment.
- Rigal** Once we reach the territory of tree-wasting and miserable and pettifogging appeals two; it seems we are destined to stay there for what seems an eternity.
- Smith** I think the facts that N/S agreed to the hesitation at the table, and 2NT as Lebensohl is such a common treatment add up to an "unmistakable hesitation". So, on that matter, I don't agree with the committee. As for the rest, I agree with the committee that pass is not a logical alternative although I'm a bit surprised that they found it so obvious to bid that an AWMW was issued.
- Wildavsky** The tournament director and appeals committee (AC) rulings are okay, but I think this appeal had a lot of merit. An AC must be careful when concluding that an appeal had no merit because the action chosen at the table was clear-cut. That's very close to saying that there was no logical alternative to the action chosen, which is precisely what the committee needs to decide. With some committees it seems that in cases like this the only possibilities for the appellants are to prevail or to receive an AWMW.
- Wolff** Totally agree with the decision and the reasons for it. With artificiality and unusual conventions like Lebensohl in full bloom we need to slow down and allow a small BIT to not mean anything. The key is that if one has either a Yarborough or a near one he or she must wait a few seconds before bellowing out pass!
- Zeiger** Perfect! No chance East or West wouldn't have bid 3♥ with the North hand, yet they asked a Committee to do just that? Not as bad as the previous appeal, but pretty bad."

APPEAL	NABC+ NINE
Subject	Misinformation (MI)
DIC	Henry Cukoff
Event	Wernher Open Pairs
Session	Second Final
Date	July 25, 2007

BD#	13
VUL	Both
DLR	North

Jacqueline Sincoff	
♠	Q J 6 5 4
♥	Q 8
♦	6 4
♣	A 7 5 2

Marta Peltz		Summer 2007 Nashville, Tennessee	Gil Stinebaugh	
♠	3		♠	9 8 7 2
♥	K T 9 6		♥	J 5 3
♦	K Q J T 9 7 3		♦	A 8 2
♣	J		♣	K T 6

Kamla Chawla	
♠	A K T
♥	A 7 4 2
♦	5
♣	Q 9 8 4 3

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

Final Contract	3♠ by North
Opening Lead	♦A
Table Result	3♠ N making 3, N/S +140
Director Ruling	3♠ N making 3, N/S +140
Committee Ruling	3♠ N making 3, N/S +140

(1) Explained as showing hearts. Actual agreement is diamond raise with an A, K or Q.

The Facts: The director was called after the play was completed and East had corrected the explanation of the double. North said she would have made a game try with the correct information. Had game been reached she would not have misplayed the hand.

The Ruling: The director determined that North was not damaged as a consequence of the misinformation; therefore, there was no adjustment indicated and the table result of 3♠ by North making three, N/S plus 140 was allowed to stand.

The Appeal: Only North and East attended the hearing.

North felt that with a correct explanation she would have doubled 3♦, which her partnership plays as a game try. South would have accepted. North stated that she misplayed the hand because of distress at missing game.

East was asked why West did not bid hearts at her second turn. East speculated that she was tired and confused.

The Decision: The committee judged that N/S received misinformation but that the misinformation did not substantially affect the value of the North hand. Further, the committee considered that North was not very likely to play the hand more effectively in 4♠ at matchpoints.

While the committee was concerned about the disconnect between West's explanation and her action of 3♦, there was no basis to believe anything improper had taken place. Therefore, the director's decision to allow the table result of 3♠ by North making three, N/S plus 140 was affirmed.

The committee narrowly believed that the appeal had merit.

The Committee: Robb Gordon (Chair), Mark Bartusek, Michael Huston, Chris Moll and Aaron Silverstein.

Commentary:

Goldsmith This isn't a judgment case. "I would have played the hand better in game," is the best argument N/S could give? Yeah, right. AWMW. You want to be able to bid game? Sure, no problem, E/W minus 140, N/S minus 100.

Polisner Agree and agree.

Rigal Still stuck in the slough of despond - miserable and pettifogging appeal three; nice excuse for misplaying a hand, though. Maybe that was why the committee did not give N/S the AWMW they richly deserved.

Smith Surely we should never accept an argument that a player would play a hand better at a higher level if not for reasons solely of "mental distress". The committee made all the arguments for the correct application of an AWMW without actually awarding it.

Wildavsky Fair enough. I would have adjusted the E/W score or assessed a procedural penalty to avoid any possibility that they profited through their infraction.

Wolff While the decision to not change what was bid and made at the table, N/S plus 140, is good, there are other questions to ask. Why with a 7-4 hand, after Alerting that her partner's double showed hearts, wouldn't she jump to 4♥? There is something rotten in the state of the Wernher Open Pairs and we need to consult with either the melancholy Dane, or whoever, to find out what.

Zeiger The committee can relax, West's 3♦ bid was due to nervousness and inexperience, some 400 masterpoints, most earned with a much more experienced partner. Not sure why the committee thought the appeal had merit, even if barely. Maybe it was just carryover concern about West's inconsistent bidding. One has nothing to do with the other, of course. In fact the appeal was truly meritless.

APPEAL	NABC+ TEN
Subject	Unauthorized Information (UI)
DIC	Henry Cukoff
Event	North American Fast Open Pairs
Session	First Qualifying
Date	July 26, 2007

BD#	17
VUL	None
DLR	North

Geoff Hampson	
♠	Q T 8 6 3
♥	9 8 7
♦	J 8 7
♣	8 2

Ron Haack		Summer 2007 Nashville, Tennessee	Michael Mikyska	
♠	J 9 2		♠	K 7 5
♥	K Q T 6 3 2		♥	A 5 4
♦	6 2		♦	A Q T 5
♣	J T		♣	K 9 4

Robert Levin	
♠	A 4
♥	J
♦	K 9 4 3
♣	A Q 7 6 5 3

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

Final Contract	3♥ by West
Opening Lead	♣8
Table Result	Down 1, N/S +50
Director Ruling	4♥, W, down 2, N/S + 100
Committee Ruling	3♥, W, down 1, N/S + 50

(1)	15-17 HCP.
(2)	Clubs plus another suit.
(3)	Transfer to hearts that was not Announced.

The Facts: The director was called after the play of the hand. E/W are a pickup partnership and both are experienced. No agreement existed concerning super-acceptance of a transfer.

