

Appeals at the 2007 Fall NABC San Francisco, CA

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 33 cases were heard.

Eighteen (18) 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.

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THE EXPERT PANEL

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

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

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

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

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

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

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

APPEAL	Non-NABC+ One
Subject	Unauthorized Information (UI)
DIC	John Ashton
Event	First Fri/Sat Knockout – Bracket Four
Session	Round Two
Date	November 23, 2007

BD#	12
VUL	N/S
DLR	West

800 Masterpoints	
♠	K Q
♥	A K Q J T 7
♦	Q 8 6 2
♣	A

1,632 Masterpoints		Fall 2007 San Francisco, CA	1,438 Masterpoints	
♠	J T 4 2		♠	9 8 6 5
♥	8 5		♥	9 6 4 2
♦	T 4		♦	9
♣	Q T 8 5 3		♣	9 7 6 2

2,000 Masterpoints	
♠	A 7 3
♥	3
♦	A K J 7 5 3
♣	K J 4

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

Final Contract	6♥ Hearts by N
Opening Lead	♦9
Table Result	6♥ by North, making 7, +1010
Director Ruling	5♥ by North, making 7, +510
Panel Ruling	5♥ by North, making 7, +510

(1)	Supposed to be one or four controls
(2)	All agreed break in tempo

The Facts: All agreed there was a noticeable break in tempo before the 5♥ bid by South.

The Ruling: Per Law 16 and 12 C 2, the result was adjusted to 5♥, making seven, North/South plus 510.

The Appeal: South said that he was trying to figure out what kind of hand could open 2♣ and only have one key card and insist on a heart game without both the Ace and King of hearts. He finally decided to bid 5♥, thinking they were off two key cards.

North said she realized she made the wrong bid and thought she could bid 6♥. The E/W pair agreed with the facts presented. An approximate length of the break in tempo was stated as “noticeable” and “obvious thought by South”.

The Decision: South took control of the hand after North’s jump to 4♥. South could have had a hand without a key card. When South broke tempo, North realized that she gave the wrong response and should have bid 5♦ (0-3, 1430). Since South had a problem, North now knew that South must have at least two key cards and, therefore, assumed that she, North, had one and not four key cards. Using this UI, North knew that they were not missing two keys, and can bid slam without risk.

The panel felt that North was awakened to the misbid by South’s hesitation. The panel felt the use of the U.I. was blatant enough to issue a procedural penalty (PP) and an appeal without merit warning (AWMW). The penalty was 3 IMPs (not relevant to the outcome of the match) to make the point that not only was the appeal without merit but advantage was taken from the UI.

Law 73 F 1 requires an adjustment when a player selected from among logical alternatives one that could demonstrably have been suggested by a break in tempo. Law 73 sends the director to Law 16 and from there to 12 C 2 which requires the non-offending side be given the most favorable result likely had the irregularity not occurred. That result was judged to be 5♥ by North, made seven, N/S plus 510.

The Panel: Candy Kuschner (Reviewer), Charles MacCracken and Jean Molnar.

Players Consulted: None.

Commentary:

Polisner I disagree. Normally when a responder to Roman Key Card Blackwood shows either 0 or 3, or 1 or 4 and partner signs off, the responder should assume that partner is playing him/her for the lesser of the possibilities and if he/she has the greater, he/she should bid again. This is a classic case of such a principal except that North realized that she wrongfully showed the correct number of key cards. The fact that she realized this during South’s BIT is not relevant. It wasn’t the BIT which told North to bid 6♥, but the realization that she had possibly shown only one key card and she had three. Table result stands.

- Rigal** Although I'm usually a fan of PPs when an appealing side brings a case without merit, I think the chain of reasoning North was deemed to have followed that led to the PP was not sufficiently direct to require one. I agree with the decision on the case itself though.
- Smith** In some situations where a player has responded to Roman Key Card Blackwood showing either/or, it is permissible to allow them to bid on to slam after a signoff by partner when they hold the higher number, even opposite a hesitation. That is not true here, however, since it is all but impossible for a player who opened 2C to have zero or one key card. Even though South obviously had trouble believing it (Who can blame him!), he did decide it was possible in this case since it was impossible for his partner to have four. So from North's point of view, his partner could have had no key cards and the partnership could have been off two aces. Cases like this in recent years have in my opinion correctly established the precedent that partner's hesitation before signing off is UI in terms of alerting a player to recheck his previous bid for accuracy. With no hesitation, a player may well not consider the possibility of an earlier misbid and just pass reflexively. So I agree with the directors and the panel here. The write-up is a bit disjointed, but the ultimate decision is correct.
- Wildavsky** I love that PP! Too bad it didn't affect the result of the match. I know some disagree with this use of PPs, in particular Marvin French and Michael Rosenberg. I find the practice unobjectionable and in fact beneficial, "pour encourager les autres."
Mostly I agreed with the panel's decisions. As usual, the cases tend to be more straightforward than the ones from NABC+ events.
- Wolff** A proper ruling. Sadly for the N/S pair, the circumstance of how the bidding developed must preclude making an exception in the use of hesitation Blackwood.

APPEAL	Non-NABC+ Two
Subject	Unauthorized Information (UI)
DIC	Ron Johnston
Event	B/C/D/ Swiss Teams
Session	First
Date	November 25, 2007

BD#	29
VUL	All
DLR	North

1,437 Masterpoints	
♠	J 3 2
♥	K 9
♦	9 3
♣	A Q 9 8 6 3

655 Masterpoints		Fall 2007 San Francisco, CA	1,124 Masterpoints	
♠	T 8 6		♠	Void
♥	A T 6 4 2		♥	Q J 5 3
♦	K 5		♦	A Q J 8 4 2
♣	T 7 4		♣	J 5 2

662 Masterpoints	
♠	A K Q 9 7 5 4
♥	8 7
♦	T 7 6
♣	K

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

Final Contract	4♠ by South
Opening Lead	♦K
Table Result	4♠ South, making 4, N/S +620
Director Ruling	3♠ South, making 4, N/S +170
Panel Ruling	4♠ South, making 4, N/S +620

(1)	The N/S agreement is intermediate, described as opening bid, good suit. Not Alerted.
(2)	Invitational

The Facts: South has UI from North's failure to Alert the 2♠ bid as intermediate.

The Ruling: Since North may have forgotten the agreement, this demonstrably suggests a 4♠ bid (Law 16A). Several players were polled; a majority bid 4♠, a minority passed, and some of the 4♠ bidders considered it close. Based on this, pass was ruled a logical alternative (LA). In accordance with laws 16 A and 12 C 2, the result was changed to 3♠ by South, making four, N/S plus 170.

The Appeal: North did not Alert 2♠, intermediate, but the failure to Alert did not demonstrably suggest South's 4♠ bid. In fact, N/S asserted the failure to Alert made pass a more attractive alternative since North's raise could be preemptive. The E/W pair did not attend the hearing.

The Decision: A poll was conducted to determine whether peers of South would bid 4♠ or pass given there was an Alert. Of the five players polled, four accepted and one passed. The one who passed did not know much about Intermediate Jump Shifts.

- 1) The 3♠ call was invitational,
- 2) South had more than a minimum call since he had an extra spade.
- 3) South's hand, the form of scoring, and the vulnerability suggest the 4♠ bid.

Hence, the table result of 4♠, making four, plus 620, was restored.

The Panel: Mike Flader (Reviewer), Candy Kuschner, Jean Molnar.

Players Consulted: Five of North's peers.

Commentary:

Polisner Good work by the panel as the failure to Alert was not necessarily UI as North may not have known that an intermediate jump overcall is Alertable. If South had UI indicating that North thought that his 2♠ bid was preemptive, the raise to 3♠ must then be furthering the preempt which does not suggest bidding 4♠.

Rigal This is a tough one since North has a clear 4♠ call facing an intermediate jump. So was the 3♠ call preemptive or invitational? If I believed South that it was invitational I'd let the 4♠ call stand, given the group polled. (This survey incidentally indicates the weakness of the polling system -- the panel discounted one verdict because they did not like it, but if they had wanted to go the other way they could have done so without making the appended comment. You either accept the poll results, or ask your sample more carefully whether they know the methods, before you start).

Smith I think the panel got this one right, but its reasoning bothers me. I think pass is a logical alternative as established by both the director and panel poll, but that is irrelevant to the decision. The panel tried too hard to justify 4♠ as a bid without logical alternatives and to use that as the reason for reversing the directors. The real point is that North's raise would be preemptive opposite a weak jump overcall and that means it does not demonstrably suggest bidding 4♠. I agree with N/S that it suggests just the opposite. Maybe that is the point that should have been polled. If South had passed, and had it been right, an adjustment would have been in order for choosing from among logical alternatives an action demonstrably suggested over another by the extraneous information (law 16). South chose the action not suggested by the extraneous information from the lack of an Alert, so he is free to keep his good score.

Wildavsky The tournament director (TD) poll produced different results than the panel's poll. The panel ought to have polled more players until they either agreed with the TD's poll or found a clearer alternate. As is, 20% of the players in the panel's poll would have passed 3♠. That makes pass logical enough for me.
I prefer the TD's decision to the Panel's.

Wolff Good ruling. Whether we want to admit it or not, some failures to Alert are not as bad as others. This is one of those relatively benign failures.

APPEAL	Non-NABC+ Three
Subject	Unauthorized Information (UI) -Tempo
DIC	Jean Molnar
Event	Sat/Sun KO
Session	Final
Date	November 25, 2007

BD#	13
VUL	Both
DLR	North

3,800 Masterpoints	
♠	9 8
♥	9 7 5 2
♦	Q 5 2
♣	A T 6 5

3,000 Masterpoints		Fall 2007 San Francisco, CA	1,100 Masterpoints	
♠	A J 5 2		♠	7 6 4
♥	A T		♥	K Q J 8 3
♦	A 9 8 7		♦	6 3
♣	Q J 8		♣	7 3 2

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

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

Final Contract	2NT, by West
Opening Lead	♦2
Table Result	2NT, by West, making 2, E/W +120
Director Ruling	4♠ by West, down 2, E/W -200
Panel Ruling	4♠ by West, down 2, E/W -200

(1)	Announced as transfer.
(2)	Break in tempo (BIT).
(3)	BIT.

The Facts: The defenders were told before the opening lead that 2♥ was not a transfer. The director was called after the auction was completed. Neither North nor South would have bid differently.

The Ruling: After discussion, the directors felt that West's bidding was not consistent with the information she gave her opponents about their agreement. In accordance with laws 16 A and 12 C 2, the score was adjusted to 4♠, down two, E/W minus 200.

The Appeal: East stated that she forgot their methods and felt that she could not rebid her hearts. She chose to rebid 2NT, since she did not feel she could pass. West thought that the hand might play well in notrump, thus her decision to pass.

N/S noted that there were two BITs, not one, and that West's choice of final call was inconsistent with the hand she held.

The Decision: The panel felt that UI existed and that both East and West could have selected calls suggested by the UI. East could have elected to raise spades. If she does so, her partner would bid game. The BIT by East before bidding 2NT demonstrably suggested a pass as the panel felt that West had a clear bid of 4♠ over the 2NT call.

In accordance with laws 16 A and 12 C 2, the panel upheld the director's decision of 4♠, down two, E/W minus 200.

The appeal was judged not to have merit and an appeal without merit warning (AWMW) was issued to E/W.

The Panel: Mike Flader (Reviewer), Ron Johnston, Gary Zeiger.

Commentary:

Polisner Classic case of UI and West taking full advantage. I would have issued a further penalty against West for blatantly taking advantage of the UI.