The Ruling: The failure to properly announce the transfer was judged to be UI for West. Had the transfer been properly announced, the 3♦ bid would clearly be some sort of super-acceptance, which East would hope that West interpreted correctly. The result was adjusted to 4♥ down two, N/S plus 100. See laws 16A2 and 73C.

The Appeal: Neither North nor South attended the hearing.

Both East and West were aware that this auction was undiscussed. West judged that the chance of East's interpreting 2♦ as a transfer was high enough to warrant a 2♦ response. East did not know whether his partner had diamonds or hearts, but decided that a 3♦ bid would cater to both possibilities. He did not play super-acceptances with any of his usual partners other than a jump bid in responder's suit. West thought that his hand had too many losers to make game at all likely. Had he wanted to be in game, he would have tried 4♣ in an effort to get his partner to bid 4♥.

The box on the convention card in the notrump section, "system on over ____" was blank on both East's and West's convention card.

The Decision: Players are required to Alert or Announce conventional bids that they have explicitly discussed or implicitly understand through partnership experience. E/W had no agreement about the meaning of West's 2♦ bid, so not only did East properly not Alert, but West should not have been expecting an Alert. Thus, there was no UI to West regarding East's 3♦ bid. He was free to bid whatever he judged best.

Additionally, the committee agreed with West's bidding judgment that even if East was showing a good raise of hearts, with most of the defensive strength sitting over partner's hand, it was well against the odds for West to drive to 4♥.

Finally, if West had chosen to play 4♥, he would have done so through a retransfer.

Playing 4♥ from East's side would likely result in the same result that was achieved in 3♥ from the West side – minus 50.

The committee restored the table result of 3♥ by West, down one, N/S plus 50.

The Committee: Doug Doub (Chair), Tom Carmichael, Jeff Goldsmith, Scott Stearns and Jim Thurtell.

Commentary:

Goldsmith I only buy the retransfer argument. 4♦ is clearly impossible if 2♦ is natural; East would bid 4♥ over that and E/W is minus 50.

Polisner Excellent reasoning by the appeals committee.

Rigal Sorry I don't buy the reasoning here at all. When West retransfers with 4♦ won't the final contract be in diamonds? I can accept the argument that West knows from authorized information (AI) that partner assumes he has diamonds, but his choice is 3♥ or 4♥. I'm inclined to allow the table result but not for the reasons stated

Smith

I am uncomfortable with two of the committee's findings here. First, it may have been correct for East not to have Alerted or Announced 2♦ as a transfer since apparently it was undiscussed. But, that cannot relieve West of receiving UI when it was not. His bid in itself tells us he expected (or hoped) his partner to understand it as a transfer. To say he didn't have UI is to allow E/W to avoid a potential misunderstanding and to gain an advantage not otherwise present via use of the Alert procedure. That can't be right. So, if West had UI, and obviously I think he did, then the next issue is whether bidding other than 3♥ is a logical alternative. Even though he may have made a good argument why driving to game would be wrong, that argument must be to the exclusion of another bid (or bids) that "a substantial minority of his peers would consider, and some of whom would actually select." I suppose that since the committee did not believe he had UI that the point was irrelevant to its deliberations. But, if you accept that he had UI that is the standard that should be applied. What I can accept is that if West had heard an Announcement or an Alert he would have retransferred with confidence that his partner was on the same page and they would have ended up in 4♥ down one from the other side. So, perhaps the right bridge score was assigned if not for reasons with which I agree.

Wildavsky

Anyone who studies these casebooks knows that the claim that "appeals committees (AC) always rule in favor of the name players" is hokum. This is just one more example.

The AC seems to have gone astray here. Yes, E/W are a new partnership. That doesn't mean they get to take advantage of the Alert procedure. They filled in a convention card and we must assume that it accurately reflects their agreements. Since they did not list anything under "System On Over _____," we must conclude that their agreement was "System Off". Thus, 2♦ was a mistaken bid, and the failure to Alert may have clued West in.

I would thank West for pointing out that, had he accepted the presumed game try, he'd have retransferred. 4♦ down four or so seems to be at least "at all probable," so I'd adjust the E/W score to minus 200. It might not be "likely," so I'd be comfortable leaving NS with plus 100.

I prefer the tournament director's ruling to the AC's.

Wolff

Good decision on a bread and butter hand. Perhaps with the particulars in this case it should be used as a precedent. When there is much undiscussed and the bidding is such that no one was really out of line and any UI present was not really valuable then whatever happens at the table should be deemed to count.

Zeiger

Well reasoned by the committee. One could argue that West was hoping to hear an Announcement of the transfer, and knew perfectly well, without one, that East was raising diamonds, unlucky. Even though this could well be the case, the laws are clear that no UI existed without an agreement in place. If E/W presented the same facts to the director, the table result should have stood."

APPEAL	NABC+ ELEVEN
Subject	Unauthorized Information (UI) - Tempo
DIC	Henry Cukoff
Event	North American Fast Open Pairs
Session	Second Qualifying
Date	July 26, 2007

BD#	30
VUL	None
DLR	East

Greg Michaels	
♠	A J 9
♥	A J 7 4
♦	J 8 6 5
♣	T 6

Eldad Ginossar		Summer 2007 Nashville, Tennessee	Ron Pachtmann	
♠	T 8		♠	Q 5 4
♥			♥	Q 9
♦	A K Q T 9 4 3		♦	7
♣	8 5 4 3		♣	A K Q J 9 7 2

Jon Wright	
♠	K 7 6 3 2
♥	K T 8 6 5 3 2
♦	2
♣	

West	North	East	South
		1♣	2♣
2♥ ¹	4♥	5♣	5♥
6♣	Pass ²	Pass	6♥
Pass	Pass	Dbl	Pass
Pass	Pass		

Final Contract	6♥ doubled by North
Opening Lead	♦7
Table Result	Down 1, N/S -100
Director Ruling	6♣, E, making 7, E/W +940
Committee Ruling	6♥ dbld, N, down 1, N/S -100

(1)	Club raise.
(2)	Break in Tempo (BIT). N/S estimate the BIT to be 13-15 seconds, East 15-20 seconds

The Facts: The director was called during the auction and after play had concluded. The BIT was acknowledged as above.

The Ruling: The director judged that a pass to 6♣ was a logical alternative (LA) call that would have been less successful and that bidding was demonstrably suggested by the BIT. In accordance with laws 16A and 12C2, the director adjusted the result to 6♣ by East making seven, E/W plus 940, because it was the most favorable result likely had there been no BIT.

The Appeal: North stated that after his 4♥ bid, the subsequent bids of 5♣, 5♥ and 6♣ were very fast. He did not feel that his pass of 6♣ was different from his normal tempo. South said that he had wild distribution and that his seven-card suit had been vigorously supported by partner when he had only promised five of the suit. 6♥ was unlikely to cost more than the value of E/W's game and might even make on a good day. Had South been on lead against 6♣ he would not have expected a heart lead to do any good and would have tried a spade as the best chance to build or take a trick. East said that North's hesitation suggested South's 6♥ bid. As to the opening lead, although a spade lead is logical, it could be the only lead to give away the contract.

The Decision: North had to make a high-level decision after three bids had been thrown at him in a very short time. In a "normal" game the time it took North to pass might not be considered a BIT, but in a fast pairs it probably was. Further, although North might have been considering a double with his actual hand, he might also have been thinking about bidding 6♥, which is the normal assumption. So, the committee did determine that the BIT demonstrably suggested that South bid 6♥.

However, the South hand has freakish distribution with a void in the opponent's suit and two additional cards in the suit that partner had jumped to game in. Although it need not work out best to bid 6♥, it would be difficult to find a player who would not bid 6♥ on the given auction. The committee did not consider pass to be a LA. Therefore, the committee restored the table result of 6♥ doubled by North, down one, N/S minus 100.

The Committee: Doug Doub (Chair), Tom Carmichael, Jeff Goldsmith, Scott Stearns and Jim Thurtell.

Commentary:

Goldsmith As South, I wouldn't allow E/W to play seven, and don't think that decision is remotely close. I did a small poll and pretty much everyone agreed with that assessment. Several said that they'd bid at the nine-level.

Polisner I agree that it would be hard to find a significant number of peers who would pass this hand.

Rigal Sensible decision by both directors and committee, though this is one of the rare cases where as a director even in a case of doubt I might just rule with the offenders. South won't be defending 6♣ -- even defending 7♣ might be wrong!

Smith We have committees to apply bridge judgment to situations like this. The committee recognized all the issues properly and dealt with them thoroughly. I defer to its judgment on whether pass was a LA or not. If the director had conducted a poll that led to his decision I would be less inclined to agree with the committee. I assume that such a poll was not taken since there is no mention of it in the write-up.

- Wildavsky** This deal shows how the ACBL Laws Commission's definition of a LA as one that some players would actually choose can lead appeals committees (AC) astray. Yes, if no one would take an action, then we shouldn't consider it logical. Sometimes an AC can misjudge because they believe that they personally would not have taken the action. If an action would be right quite often then it must be logical, and we'll always be able to find players who would choose it.
South's argument that the save was unlikely to cost more than the opposing game would be relevant at IMPs. It is not at matchpoints where the question is the frequency of gain or loss, not the amount.
I prefer the tournament director's ruling to the AC's.
- Wolff** A good practical decision which honored what really did happen in a case where no one was really advantaged or disadvantaged.
- Zeiger** I hate to disagree with my directing brethren on basic bridge judgment questions, but I can't imagine any good player passing with the South hand. Further, if I were on lead, I wouldn't expect much difference in my matchpoints if I were minus 940 instead of 920, so a spade lead is a standout.
The committee was perfect.

APPEAL	NABC+ TWELVE
Subject	Misinformation (MI)
DIC	Chris Patrias
Event	Spingold Knockout Teams
Session	Round of 16, Fourth Quarter
Date	July 26, 2007

BD#	31
VUL	N/S
DLR	South

Peter Weichsel	
♠	K 9 6 3
♥	K J 9 4
♦	K J
♣	A 6 3

Aleksander Dubinin		Summer 2007 Nashville, Tennessee	Andrew Gromov	
♠	A T 5		♠	8 4 2
♥	A T 5 2		♥	Q 8 6
♦	T 7		♦	A Q 4
♣	K J T 4		♣	Q 9 7 5

Marcin Lesniewski	
♠	Q J 7
♥	7 3
♦	9 8 6 5 3 2
♣	8 2

West	North	East	South
			Pass
1NT ¹	Db1 ²	Pass ³	2♦ ⁴
Pass	2♥	Db1 ⁵	Pass
3♣	Pass	Pass	Pass

Final Contract	3♣ by West
Opening Lead	♥4
Table Result	Made 3, E/W + 110
Director Ruling	2♥ dbld N down 3, N/S - 800
Committee Ruling	2♥ dbld N down 3, N/S - 800

(1)	12-15 HCP.
(2)	Shows values.
(3)	Forces partner to redouble.
(4)	Explained to East as transfer. Explained to West as natural.
(5)	Shows values – not penalty.

The Facts: The director was called after the play of the hand. E/W recall N/S discussing this auction as systems on. East contended that, had West known that 2♦ was a transfer, West could have passed 2♥ doubled for penalties.

The Ruling: In accordance with the footnote to law 75, the director is to assume mistaken explanation. The director judged that the MI damaged E/W and adjusted the result to 2♥ doubled by North down three, N/S minus 800.

The Appeal: All four players who were at the table were present at the hearing. The committee heard testimony at length. The essence of the arguments presented was as follows:

North suggested that were 2♥ doubled passed around to him he would pull, knowing that a N/S misunderstanding was probable since E/W were unlikely to double 2♥ holding only four trump between them. He also noted several times that this was a complex auction. West explained that he pulled the double because he expected the hand to play well for the opponents. He believed there was a real heart suit lying over his hearts, one good enough to bid freely over two diamonds.

E/W suggested that there was no particular reason for North to suspect his partner had made a mistake rather than his opponents.

This deal was played during the fourth quarter. Both pairs agreed that N/S had discussed the auction at length before the first quarter.

The Decision: The committee noted that the N/S agreement was in fact that 2♦ showed hearts, so West had received misinformation from South. We further noted that West was entitled to know the actual N/S agreement, since the laws require it, and also that South thought 2♦ was natural, since South told him so at the table. Under those circumstances, West would certainly have passed the double.

The committee considered whether the damage to E/W was caused through the misinformation or through an egregious error of their own. In our opinion bidding 3♣ instead of passing was a mistake, but was not "irrational, wild, or gambling", nor did it constitute a "failure to play bridge." The non-offenders are not required to bid and play perfectly in order to receive redress for damage.

Given that E/W were entitled to redress our next question was how to adjust the score. The committee referred to law 12C2. It asserts that the score for the offenders should be the most unfavorable result that was at all probable in the absence of the infraction -- here that's surely -800. We examined the probable course of play in 2♥ doubled and five tricks for N/S seemed by far the most probable result on most lines.