Rigal Clearly West picked up from the tempo on the problem here from his failure to repeat the spades. Might South have doubled 4♠ and collected 500? An AWMW equally clearly appropriate.

Smith What does a 2♠ bid by a 1NT overcaller mean after partner signs off in 2♥? Spades? A heart game try? An obvious (and therefore authorized) indication that the 2♠ bidder thought 2♥ was a transfer? What would East think if there had been no announcement of transfer (the conditions that the directors and panel should have started from)? What does the hesitation before bidding 2♠ "demonstrably suggest?" What does the hesitation before the 2NT bid "demonstrably suggest?" All of these issues should have been decided only after polling some players. Although the adjustment may have been ultimately correct, there is nothing to justify it except for the opinions of directors. And that is not how this system is supposed to work. It seems that the directors and panel eventually focused on West's pass to 2NT and almost certainly correctly decided that the UI from the slow 2NT bid alerted West that the train was off the tracks, and that 4♠ is a logical alternative to passing. But process matters, and it wasn't followed as it should have been in this case.

Wildavsky Good work all 'round.

Wolff Another good ruling. Both convention disruption and UI must be eradicated and when they occur, the bridge police will always take over.

APPEAL	Non-NABC+ Four
Subject	Misinformation (MI)
DIC	Jay Albright
Event	Bill Holt KO Bracket I
Session	Three
Date	November

BD#	14
VUL	None
DLR	East

Don Campbell	
♠	Void
♥	A 9 7
♦	9 8 6 2
♣	K J 9 8 6 4

Bob Morris		Fall 2007 San Francisco, CA	Rita Ellington	
♠	7 6		♠	A K Q 8 4
♥	J T 8 6 4 3		♥	K 5 2
♦	J 7		♦	K 4
♣	A 7 2		♣	Q 5 3

Sydney Hayes	
♠	J T 9 5 3 2
♥	Q
♦	A Q T 5 3
♣	T

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

Final Contract	3♥ by West
Opening Lead	Unknown
Table Result	3♥ by West, making 3, E/W +140
Director Ruling	3♦ by West, down 6, E/W -300
Panel Ruling	3♦ by West, down 6, E/W -300

(1)	Forcing.
(2)	Intended as transfer, no Alert or Announcement.

The Facts: 3♦ was meant as a transfer. East did not interpret as such but wasn't sure as bidding sequence had never occurred. South stated she wouldn't have doubled had she known 3♦ was a transfer.

The Ruling: In accordance with laws 12 C 2 and 40 C, since damage occurred because of the MI, the result was adjusted to 3♦ down six, E/W minus 300.

The Appeal: The appellants produced system notes that covered an uncontested auction of 1♠, pass, 1NT (forcing), pass, 2NT, pass, 3♦ as a transfer to hearts. They stated they had not discussed this sequence with interference. East stated that if she had been behind a screen, she would have told South that this auction was un-discussed. South stated that she had no reason to suspect that this was a transfer and surely would not have doubled if she had known this.

The Decision: The system notes demonstrated that West was not just "out on his own" when he bid 3♦. He had a reasonable expectation that he was bidding within the system, thus he expected to hear an Alert. Since the system notes did not explicitly state the structure was off after interference, MI was assumed. Using laws 21 B 3, 40 C and 12 C 2, the ruling of 3♦ down six, E/W minus 300 was upheld.

The Panel: Harry Falk (Reviewer), Mike Flader, Candy Kushner and Matt Smith.

Commentary:

Polisner If I understand the E/W system notes, the 3♦ bid would be a transfer in an uncontested auction. Doesn't that mean, by implication, that in a contested auction, it is not a transfer? The director should presume MI (rather than misbid) in the absence of sufficient evidence to the contrary. Good ruling and decision.

Rigal Seems reasonable. South is entitled to know the methods in use, though of course asking East both to explain correctly and pass is asking for the moon!

Wildavsky Good work. I see no merit in the appeal. What makes E/W think they ought to be able to profit from providing misinformation?

Wolff Again, I agree with the ruling, but in a pair game I would suggest that E/W get the matchpoints for down six in 3♦, but that N/S go minus 140 since South gambled with his greedy double and lost when West was given the opportunity to bail out. Sooner (I hope) rather than later, all committees will adopt this fairer (to the field) resolution.

APPEAL	Non-NABC+ Five
Subject	Misinformation (MI)
DIC	Matt Koltnow
Event	Sat/Sun Bracketed KO
Session	Final
Date	November 26, 2007

BD#	33
VUL	None
DLR	North

888 Masterpoints	
♠	A K J 8 5
♥	K Q 6 4 2
♦	K
♣	63

714 Masterpoints		Fall 2007 San Francisco, California	654 Masterpoints	
♠	Q 9 6 2		♠	4 3
♥	J		♥	T 7 5
♦	8 2		♦	J 7 4 3
♣	Q T 9 8 5 2		♣	A K J 7

469 Masterpoints	
♠	T 7
♥	A 9 8 3
♦	A Q T 9 6 5
♣	4

West	North	East	South
	1♠	Dbl	ReDbl
3♣	Pass	Pass	3♦
Pass	3♥	Pass	Pass
Pass			

Final Contract	3♥ by North
Opening Lead	♣A
Table Result	3♥, making 6, N/S +230
Director Ruling	4♥ by N, making 6, N/S +480
Panel Ruling	3♥ by N, making 6, N/S +230

The Facts: South was told that 3♣ was strong (10 pts). E/W claim that their agreement is that it is strong and West misbid.

The Ruling: Director ruled that there had been MI and adjusted to 4♥ making six, N/S plus 480 per Law 12 C 2.

The Appeal: N/S were asked about their understanding in an auction where North had opened in first seat, and, after a double by East, South had shown a good hand by redoubling and showing her own suit. They were depending upon the information given by the opponents. North could not imagine that the opponents could make a takeout double with such limited values and was concerned about the values West had shown. The auction was given to several players – the initial information that the reviewer was given was that this was in a very low bracket – so the players consulted were from the 0-200 masterpoint category. In three out of three cases, given the auction, all players bid game on the hand. They all basically ignored the 3♣ bid and based their decisions on the cards they held and on the information from partner’s bid. All felt that in a team game it was much more important to be in game.

The Decision: With well-placed honor cards behind the doubler, a fit with partner and a singleton club, South failed to evaluate her cards. She instead opted to rely on information that, intuitively, she knew could not be correct. She stated to the reviewer that partner would not open a flat ten point hand in first seat, so she knew that if partner was light in values, she was shapely. Given all of this information she still chose not to bid game.

The panel determined that this auction was undiscussed and that East should have answered “undiscussed;” therefore, there was MI, but the panel judged that the MI did not cause the bad result. South had chosen not to “play bridge” and believe partner when she knew that there had to be a problem when partner opened, RHO doubled, she had 10 HCP and LHO had 10 HCP.

The table result was restored - 3♥ by North making Six, N/S plus 230.

The Panel: Harry Falk (Reviewer), Su Doe and Candy Kuschner.

Players Consulted: Several of N/S’s peers.

Commentary:

Polisner Who in the modern era of bridge (say since bridge began) would play the 3♣ bid be anything but weak. The panel hit the nail on the head with its decision.

Rigal Tough decision for a non-NABC+ event, but I like the general concept that when a player ceases to play bridge they can’t expect the panel to play bridge for them. Where, as here, South knows the bid cannot be strong, it is a poor argument to say that you trust the opponents more than partner.

- Smith** Law 40 C states: “If the Director decides that a side has been damaged through its opponent’s failure to explain the full meaning of a call or play, he may award an adjusted score.” I agree with the panel that the main source of the damage to N/S was South's judgment and not the MI, and it was justified by the player poll. Probably South was more influenced by the fear that East's takeout double indicated a bad heart break than by the MI. That was quite a double by East. I wonder if his style of takeout doubles is so extreme as to require an Alert. It looks as if it might be, and he should have been questioned about it. I would have more sympathy for an adjustment on that basis than on the MI about the 3♣ bid.
- Wildavsky** The E/W score (only) should have been adjusted, per law 72B1. The 2007 laws will make this clearer. As for E/W's contention that their agreement was that 3♣ was strong, it is literally incredible.
- Wolff** Agree with the panel and when thought over it is similar to my suggestion about not allowing very poor bridge judgment (passing 3♥ by South here and in non-NABC+ case four doubling 3♦ by South) to ever be rewarded.

APPEAL	Non-NABC+ Six
Subject	Card Played
DIC	Dan Plato
Event	Side Game
Session	Morning
Date	November 27, 2007

BD#	2
VUL	N/S
DLR	East

1,030 Masterpoints	
♠	K Q J 6 5 2
♥	
♦	8 6 3
♣	Q 8 6 4

668 Masterpoints		Fall 2007 San Francisco, CA	800 Masterpoints	
♠	9 7 3		♠	8
♥	J 8 7 5		♥	A K T 2
♦	T 5 4 2		♦	Q J 9 7
♣	J 5		♣	K 7 3 2

857 Masterpoints	
♠	A T 4
♥	Q 9 6 4 3
♦	A K
♣	A T 9

West	North	East	South
**			

Final Contract	4♠ by North
Opening Lead	♥A
Table Result	Made 5, N/S +650
Director Ruling	4♠ by North making 5, N/S +650
Panel Ruling	4♠ by North making 5, N/S +650

** No auction provided since it was not material to the decision.

The Facts: The director was called at trick two. Declarer had trumped the opening lead in hand and led a small spade. The declarer called “spade” from dummy and then changed to “Ace.” Away from the table, the declarer acknowledged that he was a trick ahead of himself. It was his intent to win the spade in dummy and then call for a “spade” back to his hand.

The Ruling: In accordance with law 46 B 2, a small spade was ruled played to trick two. This resulted in a table result of 4♠ by North making five, N/S plus 650.

The Appeal: The West player said that North ruffed the opening lead and led the ♠5 to the ♠8 and then said, “spade.” Although South had played no card, West played the ♠3 when declarer said, “No, up.” South said that after East played the ♠8, North said “spade.” There was a short break then declarer said, “Up, I mean the ace.” Dummy had put no card in play.

Declarer did not show up for screening.

Declarer’s partner confirmed that there was only a short break between “spade” and “Up, I mean the ace.” South said that she believed playing the ace was always declarer’s intention. North did tell the table director that he had intended to play the ace and then a small spade to his hand.

E/W were unsure of what declarer’s intentions were, but thought it possible that declarer had considered playing a big trump from his hand and had gotten confused.

The Decision: Law 46 B 2 reads that if declarer designates a suit but not a rank he is deemed to have called the lowest card in the suit indicated. As to whether declarer’s different intention is incontrovertible, the table director clearly felt that in his conversation with the declarer, it was established that declarer had gotten confused. Nothing presented by South contradicted this. North did not appear, and we were not able to locate him.

Therefore, the panel upheld the table director’s decision that determined a table result of 4♠ by North making five, N/S plus 650.

The Panel: Ron Johnston (Chair), Mike Flader and Candy Kuschner.

Commentary:

Polisner If ever there was a case for an appeal without merit warning (AWMW), this was it.

Rigal These cases are always slightly more ambiguous than those in other areas of the rule-book. I’m prepared to let N/S get away without an AWMW although in my heart I believe they deserve one. As soon as North says he got a trick ahead of himself, he’s toast.

Smith Harsh perhaps, but the correct ruling and panel decision. When North told the table director that he was a trick ahead of himself, his call of “spade” can no longer be seen as incontrovertibly not intending a small one.

Wildavsky Good work all 'round.

Wolff Sadly, I agree with the decision because to rule differently would not allow us to play bridge properly.

APPEAL	Non-NABC+ Seven
Subject	Unauthorized Information (UI) - Tempo
DIC	Mike Flader
Event	0-5000 Blue Ribbon Pairs
Session	Second Qualifying
Date	November 27, 2007

BD#	8
VUL	None
DLR	West

2,441 Masterpoints	
♠	Q 7 4
♥	J 5 3 2
♦	8 4 3
♣	T 6 2

119 Masterpoints		Fall 2007 San Francisco, California	1,821 Masterpoints	
♠	K 8 6 5		♠	A J T 9 2
♥	K 9 8		♥	A 4
♦	T 7 6 2		♦	A 5
♣	A Q		♣	J 7 5 3

3,995 Masterpoints	
♠	3
♥	Q T 7 6
♦	K Q J 9
♣	K 9 8 4

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

Final Contract	4♠ by East
Opening Lead	♦K
Table Result	made 5, E/W +450
Director Ruling	4♠ by East, making 6, E/W +480
Panel Ruling	4♠ by East, making 5, E/W +450

(1)	Unbalanced with 4+ clubs; if 4=4414 or 11-14/18-19 balanced; if balanced minors unknown.
(2)	5+ Spades.

The Facts: After three rounds of diamonds, hearts and clubs were played (with both North and South following suit to every round played) East led the ♠J and finessed losing to North's ♠Q. There was an alleged break in tempo (BIT) by South prior to playing the ♠3 to the lead of the ♠J.

The Ruling: Director ruled that it was likely that declarer finessed the ♠J based upon the alleged BIT by the South. Therefore, the result was adjusted to 4♠ by East making six, E/W plus 480.

The Appeal: East by his telling took several minutes to make his play of the ♠J at trick ten. The opponents say it was a long time. E/W asserted that it took long enough for South to play the ♠3 that it appeared he was choosing between cards. South vehemently denied a BIT. North said that with Qxx she was trying not to look at anything. South pointed out that East knew about his ♣K and ♦Q. He thought that with the time East had taken he should have had the hand counted. East said that he couldn't get an exact count and with the small but distinct break thought that he had gotten a read. There was input from several players who felt that a first round finesse in trump was quite a stretch and even a near zero percentage play. One noted that had East gone up and then lost to Qxx in North that he would have a better case.

The Decision: One of the reviewers noticed immediately that in the four-card end position, with the actual hand, Declarer had to score 3 tricks and the defense 1 trick regardless of the play in spades – a total of two tricks for the defense. As mentioned by one of the consultants, the panel was not likely to determine that a player who had taken several minutes to consider his play could benefit from a marginal break by a defender. The panel did not consider whether or not a break existed. The table result of 4♠ making five, plus 450 was restored by panel

The Panel: Ron Johnston (Reviewer), Doug Grove and Charles MacCracken.

Players Consulted: Several regarding first round trump finesse.

Commentary:

Polisner My understanding is that before considering any adjustment, there must be an unmistakable BIT. The only reference to this issue in the write-up is that there was an “alleged BIT”. This is hardly enough to even proceed with the rest of the analysis. However, one wonders why the director was not able to comprehend the end position to be able to make the correct ruling.

Rigal We've seen some history in past casebooks (Lauria appealing against Ron Smith) that when a player takes a long while he can't expect his opponent to follow in good tempo. This case sounds like a player following his nose, then asking for something for nothing.

Smith Good for the panel for getting it right by noticing that nothing mattered. Regardless, East's position is not even close to convincing me that he deserved anything. He apparently knew that South could not have more than two spades, and by all accounts he took a lengthy period of time to figure out the hand. Perhaps the two minute pause before his play of the spade jack accounts for a hitch prior to South playing his singleton. Maybe South needed to reopen his hand and that was interpreted incorrectly by a declarer who was looking to solve his problem by an opponent's tempo.

There doesn't even seem to be enough evidence that South really did anything anyway. Law 73 is not intended to reward players for illogical play and thus give them a 100% play. Generally, inferences drawn from an opponent's tempo are at your own risk (73 D 1). However, 73 F 2 states that an adjustment may be made if an "innocent" player draws a false inference from the tempo of an opponent who has no demonstrable bridge reason for his hesitation and who could have known that a variation in tempo could work to his advantage. This East did not meet the law's standard of "innocence."

Wildavsky Good work by the panel.

Wolff I agree with the panel decision and would admonish East with his herky-jerky card playing totally designed to prey on the opponents. Whatever South did to mislead him was almost fair game to what East deserved. If the panel had thought that South had done too much unethical conduct then perhaps minus 480 for N/S and plus 450 for E/W would be appropriate.

APPEAL	Non-NABC+ Eight
Subject	Unauthorized Information (UI)
DIC	Tom Marsh
Event	Tuesday Open Pairs
Session	Second
Date	November 27, 2007

BD#	11
VUL	None
DLR	South

32,206 Masterpoints	
♠	8 2
♥	T
♦	A J 9 7 5
♣	K 8 6 3 2

3,104 Masterpoints	Fall 2007 San Francisco, CA	2,294 Masterpoints
♠ K J 9 6		♠ A Q T 7 5 4
♥ A K Q 7 6 3		♥
♦ 3		♦ K Q T 2
♣ 9 4		♣ A Q 7

12,037 Masterpoints	
♠	3
♥	J 9 8 5 4 2
♦	8 6 4
♣	J T 5

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

Final Contract	6♠ by East
Opening Lead	♣J
Table Result	Made 6, E/W + 980
Director Ruling	6♥ W, down 3, E/W -150
Panel Ruling	6♥ W, down 3, E/W -150

(1) | Alerted with statement: I guess I have to Alert that.

The Facts: The director was called before the opening lead. E/W was a new partnership. West thought East's 4♠ bid was some sort of slam try.

The Ruling: The semi-Alert made UI available to East such that West was not playing her for a spade suit. In accordance with laws 16, 12C2 and 73F1, the result was adjusted to 6♥ by West down three, E/W minus 150.

The Appeal: East mentioned that her 5♠ bid was not a response to KCB but to play. She said that 6♥ was an attempt to play the hand, but her void and good spades convinced her to bid 6♠. They do play unusual versus unusual but she thought her hand too big. West thought 4♠ was some sort of general slam try, thus 6♥.

Only North appeared and said that it appeared that the reluctant Alert of 4♠ made it much more likely that West did not have self-sustaining hearts and would have spade cards.

The Decision: Most of the players consulted assumed 4NT was key-card Blackwood (KCB) and chose to pass 6♥ with the East hand. A few thought seriously about bidding 6NT. Only one player mentioned that 4NT surely set spades as trump and thought seriously about 7♠ or 7NT.

Two members of the panel believe that 4NT is KCB and sets spades as the trump suit such that 6♥ is a choice of contracts.

The Panel believed that had East not insisted that her 5♠ response was not an answer to KCB that the Panel would have been much more interested in whether the auction itself suggested bidding 6♠.

However, the testimony that she was trying to suggest playing in spades with 4♠, 5♠ and 6♠ pushed the Panel to decide that the UI communicated to East that West's hearts were not self-sustaining and that West might have some spades.

It is clear that West never believed that East had spades when he bid 6♥. Even with all this, the Panel was split on whether to allow 6♠.

When the panel reached the decision that East could not give a reason that partner had spade support, the contract of 6♥ became likely and was the most favorable result likely to occur for N/S. The table director's ruling of 6♥ by West down three, E/W minus 150 was upheld.

Since E/W could not voice credible rationale for bidding 6♠, they were assessed an appeal without merit warning (AWMW).

The Panel: Ron Johnston (Reviewer), Ken Van Cleve and Doug Grove.

Commentary:

Polisner Good ruling and decision. This case is very close to the issuance of a procedural penalty.

Rigal Definitely not an AWMW given the length of time needed to debate and the analysis provided. Quite a complex case although I agree with the conclusion reached.

Smith Good and thorough job by the panel.

Wildavsky I'd have considered a procedural penalty in addition. When the authorized information suggests playing in a ridiculous contract we must give players some incentive to follow the laws, especially since we know that in practice they'll occasionally get away with their malfeasance.

Wolff

Far out and very punitive but convention disruption is very irritating to the opponents so I think it is the correct ruling. If a partnership indulges itself with "home brew" treatments or conventions they are REQUIRED to play them according to what is Alerted.

APPEAL	Non-NABC+ Nine
Subject	Misinformation (MI)
DIC	John Ashton
Event	Wed-Thu KO Bracket -Two
Session	First
Date	November 28, 2007

BD#	6
VUL	E/W
DLR	East

8,906 Masterpoints	
♠	A 7 3
♥	A J 8 5
♦	K 2
♣	T 9 8 6

3,552 Masterpoints		Fall 2007 San Francisco, CA	11,471 Masterpoints	
♠	T		♠	6 5 4
♥	K Q 9 4 3 2		♥	7 6
♦	T 9 4		♦	A Q J
♣	7 4 3		♣	A K Q J 2

7,505 Masterpoints	
♠	K Q J 9 8 2
♥	T
♦	8 7 6 5 3
♣	5

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

Final Contract	4 Spades by S
Opening Lead	♥K
Table Result	Made 4, +420
Director Ruling	4♠ by South making 4, N/S +420
Panel Ruling	4♠ by South down 1, N/S - 50

(1)	Asking for shortness, not Alerted.
(2)	Not Alerted

The Facts: Before the opening lead South said there has been a failure to Alert and North said there had been two such failures. The final contract was 4♠ making on the ♥K lead.

The director was called before the opening lead and was told by East away from the table that he would have bid 3♣ had he been Alerted. He passed because he thought 2NT was natural.

The Ruling: The director thought East's club holding was a strong indication that 2NT was not natural, and he should have done more to protect himself if it made a difference in his second call. Therefore, the damage was not as a direct result of the failure to Alert. The table result of 4♠ by South making four N/S plus 420 was allowed to stand.

The Appeal: East said he originally thought his partner had to lead a trump to set the hand, but after a couple of boards he realized that if she led a club he would have time to shift to a trump at trick two and still beat the hand. After the heart lead declarer ruffed a heart, led a diamond to the king, won the trump return and led a diamond to the jack. She won the second trump lead, ruffed a diamond, ruffed a heart, drew trump and claimed four. West said she would have led a club had her partner bid three clubs. South said that three times East said the hand could not be beaten without an initial trump lead. It wasn't until much later that he realized he could beat the contract with a club lead.

The Decision: The panel polled three experts. Two opened 1♣ (because it was a KO match and there was nothing in either major). Without the Alert they passed. After being told 2NT was asking for shortness one said he would bid 3♣ as a free shot and another bid 3♣. The third thought it unlikely 2NT was natural, especially given his club holding. The panel considered the fact that it took a considerable time for East to realize that a club could beat the hand. It was agreed that there is a lot of difference between going over a hand in your mind and actually looking at the cards while defending. The panel felt East's claim he would shift to a trump after winning the first club fell in the realm of "likely" as defined in Law 12 C 2, so the delay in comprehending the outcome after a club lead was not held against him.

The panel felt that there was damage as a result of the failure to Alert and, based on expert consultation, that there were several likely results had 2NT been alerted. Law 40 C requires an adjusted score if an opponent has been damaged by a failure to fully explaining a call. Law 12 C 2 requires the director to give the non-offending side the most favorable result that was likely had the irregularity not occurred. The result was adjusted to 4♠ by South down one N/S minus 50.

The Panel: Charles MacCracken (Reviewer), Harry Falk and Jean Molnar

Players Consulted: Lowell Andrews, Dan Gerstman and Jim Krekorian.

Commentary:

Polisner I'm not sure what the director thought that East should have done to "protect himself." If he asks what 2NT was, it could be giving West UI which could work against him if West led a club later. All in all, the panel got it right.