For the non-offenders the law instructs us to assign the most favorable result that was likely. The ACBL Laws Commission has told us that that means any result that would happen at least one time in three or so. While we did not question North's assertion that he would pull the double given the opportunity, we believed that many of North's peers would sit for it, enough to make -800 likely.

The committee affirmed the director's adjudication of 2♥ doubled by North, down three, N/S minus 800.

The committee found that the appeal did have substantial merit.

The Committee: Adam Wildavsky (Chair), Bruce Reeve and Michael White.

Commentary:

Goldsmith Good ruling. Nice step-by-step resolution.

- Polisner** This is the most difficult case of the bunch. To me, the only issue is whether pass is a LA. This judgment is to be determined using hypothetical peers of Peter Weichsel. Would East really make a penalty double holding a maximum of two hearts? I don't think that any peers would sit it out. Whether N/S would then get to 2♠ or 3♦ should be considered. I would have determined the contract to be 3♦ doubled down 500 to have been the adjudication.
- Rigal** A highly complex position; the committee (what a shame that there were only three) came to a reasonable decision. The question of whether West's removal of the double was best is a hard one. Certainly it was not absurd. That said, where there is MI, the non-offenders have to get the best of it.
- Smith** Good job by the director and the committee.
- Wildavsky** I chaired the committee and wrote up the decision. I have nothing to add!
- Wolff** Harsh ruling, but convention disruption (CD) at this top level is unacceptable. There are so many misunderstandings having to deal with transfers in competitive sequences. The results are too often dependent on what different appeal committees judge and there is no definite type ruling where one could hang his hat. CD is impossible to adjudicate (what else is new?) but when to apply it is far too loose. If it is harsh like this one maybe players will get the drift and either learn what they are playing or scratch it off the card.
- Zeiger** Just one question - Why were there only three committee members? Yes, I know this was from the fourth quarter of the Spingold, round of 16, and the appeal was doubtless held some time after 1:00 AM. No matter. This is the premier event of the summer NABC, and five top flight people should have been available.
Fortunately, the committee was correct. North made a good argument about pulling 2♥ doubled, but the committee properly did not give the offending side the benefit of the doubt.

APPEAL	NABC+ THIRTEEN
Subject	Unauthorized Information (UI) - Tempo
DIC	Steve Bates
Event	Chicago Mixed Board-a-Match Teams
Session	First Final
Date	July 27, 2007

BD#	2
VUL	N/S
DLR	East

Cheri Bjerkan	
♠	9 7 6 4 3 2
♥	K J 4
♦	
♣	T 6 4 3

Kevin Bathurst		Summer 2007 Nashville, Tennessee	Jenny Wolpert	
♠	5		♠	A Q T
♥	T 9 7 5		♥	2
♦	K T 7 6		♦	A Q J 8 5 4
♣	A K Q J		♣	8 7 2

Robert Hampton	
♠	K J 8
♥	A Q 8 6 3
♦	9 3 2
♣	9 5

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

Final Contract	6♦ by East
Opening Lead	♥A
Table Result	Made 6, E/W + 920
Director Ruling	5♦ E making 6, E/W + 420
Committee Ruling	6♦ E, making 6, E/W +920

(1)	Fit showing game invitation.
(2)	An agreed hesitation - break in tempo (BIT).

The Facts: The director was called to the table after the 6♦ bid and was called back to the table four rounds later after the comparison. All players at the table agreed that there was a BIT by East just before she bid 5♦.

The Ruling: The director determined that the BIT demonstrably suggested the 6♦ bid. Pass was determined to be a less successful logical alternative (LA). Therefore, the result was adjusted to 5♦ by East making six, E/W plus 420.

The Appeal: East stated that in considering a response to the 4♠ bid she felt that the partnership understanding was that a fit showing jump did not establish the first bid suit as trump for Roman keycard Blackwood (RKC). East felt that West did not interpret the 4♥ bid as RKC. East felt that with three small clubs and a singleton heart she did not have any extra values to show in addition to her 4♥ cue bid and therefore bid 5♦.

West felt that the 4♥ bid was a cue bid and could not have been made without two controls – one being either the ♥A or ♠A. If East had the ♠A and a void in hearts, West was looking to bid 7♦. When East did not bid 5♥ over 4♠, West settled for 6♦.

N/S felt that the 4♥ bid could have been made without two controls and, therefore, West should have passed 5♦, or that passing 5♦ was a LA to bidding 6♦.

The Decision: The committee reviewed the E/W conventions, the auction and the BIT carefully. The committee decided that the 4♥ bid would not have been made without two controls. It also found that there was an agreed upon BIT and that in accordance with law 16 the 6♦ bid was demonstrably suggested by the BIT. However, the committee determined that pass was not a LA. The committee judged that once East had bid 4♥, the E/W pair would not stop short of slam.

The committee restored the table result of 6♦ by East making six, E/W plus 920.

The Committee: Ed Lazarus (Chair), Abby Heitner and Jim Thurtell.

Commentary:

Goldsmith The appeals committee really thought that none of West's peers would pass 5♦ with those cards? 3NT isn't playable, so 5♦ could win the board. I'm sure some would pass. The director got this right. Presumably, he did a poll. Where are the poll results? Yes, I know I've often not put much stock in polls, but they are expected procedure.

Polisner I agree with the appeal committee's analysis from West's perspective. The only thing that bothers me is that West should think that East does not have the ♠A (failure to bid 3♠) so she must have the ♥A making 6♦ routine.

Rigal At an NABC+ event in an NABC I'll buy into the ruling by the committee; I agree that the director made the correct initial ruling though.

Smith I agree that the hesitation suggested not passing, and it seems to me that it gave E/W an advantage in sorting out the auction and arriving at the right contract. But, if the committee judged that once 4♥ was bid EW were always getting to slam (and that pass was therefore not a logical alternative), then I defer to the committee's bridge judgment. But, I have misgivings.