Rigal The point about East bidding 3♣ is that now he won't know that declarer has a singleton club. Yes, the trump shift looks right, but with the hearts looming in dummy it looks far from automatic to shift to a trump. I guess I'd give both sides 4♠ down one but I feel that is being generous to E/W. A 12C3 ruling would have been nicer if it were available.

- Smith** I was a bit skeptical before reading the decision, but the panel seems to have followed all the correct steps in deciding that E/W were damaged by the failure to Alert 2NT.
- Wildavsky** Good work by the panel.
- Wolf** Properly ruled by the panel, not the director. Convention disruption again, not to any very large extent, but on this hand it was material.

APPEAL	Non-NABC+ Ten
Subject	Unauthorized Information (UI) - Tempo
DIC	Mike Flader
Event	Mini Blue Ribbon 0-5000
Session	First Final
Date	November 28, 2007

BD#	26
VUL	Both
DLR	East

2,105 Masterpoints	
♠	A J 6 3
♥	A
♦	J 8 5
♣	K J T 9 6

2,832 Masterpoints		Fall 2007 San Francisco, California	3,200 Masterpoints	
♠	K 9 5 4		♠	Q 8
♥	K Q J 5 3		♥	6
♦	9 7 2		♦	K Q T 6 4 3
♣	2		♣	A Q 8 7

2,561 Masterpoints	
♠	T 7 2
♥	T 9 8 7 4 2
♦	A
♣	5 4 3

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

Final Contract	3♦ by East
Opening Lead	Unknown
Table Result	3♦, making 4, E/W +130
Director Ruling	2♥ by West, down 2, E/W -200
Committee Ruling	2♥ by West, down 2, E/W -200

The Facts: N/S claim a break in tempo (BIT) by West when 2♥ bid was made. East says no, maybe 3-4 seconds. West said she had to study her hand.

The Ruling: The director determined that there was a BIT. The 3♣ bid is demonstrably suggested by the BIT. Pass is a logical alternative. Therefore, the result was adjusted to 2♥ by West, down two, N/S plus 200 in accordance with laws 16 A 2 and 12 C 2..

The Appeal: East stated there was a BIT of perhaps five seconds. West said that she didn't think there was a lengthy pause but she did stop to consider her hand. East stated that partner did not promise a six-card suit in this hand. 2♥ was non-forcing but in the absence of the double he would have considered his hand as close to a jump shift (five losers).

The reviewer asked several questions about methods. E/W stated that they played weak jump shifts, so with a weak 6-card heart suit and six points, West would have made that bid. He therefore knew partner didn't have such a hand. She therefore had either five hearts or six hearts with more than 6-7 points. She was asked what she would do with eight points and six hearts and I was told that she would bid 2♥.

The reviewer recreated the auction with the parties present by having each bid from the bid box at the tempo used in the auction. The BIT was measured at 8-10 seconds.

Three players in the peer group (2500-3000) were consulted. Two of the three passed with the East hand over 2♥. The third bid 3♦. When asked what a BIT before a 2♥ bid might mean, two said that it might indicate only a 5-card suit while the other said that it might show a two and a half heart call with in-between type values.

The Decision: Based on the information obtained, pass was determined to be a logical alternative to bidding and action was demonstrably suggested by the BIT. In accordance with laws 16 A 2 and 12 C 2, the Director's ruling of 2♥ by West, down two, N/S plus 200 was upheld. The appeal was found to have merit.

The Panel: Harry Falk (Reviewer), Terry Lavender and Jean Molnar

Players Consulted: Three players in the peer group.

Commentary:

Polisner I have a problem with the manner in which the decision was reached. The process is a three-step analysis wherein after the determination that there was an unmistakable BIT, the second step is to determine whether the BIT suggested that one form of action would be suggested over another. You only go to logical alternative analysis after you have answered affirmatively to the first two steps. I don't see how the poll suggests that 3♣ would be more successful than passing which would permit East to do whatever he wanted. What if the BIT was in considering bidding 3♥ or 2NT?

Rigal Although I can understand where the panel was coming from I'm not so sure that the panel had really established that there was a tempo break demonstrably establishing that bidding was more attractive than passing. That said, they had no choice but to live with the player poll.

Smith Good job by the directors and the panel. The panel amply demonstrated that all of the elements necessary for a score adjustment were present. There was an unmistakable hesitation, it demonstrably suggested not passing, and pass was a logical alternative.

Wildavsky Asking the players to do their best to recreate the actual tempo and measuring it is excellent fact finding by the panel. This can also be a useful technique for the tournament director at the table.

Wolff A tough hesitation disruption ruling with which I agree with. But, we need to strive for consistency and this panel ruling is worth a precedent being established. What we cannot do is rule the other way in the future on very similar facts. To prevent that, we need to take affirmative action on this ruling.

APPEAL	Non-NABC+ Eleven
Subject	Claim
DIC	Jeff Alexander
Event	Thur/Fri Morning KO – Bracket Two
Session	Second
Date	November 30, 2007

BD#	9
VUL	E/W
DLR	North

4,188 Masterpoints	
♠	A Q 7 5
♥	5
♦	5
♣	A K Q 8 7 6 4

1,782 Masterpoints		Fall 2007 San Francisco, California	1,701 Masterpoints	
♠	K 8 4		♠	J 9 3
♥	K J 9 8 7		♥	T 3
♦	A J 9 6 4		♦	K Q 7 2
♣	Void		♣	9 5 3 2

2,790 Masterpoints	
♠	T 6 2
♥	A Q 6 4 2
♦	T 8 3
♣	J T

West	North	East	South
	1♣	Pass	1♥
Pass	1♠	Pass	2♣
Pass	5♣	Pass	Pass
Pass			

Final Contract	5♣ by North
Opening Lead	♥T
Table Result	5♣, making 5, N/S +400
Director Ruling	5♣, making 5, N/S +400
Committee Ruling	5♣, making 5, N/S +400

The Facts: Defenders had won two tricks with eight cards remaining and North claimed stating “pulling trumps” when West had the lead. The play was as follows:

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

The Ruling: Valid claim poorly worded, since declarer can return to hand with a diamond ruff to pick up all four trumps when West shows out.

The Appeal: With the 4-0 trump split, if Declarer were to try to return to hand by ruffing a Heart after a Heart return at the time which the claim was made, the ♣9 would be promoted to a winner for the defense.

The Decision: The play was as follows: Heart was led and won in dummy by the ♥A. Spade led to the queen followed by the ♠A. Third spade led won by West's ♠K followed by West's ♦A. At this point the claim was made with declarer playing the ♠K to ruff a red suit return. Declarer now stated that she was drawing trumps.

With the 4-0 trump split, a club to the ♣J and ♣T would leave declarer in dummy needing to return to his hand to draw the last two trumps. Declarer can get back to his hand by either ruffing a diamond or a heart. With the care that declarer had already shown by preparing to ruff a fourth spade if necessary, the fact that missing the entire diamond suit and no opposition bidding, it would be irrational to return to hand with a heart rather than a diamond given that declarer holds a total of six hearts and only 4 diamonds.

Director's ruling of 5♣ by North making five, N/S plus 400 was upheld.

The appeal was found to have merit.

The Panel: Harry Falk (Reviewer), Terry Lavender and Roger Putnam.

Commentary:

Polisner It would be "rational" for a player with 4,188 master points to not make the contract. Good decision.

Polisner No merit to my mind. Declarer's careful play thus far clearly demonstrates they were not going to go down (even had they ruffed the second heart high -- declarer does have AKQJ10 of trumps to cope with 9xxx!

Smith Good decision, and a distasteful appeal. This was not a "doubtful point", and it would have required worse than "careless or inferior" play by this declarer to avoid making 5♣ after the unanticipated 4-0 club split was revealed. I think E/W should have received an AWMW.

Wildavsky Good work all 'round.

Wolff An important ruling on a fairly common situation. It would be no less than irrational for North to return to his hand by ruffing a heart instead of the diamond. I would award one of those AWMWs to E/W for greed alone. It would be hard to imagine E/W thinking that North would bamboozle this simple situation and to try and get a windfall from the panel deserves some punishment.

APPEAL	Non-NABC+ Twelve
Subject	Claim
DIC	Harry Falk
Event	Thursday Side - Swiss Teams - AX
Session	Evening
Date	November 29, 2007

BD#	29
VUL	Both
DLR	North

Mike Ventri	
♠	A K J 7 2
♥	Q 9 2
♦	T 8 5
♣	J 4

Matt Haag		Fall 2007 San Francisco, California	Phil Clayton	
♠	T 5 4		♠	Q 8 6 3
♥	8 7 5		♥	4 3
♦	J 6 4		♦	A K Q 9 2
♣	T 8 5 2		♣	A 6

Ravi Bhalla	
♠	9
♥	A K J T 6
♦	7 3
♣	K Q 9 7 3

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

Final Contract	4♥ by South
Opening Lead	♥7
Table Result	4♥, making 4, N/S +620
Director Ruling	4♥, making 4, N/S +620
Panel Ruling	4♥, making 4, N/S +620

The Facts: The director was called at trick seven. Declarer had stopped pulling trumps to try to ruff out the ♠Q and to set up clubs. Declarer claimed by showing his hand to his LHO at this point but made no statement. The director instructed the table to play the next board taking the current board to discuss with others. When the director returned and inquired about declarer's line of play, the line of play did not involve drawing the last trump

The play went as follows:

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

This left the below end position:

BD#	29	Mike Ventri			
VUL	Both	♠	J 7		
DLR	North	♥	Q		
		♦	T 8 5		
		♣	4		
Matt Haag		Fall 2007 San Francisco, California		Phil Clayton	
♠				♠	Q
♥	8			♥	
♦	J 6 4			♦	A K Q 9 2
♣	T 8 5			♣	6
		Ravi Bhalla			
		♠			
		♥	K J		
		♦	7		
		♣	K Q 9 7		

The Ruling: Since it seemed very likely that declarer would win five of the remaining seven tricks (three trump tricks and two club tricks). The director judged that had the hand been played out, the result would be 4♥ by South making four, N/S plus 620.

The Appeal: E/W maintained that, since declarer made no statement when he claimed, he could have played the hand several ways. He might have drawn the last trump and played for clubs to be three-three. He might have forgotten there was a trump out. East was going to lead diamonds, which would require South to trump in hand. Since considerable time had passed before South had to state his line of play, he had time to think of the winning line.

Declarer said he had always planned, at that point, to set up clubs. He would play the club king and queen, trump a club from hand, trump a diamond or spade back to hand and concede the last trick. He repeatedly said, "My trumps are high. I'm not going to draw the last trump."

The Decision: The panel decided that declarer's intent was never to draw the last trump. He drew only two rounds before stopping to try to set up spades. When that didn't work, he tried to set up clubs, hoping to cash two club tricks before cross-ruffing for ten tricks. It would be irrational for him to draw the last trump if the opponents tap him by playing on diamonds thereby voiding himself of trumps and having to rely on three-three clubs. If he intended to rely on three-three clubs, he would have drawn the last trump before driving out the ♣A.

Given the director's unusual handling of this case, the panel decided not to award an appeal without merit warning (AWMW).

The Panel: Jean Molnar (Reviewer), Mike Flader and Candy Kuschner.

Players Consulted: None.

Commentary:

Polisner Excellent ruling and decision in conformance with Law 70C.

Rigal Declarer's decision to draw a second trump before taking the two top spades does not look like much of a line. And cashing the top clubs while leaving a trump out is not exactly 100% either. That said, I think declarer indicated his plan well enough to get the best of any doubt.

Smith The first thing that should have happened in this case was for the table director to determine if a claim had occurred. Law 68 A states: "Any statement to the effect that a contestant will win a specific number of tricks is a claim of those tricks. A contestant also claims when he suggests that play be curtailed, or when he shows his cards (unless he demonstrably did not intend to claim)."

We need to know what South intended when he showed his cards to West (but not East). If he had intended to claim, why didn't he show everyone? It seems he thought that West's plays were irrelevant so showing him his cards might just speed things up later. The director should have investigated all of this before stopping play, and the panel should have addressed it during the interview.

My guess is that South was not trying to claim. If the ruling had been "no claim", then play would simply proceed from the point the director was called. Given the ruling of "claim," then I agree with the adjudication of the directors and the panel. Perhaps South was confused, but, even so, his confusion could only have been forgetting another outstanding trump. For a player believing that, drawing an extra round of trumps would be worse than careless or inferior. So he should get it anyway, if perhaps in spite of himself.

Wildavsky Good work all 'round.

Wolf A difficult claim hand. I think plus 620 is about what N/S deserved, not minus 100 or plus 650. Sort of "off the wall" but a compromise result was called for.

APPEAL	Non-NABC+ Thirteen
Subject	Unauthorized Information (UI)
DIC	Olin Hubert
Event	Strati-Flighted AX Pairs
Session	Second
Date	December 1, 2007

BD#	9
VUL	E/W
DLR	North

Richard Hewitt	
♠	Q 8 7 5 4 2
♥	9 3
♦	Q T 7 6 2
♣	

Marlene Watts		Fall 2007 San Francisco, California	David Beauchamp	
♠			♠	T 6 3
♥	A J T 5		♥	K Q 6
♦	A 8 5		♦	4 3
♣	A Q J 4 3 2		♣	K 9 8 7 5

Genevieve Hewitt	
♠	A K J 9
♥	8 7 4 2
♦	K J 9
♣	T 6

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

Final Contract	5♠ by South, Doubled
Opening Lead	♥K
Table Result	5♠, dbled down 1, E/W +100
Director Ruling	5♣ by W, making 7 E/W +640
Committee Ruling	5♣ by W, making 7 E/W +640

(1)	2NT asks for shortness.
(2)	3♣ shows club shortness.

The Facts: Disputed claim that North fumbled with bidding box prior to passing 5♣.

The Ruling: 5♠ call not allowed as it was deemed demonstrably suggested by the UI and pass was deemed to be a logical alternative (Law 16). Adjusted score per law 12 C 2 to 5♣ by West making seven, E/W plus 640.

The Appeal: North felt his hesitation was about six seconds. His partner agreed. He disputed the allegation that he had fumbled with the bidding box. South felt her bid was “100%” given the vulnerability.

East stated the hesitation to be about 30-40 seconds long. Both East and West said North reached for the top half of the box, suggesting bidding 5 spades and then pulled a pass card.

The Decision: The panel was in total agreement that E/W were not making up a problem that did not exist. Given the circumstances of this competitive auction and the favorable vulnerability North had some thinking to do which went beyond the ten seconds required for the skip bid. Four A players were consulted and three passed 5♣ with the South hand. Laws 73F1, 12C2 and 16 were used resulting in the adjusted result of 5♣ by West making seven, E/W plus 640.
Due to the extreme disagreement about the facts regarding the fumble, the panel decided not to give an appeal without merit warning (AWMW).

The Panel: Candy Kushner (Reviewer), Harry Falk, Mike Flader and Charlie MacCracken.

Players Consulted: Four “A” players.

Commentary:

Polisner There seems to be a prevailing practice that “where there is smoke, there is fire.” This means when there is a disputed claim about a BIT and/or a bid box fumble, the ruling almost always goes in favor of the alleged non-offending side. I acknowledge that a ruling has to be made and here where there are two separate alleged bases (fumble and BIT), I guess that the ruling and decision are correct.

Rigal E/W’s case appears to be a good one and, if the 30-40 second hesitation is correct, the N/S estimate at six seconds might be close to a record deviation! Agree with the decision and the decision not to award an AWMW is just about OK with me.

Smith Good job by the directors and the panel. If the panel believed the testimony of E/W either that North fumbled or that he took 30-40 seconds before passing, N/S should have received an AWMW. The ruling itself says that the panel found at least one of those things to be a fact, and, if so, it shouldn't matter how great the disagreement is about what really happened.

Wildavsky Good work all 'round.

Wolff I agree if the panel thought that North hesitated before passing. Hesitation disruption is now being penalized as it should have been all along.

APPEAL	Non-NABC+ Fourteen
Subject	Unauthorized Information (UI) - Tempo
DIC	Harry Falk
Event	Flight A/X Swiss Teams
Session	Playthrough
Date	December 2, 2007

BD#	17
VUL	None
DLR	North

Bob Crossley	
♠	K 5 3
♥	7
♦	A 5
♣	Q J T 9 7 5 2

Bryan Maksymetz		Fall 2007 San Francisco, CA	Zygmunt Marcinski	
♠	Q T 9 6 4		♠	J 8 7
♥	Q 3		♥	A K J 9 8 5 2
♦	Q T 8 4 3		♦	7 6 3
♣	8		♣	void

Joanne Greene	
♠	A 2
♥	T 6 4
♦	K J 9
♣	A K 6 4 3

West	North	East	South
	1♣	3♥	5♣ ¹
Pass	6♣	Pass	Pass
Pass			

Final Contract	6♣ by North
Opening Lead	♥A
Table Result	6♣, making 6, N/S +920
Director Ruling	5♣, making 6, N/S +420
Panel Ruling	6♣, making 6, N/S +920

(1) Substantial hesitation, one minute twenty second break in tempo (BIT).

The Facts: The director was called before the final pass and at the conclusion of the hand. All four players agreed there was a BIT in excess of one minute by South before the 5♣ call.

The Ruling: Per Law 16 A, the director felt that pass was a logical alternative for North and the 6♣ call was demonstrably suggested by the hesitation. The score was changed to 5♣, by North making six, N/S plus 420.

The Appeal: North, his captain (Jeff Polisner) and West appeared. North stated they did not use cue-bids. He felt South had to have ace, king fifth of clubs and two outside cards to warrant her jump to 5♣. The hesitation told him nothing extra. North produced a hand from earlier play where his partner shown very conservative bidding. The captain believed that the 6♣ bid was not demonstrably suggested by the BIT. West said no one could possibly bid 6♣ with the North hand without having gained information from the BIT.

The Decision: The panel found there was an unmistakable hesitation. Six experts were consulted. Not one bid on. One felt that extra time always shows extra values. One felt there is no such thing as an in tempo 5♣ call on this bidding, so North was free to make any call he chose to. One felt no one would bid 6♣, so the BIT had to suggest it. One felt BITs tend to suggest extras. The other two thought the BIT suggested nothing. Expert advice ran the full gamut of what the BIT suggested, so it did not clearly point to one decision over another. Law 16 requires a bid to be demonstrably suggested before a result achieved at the table can be adjusted. Since South could have been vacillating between 4♣ and 5♣, 3NT and 5♣ or some sort of slam try and 5♣, the panel decided that the BIT did not demonstrably suggest bidding 6♣, so the table result of 6♣ by North making six, N/S plus 920 was restored.

The Panel: Charles MacCracken (Reviewer), Su Doe and Jean Molnar

Players Consulted: Bill and Roseanne Pollack, Peggy Sutherlin, Lowell Andrews, Rich DeMartino and Renee Mancuso.

Commentary:

Polisner Having been involved in the appeal, I obviously agreed with the panel decision. When the director rendered his ruling, he said that “there was a LA to bidding 6♣ and on that basis, he was adjusting the score.” I asked him about what he thought the slow 5♣ bid suggested and he looked puzzled and said, “of course, it suggested bidding 6♣!” It was on that basis that our team appealed and the panel agreed that the slow 5♣ did not suggest bidding 6♣.

Rigal I can understand the dispute as to what to bid here, but it seems to me that it is NOT up to the players polled to tell you what a hesitation means. It is up to the panel to determine whether a hesitation demonstrably suggests bidding on. North (a pro?) is allowed to use his partner’s past history of bidding in his decision but not her tempo. He knows a cautious player who bids slowly has extras, (she won’t ever overbid so she can’t be thinking because she is about to overbid) so it demonstrably suggests bidding on. The relevant element of the poll was that no one would bid 6♣.

- Smith** Excellent job by the panel in polling on the question of “demonstrably suggested.” I agree that the opinions of the players polled does not state strongly enough that the hesitation “demonstrably suggested” the 6♣ bid.
- Wildavsky** I'd have tried harder to demonstrate that the UI suggested 6♣. Kudos to the panel for following the laws, but I disagree with their bridge judgment, or rather with the judgment of those they polled.
- Wolff** I DO NOT agree with allowing North to bid 6♣. Partner's very slow 5♣ bid, while being normally subject to all the things the panel discussed, nevertheless allowed North to use his judgment and concluded correctly that South was super strong for her action. Just because, perhaps, South felt that she could not cue bid 4♥ without a heart control should not allow her to make up for it with a "telling" slow 5♣. Only one time and this is it has hesitation disruption not been punished the way it should. Shame on this panel.

APPEAL	Non-NABC+ Fifteen
Subject	Inadvertent Call
DIC	Robert Hendricks
Event	2 nd Sunday Side Game
Session	Second
Date	12/02/07

BD#	29
VUL	Both
DLR	North

3,415 Masterpoints	
♠	9 7 5 2
♥	A 8
♦	J T 9
♣	A K 8 4

632 Masterpoints		Fall 2007 San Francisco, CA	41 Masterpoints	
♠	A 8 4		♠	K Q J 6
♥	K 7 6 2		♥	T
♦	Q 6 3		♦	A 8 7 5 4
♣	J 5 2		♣	Q 9 3

632 Masterpoints	
♠	T 3
♥	Q J 9 5 4 3
♦	K 2
♣	T 7 6

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

Final Contract	3♥ by South
Opening Lead	♦3
Table Result	Down 1, N/S -50
Director Ruling	3♥ by S, down 1, N/S -50
Panel Ruling	3♥ by S, down 1, N/S -50

(1)	North stated he intended to bid 1♣, not 2♣
-----	--

The Facts: The director was called at the completion of the bidding. North stated that he intended to bid 1♣, not 2♣. North grabbed the club bidding card from the bidding box, not noticing that the 1♣ card was missing from the box and did not note his actual bid.

The Ruling: There was no violation of partnership agreements. There was no infraction of Law 75. Therefore, the table result of 3♥ by South down one, N/S minus 50 was allowed to stand.

The Appeal: E/W stated that the tournament director was intellectually dishonest because he tried to make the facts fit the way he ruled. N/S was a new partnership, but they were in collusion to keep E/W from getting a good score. South should have forced to game.

E/W were told by the director that it would do no good to appeal.

Neither North nor South attended the review. The reviewer was unable to ask about their methods after 2C openers. The auction itself does not raise a red flag, if 2H would have promised either 2 of the top 3, or 3 of the top 5 honors.

The Decision: The irregularity in the auction is satisfactorily explained by North's statement that he pulled the 2♣ card by mistake. The missing 1♣ card (verified by the director) gives even more credence to his statement. Since the 2♣ bid was accidental, it does not constitute a psych. The partnership's agreement was correctly explained. Therefore, there was no violation of Law 21 or the regulation that prohibits the psyching of an artificial opening. North is from Mississippi and South from British Columbia. The appeal had no merit, so an appeal without merit warning (AWMW) was awarded.

The Panel: Charles MacCracken (Reviewer), Ken Van Cleve and Sol Weinstein.