- Wildavsky** A close call. The tournament director's ruling was reasonable, as was the appeals committee's. Note that East's testimony is largely irrelevant. We don't care why she hesitated; only that she hesitated.
- Wolff** On the bridge of it, the ruling certainly is correct. Once East cue bid 4♥ as either a control bid or Blackwood, West had a slam acceptance. Convention disruption (CD) caused the uncertainty it always causes and as above E/W were always headed to 6♦. But the CD possibly caused the E/W players, as it usually will, to not be certain, therefore the ruling is somewhat suspect. A Solomonic decision might be to allow 6♦ since they were always headed there, but give a small procedural penalty (perhaps a 1/4 board) which will remind them to clean up their misunderstandings or cross conventions off their convention card.
- Zeiger** I agree with West's analysis that East had to have at least two controls for her bidding. Committee correct, although this one is close enough that I have no real argument with the table ruling being in favor of the non-offenders.

APPEAL	NABC+ Fourteen
Subject	Unauthorized Information (UI) - Tempo
DIC	Roger Putnam
Event	Spingold Knockout Teams
Session	Round of 8 – Second Half
Date	July 27, 2007

BD#	2
VUL	N/S
DLR	East

Piotr Gawrys	
♠	
♥	9 8 7 6
♦	7
♣	K Q T 9 6 5 4 3

Eric Rodwell		Summer 2007 Nashville, Tennessee	Jeff Meckstroth	
♠	K J 7 6 3		♠	A Q 8 4
♥	A J		♥	K 2
♦	T 8 6 5		♦	A Q J 4 2
♣	A 2		♣	J 7

Bartosz Chmurski	
♠	T 9 5 2
♥	Q T 5 4 3
♦	K 9 3
♣	8

West	North	East	South
		1♣ ¹	Pass
1♥ ²	4♣	Pass ³	Pass
Dbl ⁴	Pass	4♦	Pass
6♦	Dbl	6♠	Pass
Pass	Pass		

Final Contract	6♠ by East
Opening Lead	♣8
Table Result	6♠ E, made 6, E/W +980
Director Ruling	6♠ E, made 6, E/W +980
Committee Ruling	6♠ E, made 6, E/W +980

(1)	Strong, forcing and artificial.
(2)	Positive with spades or 11-13 balanced.
(3)	Forcing.
(4)	Break in tempo (BIT). Explained as possibly being same structure as lower level. Shows 11-13 balanced as spade hands would bid.

The Facts: The director was called at the conclusion of play of board four. There was a BIT before West's double. East thought the hesitation was 15 seconds – North thought it was 60 seconds. N/S questioned the pull of the double with a correction to six spades.

The Ruling: The director judged that an unmistakable hesitation occurred. The director judged that the BIT demonstrably suggested not passing at either of East's turns. However, the director judged that there were no logical alternative (LA) actions to the actions taken by East. Therefore, in accordance with law 16, the table result of 6♠ by East making six, E/W plus 980 was allowed to stand.

The Appeal: N/S argued that West took about 60 seconds before doubling 4♣ and at least three minutes before bidding 6♦. The BIT suggested that East bid 4♦ rather than pass and also his correction to 6♠, since with a balanced 11-13 HCP West would have no reason to need extra time to bid to decide to double.

East considered his 4♦ to be very clear. His RHO was a sound player who would surely have wild distribution for his 4♣ bid, and East would not get rich making a penalty pass of a partscore with J 7 of trumps. East had a two-suited hand with concentrated values in each suit. 4♦ was clearly indicated. West stated that his 6♦ bid came much more quickly than his double. East said that it was clear that North doubled 6♦ for a spade ruff, so correcting to 6♠ was obvious.

E/W play that after responder has shown values, and the next player makes a pre-emptive bid, opener's pass requests that responder double. If opener pulls the double it shows two places to play (pass/double inversion). E/W also play that had opener's RHO overcalled at the one- or two-level, opener's pass would request responder to clarify his 1♥ response. While West was considering his second call, East wrote notes to his screenmate (North) describing the partnership agreements. He also wrote, "brand new situation; 1st time at 4-level" and "I was never penalizing 4♣; X was slow but not relevant."

The Decision: Behind screens if it takes 25 seconds for the tray to return, there is considered to be no BIT. In later rounds of bidding and in complicated auctions this time may be extended. West could have spent a fair amount of time writing down the implications of East's pass and the extent of the E/W agreements regarding this auction. The fact that N/S waited until two additional boards had been completed weakens their claim that there was a BIT. Nevertheless, the Committee judged that the amount of time the tray spent on the South/West side was enough to constitute a BIT.

West's BIT suggested that he held spades, rather than a balanced hand, which made bidding 4♦ more attractive than passing for East. Was passing the double a logical alternative (LA) for East?

Without the UI, East would know that West had either a positive response with spades or a balanced hand. For bidding 4♦ to be the wrong action, a parlay would be required. West would have to hold a balanced hand, E/W would have to be able to collect 800 versus a game, or E/W would fail to locate a making game or slam. Further, East might have to select an effective opening lead from an awkward hand to lead from. Additionally, the rank of East's suits made it likely that the auction would proceed comfortably if East bid 4♦. The Committee judged that few, if any, of East's peers would seriously consider passing 4♣ doubled with the East hand and none actually would.

Thus, East had no LA to his selected 4♦ bid.

The Committee also agreed with East that North was highly likely to be void in spades for his double, and East's pull to 6♠ was clear.

Therefore, the Committee upheld the director's decision to allow the table result of 6♠ by East making six, E/W plus 980 to stand.

The Committee: Doug Doub (Chair), Ed Lazarus, Mike Passell, Lou Reich and Danny Sprung.

Commentary:

Gerard

OK, let's see if we can focus on that big iceberg instead of those lousy deck chairs.

This whole case was about Pass Double Inversion (PDI). Playing PDI, Meckstroth's pass invites a double on any hand with which Rodwell would sit for a penalty double. Double instead by Meckstroth would have been for takeout, an immediate bid would have been a one-suiter. Passing and then pulling the double shows a two-suiter. For standard players, the primary situation in which PDI applies is where a 2♣ bidder has not yet rebid naturally, e.g. 2♣ (P) 2♦ (4♣). For system players, replace 2♣ and 2♦ in the foregoing example with 1♣ and any artificial response and you have the case at hand.

So, if PDI applied in the actual auction, Meckwell bid exactly as you would expect them to. East had a flexible, rather than a well-defined, hand, West had no reason to do other than what he was invited to do (and he needn't worry about an inadequate penalty because East couldn't be converting), East showed diamonds and a major, West bid a slam, East sniffed out the spade ruff. Indeed, you might ask what took so long? Well, Rodwell might have been trying to remember whether PDI applied, or wondering whether there was any chance that North was crazy or figuring out whether he would have passed a penalty double. He also might have been reconstructing analogous lower level auctions in order to determine at what point his obligation to clarify his hand ceased (IMO that should be whenever his side no longer has a below-game cuebid available). I can well believe "First time ever at the four-level," since there would have to be a parlay of a strong club, ambiguous response (Is 1♥ the only one?) and four-level blast. So, there could easily have been some uncertainty, and even absolute faith in one's ability to recall page 623 of the system notes does not equate with just one instance of real life experience.