Commentary:

Polisner Since there was apparently no UI available to South (such as "oops"), South's bid of 3♥ was routine. No violation - no adjustment. I would not have issued an AWMW to a player with only 41 master points, but would have attempted some education about the appeal process.

Rigal N/S had an accident -- immediately 100% obvious to everyone but E/W who must have been coming close to ZT or the equivalent in their appeal. The AWMW was richly deserved.

Smith What about the explanation by North did E/W find so strange? Why would anyone want to psych a 2♣ opener with that North hand? And what did South do to suggest the call was fielded? Surely she was as surprised as anyone that North passed 3♥.
So despite all evidence to the contrary, this E/W pair decided that this was a conspiracy worthy of the Kennedy assassination. The only thing missing in their argument is that the director, in addition to being "intellectually dishonest" and thoughtful enough to tell them not to bother appealing a ridiculous case, was in on it all from the beginning. Wow!
E/W should have filed a player memo if they found all of this strange and suspicious, and I would hope the recorder would throw the complaint in the garbage as soon as he saw it. E/W are a conduct committee waiting to happen.

Wolff Good ruling on virtually a non-event, especially since mechanical errors are never intentional and are not in the same category as hesitation disruption and convention disruption.

APPEAL	NABC+ ONE
Subject	Unusual Bid After Psych
DIC	Henry Cukoff
Event	Open LM Pairs
Session	First Final
Date	November 24, 2007

BD#	2
VUL	N/S
DLR	East

Andrew Gumperz	
♠	A Q T 8
♥	A Q
♦	J T 9 8
♣	6 4 2

Bobby Levin		Fall 2007 San Francisco, CA	Roy Welland	
♠	7		♠	K J 9 4 2
♥	K 7 5 4 3		♥	J 9 8 2
♦	A Q 7 5		♦	K 3
♣	J 9 3		♣	K Q

Michael Corey	
♠	6 5 3
♥	T 6
♦	6 4 2
♣	A T 8 7 5

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

Final Contract	1♠, dbld by North
Opening Lead	♣K
Table Result	N/S down 1, -200
Director Ruling	1♠ dbld, N/S -200
Committee Ruling	1♠ dbld, N/S -200

The Facts: The director was called after the afternoon session. 1♣ was, by agreement, natural.

The Ruling: In accordance with law 40 A, a player is permitted to make an intentionally misleading call. Since there is no evidence of a concealed understanding and West's double is considered to be a normal action, the table result of 1♠ doubled, down one, N/S minus 200, was allowed to stand.

The Appeal: North said that he believed West's double was very unusual, since West would not be interested in defending 1♠ doubled. He said he had given West's bidding problem to three "nationally experienced" players and no one chose to double as West had done. He said, "If I thought double were a usual bid, I wouldn't be here." East made no assertion that his hand was missorted. The 1♣ bid, by agreement, was natural.

The Decision: While recognizing the eccentricity of East's bidding, the committee noted that law 40 (noted by the director) gives a player the right to make intentionally misleading calls. As a matter of bridge judgment, the committee found nothing abnormal about West's reopening double. Accordingly, the committee could find no infraction or impropriety on which to base an adjustment.

Although East's opening 1♣ bid was eccentric and his pass of the 1♠ overcall arguably unusual, there was nothing to indicate they were predicated on any impropriety or infraction. West's 1♥ bid was ordinary and his double was hardly unusual, so there did not appear to be "fielding of a psych." The director informed North that if he felt there should be a record of this E/W's bidding, a player memo would be appropriate. The committee believed that a bridge appeals committee was not the proper venue to air this matter. Therefore, an appeal without merit warning (AWMW) was issued to N/S.

The Committee: Barry Rigal (Chair), Michael Huston, Eugene Kales, Ed Lazarus and Chris Moll.

Commentary:

Goldsmith The AC missed one major issue: How often does Welland open 1♣ on a two-card suit? I know he did it against me the in the same event. If the answer is "once in a while," which it appears to be, then regardless of his partner's knowledge of the tendency, that creates an implicit partnership understanding. The understanding is legal, but it must be alerted. It seems likely that if North knew about that understanding he might well not have overcalled a four-card suit. If 1♣ were Alerted and explained as "a balanced hand, possibly as few as two clubs, could have a five card major," many Norths might pause before entering with his hand, even those who would bid without the Alert. In that case, North was damaged by MI and an adjusted score is required.

We don't, however, know the answer to the first question. If the appeals committee (AC) had asked and Welland had answered "it was an experiment; I'd never tried it before," then there's no adjustment. If he had answered, "I do that once or twice a session on whim," then there was MI and the score is adjusted, probably to 4♥ E/W down one.

On Page 5 of the February 2008 Bridge World, Barry Rigal reports Welland opening a 5332 hand 1♣. It's possible that the partnership so reported is playing different methods than Levin-Welland, but we have prima facie evidence that Welland does this when playing with Levin, even if they haven't discussed it expressly. I'm sure it has come up enough times that Levin could know about it, even just from playing against Welland. As long as Levin doesn't base his actions on the possibility, the only issue is MI. If he does, it's a major violation. We have no evidence hereof; doubling 1♠ for takeout in a support double situation is normal. All in all, since I now have seen three instances that suggest that Welland does this often enough that his partner is aware of it, I'd rule MI and adjust the score.

By the way, this is not a psych, and has nothing to do with psyching. The AWMW was inappropriate.

- Polisner** On the surface, the appeal is without merit. However, N/S was focusing on the wrong bid as West's double was completely normal. My 50 years of experience tells me that if East opened this hand with 1♣, it was not an aberration, but likely to be a part of an undisclosed "understanding." I would have wanted to check with the Recorder to see if this East had bid this way in the past.
- Rigal** Since I was on the committee I suppose I'll go along with the decision. Had it been made clear to us that this was not the first 'short' club by East during the event in partnership with Levin we might have considered making sure that E/W were told to Alert their club openings. But we weren't aware of this at the time.
- Smith** I agree with the directors and the committee. West did nothing unusual (despite the surprising results of North's poll), so there is no evidence of an undisclosed agreement. This kind of incident needs to be recorded, not appealed. I am impressed with the committee for awarding an AWMW.
- Wildavsky** Welland often makes unusual bidding decisions. No one appeals when they work poorly! I agree that a Player Memo was the appropriate avenue if N/S wished to pursue the matter.
- Wolff** Good ruling.

APPEAL	NABC+ TWO
Subject	Misinformation (MI)
DIC	Roger Putnam
Event	Senior Knockout Teams
Session	Round of 16 – 3 rd Quarter
Date	November 24, 2007

BD#	25
VUL	E/W
DLR	North

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

John Schermer	
♠	7 6 5 3 2
♥	T 4
♦	A 4
♣	A K T 7

Fall 2007 San Francisco, CA	
Corrine Kirkham	
♠	Q T 9 4
♥	K 3
♦	J 9 5
♣	Q J 9 4

Neil Chambers	
♠	A J 8
♥	J 6 5 2
♦	K T 7
♣	8 3 2

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

Final Contract	4♦ dbl'd by North
Opening Lead	♠A
Table Result	4♦ dbl'd -2, N/S -300
Director Ruling	4♦ dbl'd -2, N/S -300
Committee Ruling	4♦ dbl'd -2, N/S -300

(1) North Alerted East that 3♦ showed 5-5 in the red suits.

The Facts: The director was called after the comparison. West contended that had he known the North explanation he would have defended differently. The 3♦ bid was not Alerted by South to West as South contended correctly according to the convention card that 3♦ was pre-emptive by agreement.

The Ruling: Since the N/S agreement was properly not Alerted by South, there was no violation because West was “told” the correct agreement. Therefore, there was no adjustment considered. The tabled result of 4♦ doubled down two, N/S minus 300, stands.

The Appeal: E/W said that if West had been informed of the possibility that North had a two-suiter (diamonds and hearts), he would not have continued at trick three by leading a heart.

North intended his 3♦ bid to show the red suits and he so informed East (his screenmate) when he made the bid. However, his convention card and system notes (both carefully examined by the committee) showed that 3♣ was the bid that would show the two-suiter and 3♦ was a single-suited pre-empt.

The Decision: North and East were screenmates. North Alerted his 3♦ bid and provided information that agreed with his hand. South did not Alert West because, per the N/S agreement, 3♦ was a natural single-suited pre-empt and was not Alertable. West was not entitled to know the contents or distribution of the North hand but was entitled to know its Alertability status (which was non) and, upon inquiry, an accurate description of the partnership agreement. He was not entitled to know that North had misbid, which North clearly had done.

The only infraction the committee could find was that East was not correctly informed about the N/S agreement concerning the meaning of the 3♦ bid. E/W stated that they thought that East's defense was not affected by the misinformation. It was West whose defense may have been "damaged," but the damage was not related to any infraction. Therefore, the committee sustained the director's ruling that the table result of 4♦ doubled down two, N/S minus 300, stands.

The committee discussed whether the appeal had substantial merit for several minutes. For several reasons, including the fact that the system notes, which proved that North had misbid, were first presented at the hearing, the committee decided that the appeal had merit when it was filed.

The Committee: Michael Huston (Chair), Eugene Kales, Ellen Kent, Ed Lazarus and Chris Moll.

Commentary:

Goldsmith Case history in Europe has shown that Ghestem misbids are extremely common. Appeals committees (AC) there assume that such misbids are implicit partnership understandings, not 75 D misbids, and thus provide misinformation. We can't know that this is the first or not the first time such an occurrence has happened with N/S, but the odds are very strong that it is not the first, given experience with other Ghestem users. Therefore, while law 75 D says this was a misbid, not misinformation, we should rule that the proper explanation is "3♦ is single-suited preemptive, but we play 3♣ shows the red suits, and it's not far-fetched that he mixed them up." That explanation was not given, so there was MI. (As an aside, yes, this is very harsh, but the alternative is to ban Ghestem. This sort of thing happens constantly, and misbids of Ghestem can be devastating to the non-offending side.)

Were E/W damaged by the MI? I don't see how. After the ♠A lead, E/W can't take more than five tricks, and declarer's play to take eight is straightforward. I judge that it is not at all probable that had North faced his hand at that point that E/W would have taken more than five tricks. So, no adjustment.

Is an appeal without merit warning (AWMW) appropriate? There was MI. That's not sufficient---E/W have to show they were damaged by it. Since neither the director nor the AC ever considered the matter, and the defense is mildly complicated, no AWMW is appropriate.

Polisner Another bizarre case similar to NABC+ case one. Here the N/S pair has as much partnership experience as any pair in the tournament. How North could believe that his 3♦ bid showed the reds would seem to be very strange unless this pair always played this convention. I would have wanted more investigation into the N/S methods.

Rigal E/W are surely due a lot of sympathy but I cannot see how they were damaged. Unlike NABC+ case five, the question of the link between infraction and damage is not clear, and the absence of produced notes makes the AC decision right. Since convention disruption is (thankfully) not yet on the books all we can do is chalk it up to bad luck for E/W.

Smith Although directors and committees should be very careful and skeptical before determining misbid rather than misexplanation (law 75), particularly when dealing with a long-standing partnership, this ruling looks obvious. The convention cards and system notes, apparently, clearly show that the information West received was accurate according to prior agreements. It was just random bad luck that South was his screenmate and not North. With an experienced pair and clear law and facts, I think E/W should have received an AWMW.

Wildavsky With such an experienced NS partnership the TD and AC must be careful to determine whether there may be an implicit agreement contrary to the one documented, or whether such forgets are common enough that the possibility should be disclosed to the opponents. That said, I find the tournament director and appeals committee rulings reasonable. Jeff Goldsmith's suggestions regarding conventions such as this one are worth considering, though it would be tricky to implement them in a lawful manner.

Wolff Right ruling, but perhaps a small procedural penalty to N/S for their convention disruption.

APPEAL	NABC+ THREE
Subject	Misinformation (MI)
DIC	Steve Bates
Event	Open BAM Teams
Session	First Qualifying
Date	November 25, 2007

BD#	26
VUL	Both
DLR	East

Leszek Rabiega	
♠	Q 9
♥	8 7 5 2
♦	A Q J 9 8 6
♣	3

Steven Johnson		Fall 2007 San Francisco, CA	Mark Teaford	
♠	8 6 3		♠	K J T 7
♥	A K Q		♥	6 3
♦	K T		♦	5 4
♣	A T 7 6 5		♣	K Q J 9 4

Gabriela Rabiega	
♠	A 5 4 2
♥	J T 9 4
♦	7 3 2
♣	8 2

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

Final Contract	2♦ dbl by N
Opening Lead	♦5
Table Result	Made 2, N/S +180
Director Ruling	3NT W made 3, E/W +600
Committee Ruling	3NT W made 3, E/W +600

(1)	15-17 HCP.
(2)	Explained as clubs plus a higher ranking suit.
(3)	Stayman.

The Facts: The director was called after the hand was played. The explanation of 2♣ was incorrect. The actual agreement is an unspecified one-suited hand. East said that with the correct information, he would not have doubled 2♦.

The Ruling: It was deemed that there was MI. With the correct information it was likely that East would bid 3♦ over 2♦. West would bid 3NT. North would lead the ♦Q. Therefore, in accordance with laws 40C and 12C2, the result was adjusted to the most favorable result that was likely for the non-offending side and the same result for the offending side – 3NT by West, making three, E/W plus 600.

The Appeal: North asserted that had E/W arrived at a 3NT contract he would never lead the ♦Q. He also did not correct the incorrect explanation prior to the opening lead because the damage had already been done.

E/W did not try to suggest how the auction might have gone if they had been given the correct explanation to the 2♣ bid, other than stating that East would not double 2♦. The double of 2♦ was based on the assumption that West had to have diamonds given no club length or a four-card major.

The Decision: The committee concluded that the most likely auction given correct information was a forcing 3♣ bid rather than the final double by East. West would most likely respond either 3♥ or 3NT. If West bid 3♥, East might bid 3♠ followed by 3NT by West. The committee ruled that the most favorable result that was likely had the irregularity not occurred, for the non-offending side, and the most unfavorable result that was at all probable for the offending side would be 3NT making three. In accordance with law 12C2, the results of plus 600 for E/W and minus 600 for N/S were awarded. The committee found no merit to the appeal; therefore, an appeal without merit warning (AWMW) was issued to N/S and the team captain. There was some discussion as to imposing a procedural penalty (PP) to N/S for failure to disclose the correct explanation prior to the opening lead, but the committee chose not to.

The Committee: Bob Schwartz (Chair), Shannon Cappelletti, Jeff Goldsmith, Eugene Kales and Richard Popper.

Commentary:

Goldsmith Looks good. Because the failure to announce the misexplanation before the opening lead did not lead to an adjusted score (the opening lead wasn't affected and the director couldn't roll back the bidding far enough), a procedural penalty (PP) is probably not appropriate by the spirit of law 90. By the way, wouldn't East have bid 3♣, not 3♦?

Polisner The ruling and decision were correct and the issuance of an AWMW was appropriate. North should have disclosed the correct explanation; however, since this did not affect the adjusted result, the non-issuance of a PP was a good one.

- Rigal** Good ruling as to AWMW. Maybe a PP would have been over-egging the cake, but North (I don't know about South) IS experienced enough to know better. A really bad appeal and I'm disappointed that the TDs could not have convinced North by simply consulting the recap sheets on this deal (where 3NT plus 600 was common) not to appeal.
- Smith** E/W seem to have been deprived of a reasonable possibility of bidding and making 3NT by the misinformation, and their reasoning seems sound. N/S should have known this, so the AWMW is appropriate. I think a PP should also have been assigned to North for not disclosing the misinformation at the end of the auction. It would have been too late to mitigate the damage, but he didn't know that. I don't think it is too much for a player to know that he should say something at the end of an auction (when he is dummy or declarer) when his partner has given MI. This is especially true of experienced players in NABC+ events.
- Wildavsky** The chain of reasoning described in the tournament director (TD) ruling is not consistent with the laws, but I suspect the problem lies with the write-up and not the ruling. The TD's job is not to determine what would have happened absent the infraction, but rather what the likely and at all probable results were. Per the appeals committee decision they are both 3N making nine tricks for E/W plus 600. North's "The damage had been done" contention was wrong as a matter of law, mistaken as a matter of logic since the lead and defense could be critical, irrelevant, and insulting to his opponents and to the committee. It would not surprise me if North simply hoped that E/W would fail to call the TD if he kept silent. I'd have assessed a PP. This appeal had no merit.
- Wolff** OK ruling.

APPEAL	NABC+ FOUR
Subject	Incomplete Explanation
DIC	Steve Bates
Event	Open BAM Teams
Session	Second Final
Date	November 25, 2007

BD#	9
VUL	E/W
DLR	North

Lorenzo Lauria	
♠	A K Q J 8 5
♥	J 9 4
♦	A 6
♣	9 5

David Chechelashvili		Fall 2007 San Francisco, CA	Marshall Miles	
♠	9		♠	7 6 3 2
♥	K 3 2		♥	T 6 5
♦	Q 9 8 3		♦	5 4 2
♣	A J T 6 3		♣	Q 4 2

Alfredo Versace	
♠	T 4
♥	A Q 8 7
♦	K J T 7
♣	K 8 7

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

Final Contract	4♠ by North
Opening Lead	♣Q
Table Result	Made 4, N/S + 420
Director Ruling	3NT by S, made 5, N/S +460
Committee Ruling	4♠ by N, made N/S +420

(1)	Game Force.
(2)	When asked the meaning East said, "I don't know." West said no agreement.
(3)	Forcing.
(4)	6+ spades, good hand, no more than two clubs.

The Facts: The director was called after the 2♣ bid and after trick three. East was asked to leave the table after his response to North's question about the double. Then West stated that they had no agreement as to the meaning of the double.

The Ruling: The director determined that N/S had been damaged by E/W's failure to fully disclose their agreement. In accordance with law 40 C, the result was adjusted to 3NT by South, making five, N/S plus 460.

The Appeal: There was no agreement as to the meaning of the double. West doubled and was taking a calculated risk that partner might misinterpret the meaning of the double. N/S made every attempt to try to get information regarding the double and thought some agreement was in place given the opening lead of the ♣Q. North stated his 3♥ bid showed extras and two or fewer clubs, which is why he chose that bid as opposed to 3NT. South again tried to get more information and elected to bid 4♠.

The Decision: The explanation of the 2♣ bid was incomplete insofar as it made no reference to the artificial nature of the bid, i.e. that neither club length nor strength was implied. This led to E/W's lack of clarity about the meaning of the double. N/S's subsequent questions about the meaning of the double, while legal, were authorized information to East and may have helped him conclude, prior to leading, that his partner had both club length and strength. This could well have been the reason for the lead of the ♣Q.

Although the committee believed East could have answered the question better by indicating that they have no agreement and West could have indicated (while East was away from the table) that the meaning of the double depends on the meaning of 2♣, it found no failure to disclose any agreement.

Accordingly, the committee reinstated the table result of 4♠ by North making four, N/S plus 420 and E/W minus 420.

The Committee: Bob Schwartz (Chair), Abby Heitner, Eugene Kales, Chris Moll and Jacob Morgan.

Commentary:

Goldsmith Missing from the write-up is a clear description of what was Announced/asked/explained and when. I believe what happened was that 2♣ was Alerted (*Editors note: 2/1 natural and forcing to game does not require an Alert. That agreement is noted by checking a box at the top of the convention card. If the agreement is that the 2♣ call was artificial and forcing to game, an Alert is required.*), West asked and was told "game force." West apparently assumed that meant "artificial game force," but East was in the dark.

It's cutting things pretty fine to say that East should have said, "no agreement," vs. "I don't know." In fact, "I don't know" is probably more accurate given that East didn't know what 2♣ meant. If 2♣ had been explained as natural, then I'm sure E/W would have known that the double was for the red suits, and if it had been explained as artificial, then they would have known that the double showed clubs. Why West didn't get a clarification before acting is beyond me, but it is arguable that N/S should get a 1/4 board procedural penalty (PP) for failing to describe 2♣ as "artificial, forcing to game" or "natural, forcing to game" as appropriate, assuming E/W asked. Indeed, that failure to explain properly led directly to the initial adjusted score and appeal. Law 90 suggests a PP for errors in procedure which lead directly to an adjusted score.

Otherwise, good job by the appeals committee.

Polisner Terrible director ruling and excellent committee decision. It is not clear how any issue about the double prevented South from getting to 3NT.

Rigal This is the sort of behavior from expert players that drives me mad. Artificial systems generate confusion for everybody. Yes it's all legal, and yes, I'm happy for anyone to play anything. But...when you put your opponents in an unfamiliar position, badger them till you upset them, and then plead that THEY have the agreements not you... it passes all belief! And for them to win the initial TD decision. Humphh!!
Again if the initial decision had gone the way it should have, then N/S would have been in AWMW territory.

Smith

I believe the 2♣ bid was Alerted. Why would anyone expect an Alert of a natural game forcing 2♣ bid? Doesn't the Alert itself strongly imply that it is artificial? If the meaning of your call depends on the answer to that question, wouldn't you at least ask? But West did not ask since he thought he knew what 2♣ meant.

East apparently did not know, and perhaps he was partially unwilling to offer an explanation about the meaning of the double since he knew his partner had not asked about the meaning of 2♣. He couldn't know for sure what his partner thought when he doubled. So I can't help thinking E/W had a lot to do with this mess, even though North should have been careful to use the word "artificial."

So, from that point on one of two things happened. Either E/W was a pair playing in the finals of an NABC+ event who had not come to an agreement about the meaning of doubles of artificial versus natural bids, or they did not do enough to disclose their agreements. It may be true that they had no agreements here, but, if so, it strikes me as irresponsible and quite unfair to the opponents. Our conditions of contest contain this statement: "A partnership is responsible for knowing when their methods apply in probable (to be expected) auctions." So either they didn't know and bear some responsibility for what happened here, or neither of them thought to mention at some point after repeated questioning that doubles of artificial bids show the suit and doubles of natural bids are takeout. How hard would that have been?

Are we really comfortable with allowing a pair to stand on a very narrow interpretation of the law in this kind of case? I'm not. While the law does say that a player "need not disclose inferences drawn from his general knowledge or experience," it does state that when answering questions "a player shall disclose all special information conveyed to him through partnership agreement or partnership experience" (law 75 C). Further, our Alert regulations state: "Opponents need only indicate the desire for information - all relevant disclosure should be given automatically."

While I don't think these players were trying to gain an advantage by the way they responded to the questions they were asked, they did gain an advantage. I don't think they conformed to the requirements of Law 75 C quoted above and our regulations, if they had an agreement about doubles, whether explicit or implicit. And if they didn't have an agreement, they should have. So I would be reluctant for those reasons to uphold their appeal and I have more sympathy with the directors' ruling. Give N/S a procedural penalty if you like for their inadequate explanation, but I believe the original score adjustment was correct.

Wildavsky I've heard this N/S describe this agreement as "Clubs or not clubs." That may be accurate, but it's not informative. I have no reason to believe that the language barrier plays a role here. "Game Forcing and Artificial" gets to the essentials.