But that's a big "if" in "if PDI applied." Meckwell tell you more than you ever want to know about their uncontested auctions, but they aren't on as firm footing when you're in their faces. This is normal for all top pairs, whose hand generators rarely create competitive situations. Just look at the UI and MI cases from the casebooks, throw out the "Hesitation Blackwood" ones and tell me how many times the opponents never bid. In my mind it's criminal that the committee didn't investigate Meckwell's methods. The burden was on them to prove they were playing PDI. If they were, shouldn't they have alerted pass, double and 4♦? I did when I played PDI, and I didn't think it worthy of an Active Ethics award.

Gerard (cont.)

You can't just take their word for it, no matter who they are. Bocchi and Duboin played show and tell and weren't insulted to be asked. Meckwell have had 13 years to organize their system notes since something similar happened, so it should be easy to commandeer Rodwell's computer and do a search for "PDI," giving due consideration to the flexibility of that medium. If it's there, the decision stands even if the reasoning is off base. If it's not, it's back to the drawing board. Meckstroth tried to have it both ways by saying the methods were on but his judgment was not to pass even if they weren't. In other words, he wasn't sure. If playing PDI, he certainly didn't need to explain why he would bid 4♦, since partner could have a small singleton club. But, if you're not playing PDI in the prototypical situation, are you playing it at all?

So the committee didn't do the one thing the case was screaming at them to do and focused on the minutiae instead. In order to determine whether there was a demonstrably suggested LA; you have to determine what kind of hand West could have for double. I know it may be a load to look at page 623 of the notes, but how about doing your job when you should? For my money it's impractical to play that double has the same meaning as if the overcall had been 2♣, since there no longer is room for both partners to describe their hands. Yet everyone seemed to conclude that double was descriptive, paying no attention to the PDI implications of East's pass. Whack-a-mole. Why bother with facts when we can just create our own reality?

The committee might say that it went right to the substance of the case, that its conclusion made it unnecessary to consider other matters. Well what if it had come to the opposite conclusion? Wouldn't it have boxed itself in and possibly have reached the wrong result? The evidence indicates that PDI wasn't a consideration for the committee, so if pass were imposed as a LA that would have been the end of the case. Taking things out of order is more than just a bad habit, it can change a committee's decision.

This was an example of way too much deference being accorded a top pair. It's tempting to take all their statements at face value but there's a greater responsibility that comes with being an adjudicator. If the committee was familiar with the mechanics of PDI, it should have asked for proof and investigated the non-alerts. If the committee's decision was based on "bridge," then how was pass not a LA and pull not demonstrably suggested? And worst of all if the committee bought into "I'm not passing," then the only appropriate comment is "Do you want a blindfold?"

I would have thought that basic understanding of the concept of self-serving statements would have settled that (e.g., the "I'm bidding seven" incident from Fort Worth.) Maybe I'm too cynical but there's a lot here that doesn't compute.

Goldsmith Was there a BIT? Yes. Everyone at the table knew there was, so there was. Did the UI from the BIT suggest bidding over passing? Absolutely. It suggested a spade fit. (Could it have shown extra values? What would West bid with better balanced hands?) Was passing 4♣ doubled a LA? Let's move around some spot cards...give West KJx/ AJxx/ xxx/ Axx. Then E/W have only one making game, 4NT, which may not be biddable. Is 4NT natural after 4♦ - 4♥ - 4♠? Maybe, but I bet some of E/W's peers wouldn't be sure. E/W will maybe get to 5♦, which goes down. Versus that 3433 hand, North is going for 800 versus a problematic white game, so it surely could be right to pass 4♣ doubled. I'm not one of East's peers, and it's hard to find many, but I did a poll which included several experienced strong club players and a few very strong bidders. The consensus was that passing was clear-cut. Note: the consensus was not that it is clear-cut that passing is a LA, but that passing is the clear-cut normal choice on the hand. Therefore, passing is a LA and N/S get minus 200 in 4♣ doubled and E/W get plus 200. I think the ruling is not particularly close.

Polisner I would have liked to have seen some more information about the BIT. as only two opinions were mentioned being 15-60 seconds. My guess is that it was somewhere in the middle. If there was no "unmistakeable" BIT, there can be no adjustment. If West was too good to bid only 4♠ (assuming that his initial response was predicated on a spade positive) he could have bid 4♣ rather than double. I wonder why he didn't unless he decided to now treat his hand as the balanced 11-13. Therefore, I am not sure what the BIT would mean to East. If the BIT did not suggest a particular action being more successful than another, no adjustment was in order. Lastly, East's pull to 6♠ seems routine as there doesn't seem to be a safe way to have West become the declarer in spades to protect a possible Kx, although that would appear very unlikely taking into account the vulnerability, I therefore agree with the decision.

Rigal The committee made an intelligent decision. It is rather hard for the appeals committee to put itself in the place of a pair with such complex agreements, particularly when the sequence comes up for the first time. That said, bridge logic appears to be on East's side with the 4♦ call, and thereafter, it was not UI that was at stake but 'playing bridge.'

Wildavsky By the numbers:
Was there UI? The tournament director (TD) and appeals committee (AC) found that there was.
Did the UI demonstrably suggest one action over another? Certainly it did. A slow double almost always suggests pulling, and here there was the possibility that the slow double suggested spades -- West would have had no reason to consider his call with 11-13 balanced.
Was there a less successful alternative available that was logical? That's the heart of the matter. E/W's reasoning is facile. One could equally well justify passing. Slam is unlikely, while at least plus 200 is all but certain, 500 likely, 800 possible, and 1100 not out of the question. Meanwhile North, a sound player, is likely to have wild distribution. This means our game, even if we reach the best one, is facing poor breaks and is far from certain. Meanwhile North is facing a likely singleton or void in trump and a dummy producing no tricks on offense. He may have over-preempted slightly to take advantage of the ambiguity in the E/W methods. Would pass be an egregious error? To the contrary, pass is logical, perhaps a favorite. On the actual deal North found a great dummy and a favorable lie of the E/W cards in two suits and still goes for 200. Keep the North hand the same and give West an unexceptional 11-13 HCP hand, say:
Jxxx/ AQTx/ xxx/ Ax.
Now 4♣ goes for 800 while E/W have no game. With that hand West would have doubled in tempo.
Given that the TD and AC found that there was a break in tempo I would have adjusted the score for both sides to E/W plus 200.

Wolff

It is not often when our committee can get our "mitts" on a modern high-level case and because of the future in dealing with one, we should take extra pains to try and get it right, at least we have a duty to point out differences as we see it.

For the purpose of my response I am assuming that Rodwell's study was considerable (more than 15 seconds).

1. When a partnership concocts a system wherein a low-level bid has one of two distinctly different holdings then, after an opponent preempts crowding the opener's bidding room, and when passed back to the conventional bidder, that bidder has an ethical responsibility to either bid totally in tempo, or, if not, to certainly not choose a bid wherein his "slow response" tips off what type of hand he has to his partner and at the same time leaves room for partner to choose a wide range of actions, including a penalty pass of his double, when he has the opponent's suit stacked.
2. If an intricate system is worked out, it is the partnership's responsibility to make sure that they do not gain an unethical advantage, by using "greed" to be able to differentiate to partner various choices, knowing the uneven tempo will remove all doubt from partner's mind of the type of hand he has (in this case, spades and not just a simple balanced decent hand).
3. It is clear to me that the committee chose wrongly in determining their decision. When we say Meckwell, we are certainly talking about one of the few very top partnerships in the world, but even that exalted status does not give them the right to be advantaged by uneven tempo. I think that Rodwell, after studying so long (again I assume he took more than the 15 seconds he said he took), should have bid something, say 4♦ (his second suit), to remove all doubt which of the two type hands he held.
4. It is my fervent hope that our top players (better yet all aspiring to be top players) understand the need to be beyond suspicion and to play the game the way we wish all our opponents would play, practicing Active Ethics along with playing the game very well. That combination would serve our game the way it should be served.

Zeiger

Not sure I agree with the final decision, especially as the correction to 6♠ seems to be riskier without the BIT, but no matter. The committee clearly considered all the relevant issues and proceeded in a logical manner. Good enough for me, in a close case. Excellent write up, save for the failure to mention the appeal had merit.

APPEAL	NABC+ FIFTEEN
Subject	Unauthorized Information (UI)
DIC	Guillermo Poplawsky
Event	Open Swiss Teams
Session	Second Qualifying
Date	July 28, 2007

BD#	3
VUL	E/W
DLR	South

Chip Martel	
♠	A Q 8 6
♥	J 9
♦	9 3
♣	K T 4 3 2

Nagy Kamel		Summer 2007 Nashville, Tennessee	Robert Lebi	
♠	9 2		♠	K T 7 4 3
♥	8 7 5 4		♥	A K 6
♦	Q 8 6 4		♦	T 2
♣	J 7 5		♣	A 9 8

Lew Stansby	
♠	J 5
♥	Q T 3 2
♦	A K J 7 5
♣	Q 6

West	North	East	South
			1NT ¹
Pass	Pass	Dbl ²	Pass
2♣	Dbl	Pass ³	Pass
Redbl	Pass	2♣	Dbl
Pass	Pass	Pass	

Final Contract	2♠ doubled by East
Opening Lead	♠J
Table Result	2♠ dbl'd E, down 2, E/W -500
Director Ruling	2♣ dbl'd W, down 4, E/W -1100
Committee Ruling	2♣ dbl'd W, down 4, E/W -1100

(1)	12-14 HCP.
(2)	Alerted and explained as DONT.
(3)	Slight hitch.

The Facts: The director was called after the dummy was tabled. N/S claimed that East had noticeably flinched after the 2♣ bid had been doubled. East's first-round double had been Alerted and explained as DONT. East had stated that he had made an ethical decision to smoothly pass the double of 2♣. West had decided to redouble for SOS and had stated that if partner really had clubs they would be OK.

The Ruling: By slight gesture, movement, hitch or mannerism there was UI that suggested that East didn't want to play 2♣ doubled. Passing was determined to be a logical alternative (LA) to redouble. The result was adjusted to 2♣ doubled by West, down four, E/W minus 1100 (laws 16 and 12C2).

The Appeal: E/W were a first time partnership and had only discussed playing DONT over the opponent's notrump opening. West had assumed that the entire system was on over both strong and weak notrumps; while East had stated that logic dictated that a penalty double was penalty over a weak notrump. Additionally, while the initial double of 1NT had been Alerted and explained as DONT, the 2♣ bid by West had not been Alerted. West stated that the auction gave him the necessary information to escape from 2♣ doubled. The partnership only made single-suited DONT doubles with a six-card suit, and the opponents could not be doubling 2♣ with a 2-2 fit.

N/S stated that the double of 2♣ was clearly penalty in their methods and that East had visibly shrugged before passing 2♣ doubled (disputed by E/W). They also stated it is common practice for DONT bidders to occasionally use the double with only a five-card suit as the best way to get into the auction. This would logically permit N/S to be doubling 2C with a 3-card holding in the North hand.

The Decision: The committee decided that West was in possession of UI due to his partner's non-Alert of his 2♣ bid. The UI demonstrably suggested that redouble by West would be a successful action. Since a pass of 2♣ doubled was clearly a LA for West, the committee determined a result based upon a pass by West. Therefore, the result was changed for both sides to 2♣ doubled down four for minus 1100 for E/W. The committee considered but rejected awarding an appeal without merit warning (AWMW) to the appellants since a couple of the members did not favor awarding an AWMW.

The Committee: Mark Bartusek (Chair), Tom Carmichael, Jeff Goldsmith Abby Heitner and Mike Kovacich.

Commentary:

Goldsmith An AWMW is clear. I'd probably not give E/W a procedural penalty, because West probably didn't realize that he knew what was going on from UI.

Polisner One wonders why the tournament director did not find out that the real UI was the failure to Alert 2♣ which makes the ruling much easier than an alleged "hitch" which is much more subjective.

Rigal I side with the minority. An AWMW looks clear-cut; what argument did West produce for his removal? There is none.

- Smith** The committee found a way to adjust the score without really stating whether they thought there was UI from the alleged hitch. I would feel better about the decision if it had addressed that issue in the write-up. I don't buy the E/W argument that West knew from the authorized information of the auction that sitting for 2♣ doubled was wrong because it would mean that an opponent with only two clubs had doubled for penalty. It seems a bit self-serving (and an unusual agreement at that) for a pair who does not agree when DONT applies to argue that they have a firm agreement that a DONT double always shows a six card suit.
- Wildavsky** I see no merit to this appeal. Did West actually testify, as the write-up seems to indicate, that he actively took advantage of his partner's failure to Alert 2♣? That might warrant a procedural penalty, but for the fact that if it was the case we'd know about it only because of West's unusual forthrightness.
- Wolff** A very harsh result considering that 2♠ doubled would probably go down three instead of four in 2♣ doubled. However convention disruption (CD) with small hitches conveying UI can also unduly affect the game making, yet again, the necessity for learning the nuances of the system one plays. I hope all the appeal members reading this hand become convinced that if a partnership plays a convention, then all possible UI, including small hitches will be held against them. The bad news is that this ruling might suggest to non-offenders to bring any possible less than perfect tempo by their opponents to committee for favorable adjudication.
- Zeiger** I like the way the committee cleverly avoided addressing the issue of the hitch by focusing on the failure to alert 2♣. Saved some inflamed tempers, and provided the same UI. East gets credit for at least passing 2♣, and not bidding 2♠. Enough credit to avoid an AWMW even though he deserved one."

APPEAL	NABC+ SIXTEEN
Subject	Unauthorized Information (UI)
DIC	Guillermo Poplawsky
Event	Open Swiss Teams
Session	First Final
Date	July 29, 2007

BD#	12
VUL	N/S
DLR	West

Mark Lair	
♠	J 7 6 2
♥	A K Q 4
♦	2
♣	Q 9 8 3

Gerry Marshall		Summer 2007 Nashville, Tennessee	Bernie Lambert	
♠	5 4		♠	T
♥	J T 9 7		♥	8 3 2
♦	J 9 8 5 3		♦	A K T 7 6 4
♣	J T		♣	K 6 5

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

West	North	East	South
Pass	1♣	1♦	1♠
3♦ ¹	3♠	Pass	4NT
Pass	5♦	Dbl	Pass ²
Pass	Rdbl	Pass	6♠
Pass	Pass	7♦	Dbl
Pass	Pass	Pass	

Final Contract	7♦ doubled by East
Opening Lead	♠A
Table Result	7♦ dbld down 6, N/S +1400
Director Ruling	7♦ dbld down 6, N/S +1400
Committee Ruling	7♦ dbld down 6, N/S +1400 1 VP procedural penalty to N/S

(1)	Alerted weak.
(2)	South reached into bid portion of bid box and started to pull a bid identified as 5♠ by E/W but E/W acknowledged that the bid could not be seen by North.

The Facts: The director was first called after South's fumble with the bid box and again after the play of the hand. Prior to the 7♦ bid, East asked what the redouble meant. South said, "I believe it shows a first round control." North said after the hand that they have no agreement and he redoubled because he had a good hand.

The Ruling: While there was UI from the fumble with the bid box, the director judged that it did not demonstrably suggest the redouble (law 16). South's explanation of the redouble indicated that no agreement existed (law 75). The table result of 7♦ doubled down six, N/S plus 1400 was allowed to stand.

The Appeal: East explained that he had understood South's explanation of the redouble as being a firm statement of having a diamond control. He indicated that he expected South to have a diamond control for his use of Blackwood. He did not know he could call the tournament director back, and South was already visibly agitated and he did not want to upset him further.

Had he known that North might have a singleton diamond he would never have saved, given his club king as a likely second trick.

Fu Zhong, representing N/S and the team, said that N/S play a form of keycard Blackwood (KCB) where 5♦ had denied a void.

The Decision: The committee did not pursue the UI issue; it was agreed that South's fumble did not demonstrably suggest the redouble. It determined that South's explanation was not satisfactory given that there was no firm agreement here. But, East had failed to meet his obligations; given the inherent doubt of the response, he should have asked again. And, he should have asked about the KCB responses used by N/S. It was impossible for South to have only one diamond and North none. West could not have six diamonds and raise only to 3♦ at favorable vulnerability.

Despite South's failure to explain himself correctly, East had not done his part to protect himself for the reasons stated above.

The table result of 7♦ doubled down six, N/S plus 1400 was allowed to stand, and N/S's team was fined one victory point (a procedural penalty 'PP') for N/S's inadequate explanation.

The Committee: Barry Rigal (Chair), Tom Peters, Richard Popper, Jeff Roman and Eddie Wold.

Commentary:

Goldsmith I see no reason for the PP. South should have answered, "we have no agreement," but he tried to contribute his general bridge knowledge. "I believe" makes that pretty clear, that South wasn't stating a firm partnership agreement, but was just guessing from experience. So why does the appeals committee feel that trying to be helpful warrants a PP? Yeah, the explanation wasn't perfect, but it was good enough. The discussion about East's responsibilities ought to have been simpler: East knew that his opponents didn't have an agreement about this auction, both from common sense and from South's explanation, which directly implied it. He was on his own. The appeal had no merit.

Polisner The only thing to which I object is the 1 victory point penalty.

Rigal I was part of the committee, so should perhaps not express a view as to how lucky N/S were here. We felt that even if there were UI East damaged himself. The PP seemed the least we should do here to N/S.

- Smith** While South should have simply stated that there was no agreement about the redouble, I think the way South phrased his answer was enough for an experienced opponent to understand that it was not a statement of a firm agreement. So, East was on his own. The committee's logic in questioning the wisdom of East's call, in any case, is good. I think the procedural penalty was unnecessary and inconsistent with how committees and directors treat such misinformation in other cases. If misinformation leads to damage, adjust the score. If not, leave it alone unless it is a chronic problem with a particular pair.
- Wildavsky** While the damage to E/W seems to be primarily self-inflicted, N/S must not be allowed to profit from their infraction. I'd have adjusted the N/S score to minus 100, per law 72b1. Then no procedural penalty would be necessary.
- Wolff** An excellent ruling of allowing the final table result, but penalizing N/S one victory point for an incorrect explanation.
- Zeiger** N/S clearly gave misinformation, based on their representative's testimony about their Roman Keycard methods. This clearly led to them gaining an advantage. No thanks. I can live with not giving E/W redress due to failure to play bridge, so to speak, but N/S must be minus 100 in 6♠. I just love ruling against everybody, especially when it's right.
As a side note, one of the committee members should have recused himself from this case. I have complete faith in his integrity, but the appearance is not good.