West doubled an artificial game-forcing call. East explained, correctly, that they had no special agreement about the double. It would have been an infraction to say "We've agreed that it shows clubs" when they had not discussed the matter. Not having discussed the call does not preclude East from making the lead any of us would have made in the same situation. I find the tournament director's ruling puzzling. The appeals committee corrected an injustice.

Wolff OK ruling.

APPEAL	NABC+ FIVE
Subject	Misinformation (MI)
DIC	Henry Cukoff
Event	Blue Ribbon Pairs
Session	First Qualifying
Date	November 27, 2007

BD#	2
VUL	N/S
DLR	East

Ai-Tai Lo	
♠	9
♥	T 6 4
♦	A 6 4 2
♣	A Q 9 7 5

Jim Munday		Fall 2007 San Francisco, CA	Bill Hall		
♠	A Q 8 7 2		♠	J 5 4 3	
♥	A Q 9 3 2		♥	8 7	
♦	7 5		♦	Q J T	
♣	6		♣	J T 8 2	
Alan Schwartz					
		♠	K T 6		
		♥	K J 5		
		♦	K 9 8 3		
		♣	K 4 3		

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

Final Contract	4♠ doubled by E
Opening Lead	♦8
Table Result	Down 1, N/S + 100
Director Ruling	4♠, dbld, -1, N/S +100
Committee Ruling	4♠, dbld, -1, N/S +100

The Facts: The director was called after the auction. After leading (face-down), South explained that the 3♣ bid was a transfer to diamonds. No other player at the table heard an Alert. Therefore, it was considered to be a failure to Alert. West stated that he would not have bid 4♠ had there been a timely Alert and explanation.

The Ruling: In accordance with law 40 C, it was decided that the lack of correct information did not cause any damage. Therefore, the table result of 4♠ doubled by East down one, N/S plus 100 was allowed to stand.

The Appeal: Only E/W attended the hearing. The Committee agreed that there was misinformation, especially since South was known by one member of the Committee to occasionally mumble an Alert. E/W played strong and weak Michaels' Cue Bids. West opted to treat his hand as a strong Michaels' hand. West asserted he bid 4♠ as a tactical bid since he believed a standard 3♣ bid was forcing and that North would reopen if he passed.

Decision: The committee felt that no experienced partnership that played 3♣ as natural in this situation would play the above method. The committee found that West bid 4♣ because of his decision to bid 2♦ initially and because 4♣ would have a good play opposite many East hands that would bid 3♣. Accordingly, the MI was not the cause of E/W's bad result. The committee allowed the table result of 4♣ doubled by East down one, N/S plus 100 to stand.

The Committee: Richard Popper (Chair), Mike Kovacich and Hendrick Sharples.

Commentary:

Goldsmith I don't understand the first sentence of the decision. I agree that the non-offending side's bad result was caused by East's overbid. On the other hand, if East had been told that 3♣ was a transfer to diamonds, he is more likely to have passed thinking he may get an opportunity to bid 3♣ over 3♦. In fact, that is what would happen. In that case, applying law 12 C 2 is hard. Probably, North passes 3♦ and East bids 3♣. North might double, pass, or bid 4♦. I think doubling is likely enough to award reciprocal scores of 530. Should E/W get their good result? If 3♣ is a wild gambling action, they keep their table result. I think it qualifies. So N/S minus 530, E/W minus 100.

Polisner The fact that South volunteered that North's response was a transfer clearly indicates that he had neglected to Alert earlier. Be that as it may, the MI did not have any affect on the auction and the table result should be retained. The appeals committee should have asked West why he would not have bid 4♣ had he been properly Alerted. Absent a cogent reason, an AWMW should have been issued.

Rigal We have to persuade players (with all possible force, including AWMW) that infractions do not equal damages. Here E/W were not damaged because West's second call was unlinked to the meaning of 3♣ (and note that playing 3♣ as NON-forcing here is as likely as playing it forcing) so that if West really was thinking about bidding to catch North out, he needed to find out whether the opponents were having a forcing auction or not. AWMW territory, to my mind.

Smith I don't see any connection between the MI and West's decision to bid 4♣, and I don't see (and didn't read) how East's actions may have been affected, so I agree with the directors and the committee.

Wildavsky Good work all 'round. I see no merit to the appeal, but perhaps it's close.

Wolff Good ruling.

APPEAL	NABC+ SIX
Subject	Tempo in Play
DIC	Henry Cukoff
Event	Blue Ribbon Pairs
Session	First Qualifying
Date	November 27, 2007

BD#	26
VUL	Both
DLR	East

Nader Hanna	
♠	T 8 5 4
♥	J 8 7 3
♦	7 3
♣	A 9 8

S. Sundarrau		Fall 2007 San Francisco, CA	P. Sridhar	
♠	9 3		♠	A Q 7 2
♥	K Q T 9 6 5		♥	4
♦	J 5 2		♦	K T 9
♣	J 4		♣	T 7 5 3 2

Wafik Abdou	
♠	K J 6
♥	A 2
♦	A Q 8 6 4
♣	K Q 6

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

Final Contract	3NT by S
Opening Lead	♥Q
Table Result	Down 1, N/S -100
Director Ruling	3NT S -1, N/S -100
Committee Ruling	3NT S -1, N/S -100

(1)	Denies four-card major or has five spades.
(2)	Asks if South has five spades.
(3)	Does not have five spades.

The Facts: The director was called after the play of the hand. South won the opening lead with the ace. Declarer led a small diamond toward dummy intending to enter dummy and finesse East for the king. West admittedly broke tempo. South claimed that West's hesitation caused him to play West for a doubleton king.

The Ruling: In accordance with law 73 D and F, it was determined that West had demonstrable bridge reasons for the break in tempo. Therefore, South took inference from the hesitation at his own risk. The table result of 3NT down one, N/S minus 100 was allowed to stand.

The Appeal: Only the declaring side (North and South) was present.

Declarer explained he had planned on ducking a diamond and later finessing. He changed his mind after his LHO's hesitation. He judged that the only thing his LHO could legitimately have been thinking about was whether to go up with the diamond king from Kx. The Committee asked whether E/W were using the Smith Echo and was told that they were.

Declarer noted that West could know because of the 2NT opening that partner held a singleton heart, so that Smith would not be relevant.

The Decision: The committee could think of many reasons West might have a problem, even with his actual holding. While not necessary on this deal, on some hands it would be right to play the ♦J and cash the ♥Q. Even if Smith is not in play, West must wonder what significance East will attach to his card. He eventually played the deuce, consistent with a suit preference signal for clubs, and it would in fact have cost a trick for his partner to shift to spades.

The committee saw no evidence that West harbored an intent to deceive. Declarer took an inference at his own risk. Therefore, the committee upheld the director's ruling to allow the table result of 3NT down one, N/S minus 100 to stand.

The appeal had little merit, but the committee did not want to assess an appeal without merit warning (AWMW) without the opportunity to interview East and West, and in particular to ask West what he was considering when he hesitated.

The Committee: Adam Wildavsky (Chair), Laurie Kranyak and Bob White.

Commentary:

Goldsmith "The committee saw no evidence that West harbored an intent to deceive?" Who cares! Law 73 F 2 requires only that a player could have known that the hesitation might deceive. But, once the appeals committee (AC) determined that West had an alternative play that made sense (flying ♦J and cashing the ♥Q), the issue of possible knowledge is irrelevant. I wonder why West didn't say, "I was thinking of winning the trick," at the table.

I think South ought to have realized on the actual layout that West was probably thinking of playing the ♦J, so I'd go with the AWMW.

Polisner Good ruling and decision. An AWMW should have been issued.

Rigal Another blatant AWMW penalty missed. I'm guessing South is in the top five of the most regular attendees as an appellant at NABCs (as are N/S in NABC+ appeal four). Until committees tell people they can't keep trying to get something for nothing, they'll waste our time and theirs on footling claims like this. We have bred a culture of entitlement and lawyering and this is the result.

Smith As long as West had a “demonstrable bridge reason” for hesitating, he is free and clear. The committee found one. N/S should have been assessed an AWMW.

Wildavsky I still agree with the AC ruling. In retrospect, I think we ought to have assessed an AWMW.

Wolff OK ruling.

APPEAL	NABC+ SEVEN
Subject	Failure to Pre-Alert
DIC	Henry Cukoff
Event	Blue Ribbon Pairs
Session	First Qualifying
Date	November 27, 2007

BD#	29
VUL	Both
DLR	North

Wolfe Thompson	
sx	9 7 6
hx	J
dx	Q T 8 6 5 2
cx	8 6 2

Richard Zeckhauser		Fall 2007 San Francisco, CA	Michael Rosenberg	
sx	A K T 5		sx	J 8
hx	K 7 2		hx	A T 9 5 3
dx	3		dx	9 7 4
cx	A Q 9 7 3		cx	K 5 4

Marc Zwerling	
sx	Q 4 3 2
hx	Q 8 6 4
dx	A K J
cx	J T

West	North	East	South
	Pass	Pass	1hx ¹
1sx	Pass	1NT	Pass
3NT	Pass	Pass	Pass

Final Contract	3NT by E
Opening Lead	dxA
Table Result	Down 2, E/W -200
Director Ruling	4hx by W, E/W +620
Committee Ruling	3NT E down 2, E/W -200 1/6 bd penalty to N/S

(1) Alerted and explained as Canapé

The Facts: The director was called at the conclusion of play. East protested that Canapé was not pre-Alerted. Had it been, East claimed he would have instructed partner to make a takeout double with less rigorous regard to shape. In this case, the auction could have been: P-P-1hx-Dbl-Pass-Pass-?? with unknown results, all of which would be better for E/W than the table result.

The Ruling: In accordance with laws 40 B and 75 A, it was judged that, if Canapé had been pre-Alerted, the auction could have been: Pass-Pass-1hx-Dbl-Pass-Pass-Rdbl-2hx-Pass-4hx. The table result was adjusted to 4hx by West making five, E/W + 650.

The Appeal: The appellants presented two arguments against the director's ruling:

1) It is unlikely that West would double 1hx, even with "less rigorous" standards for take-out doubles, and this is an apparent predication upon which the director found arriving at 4hx was likely.

2) Both East and West knew that their extensive system notes made reference to less rigorous take-out double standards for Canapé opening bids. Therefore, there was no damage accruing to them from their inability to remind each other of the content of those notes.

At the table, West said that he was aware of the content of the system notes with regard to less rigorous standards for take-out doubles.

The Decision: The committee found that the E/W pair was not damaged by the failure of N/S to pre-Alert their Canapé approach. Both East and West were aware of their defensive system (in their system notes) for Canapé bids. With that knowledge, their approach to this hand would not have changed if they had been pre-Alerted. Certainly West has a bidding problem over a Canapé 1hx opening bid, but if he had been reminded (of what he already knew) by a pre-Alert, he would have had the same problem. The source of E/W's problem was the fact of the Canapé 1hx opening bid, not the failure of N/S to pre-Alert it. Therefore, the committee restored the table result of 3NT by East, down two, E/W minus 200, N/S plus 200.

In order to remind N/S of their obligation to pre-Alert their Canapé approach, the committee issued a procedural penalty (PP) to N/S of 1/6 of a board for their violation of correct procedure. This penalty does not accrue to the benefit of E/W.

The Committee: Barry Rigal (Chair), Michael Huston and Bruce Rogoff.

Commentary:

Goldsmith Once West said he knew the change in methods, E/W were not getting an adjustment. Did the director not know this?
The PP is reasonable. The failure to follow procedure caused an adjusted score, despite the fact that it ought not have. I'm curious whether N/S knew they were expected to pre-Alert. If so, and they chose not to anyway, 1/6 board is insufficient. If not, the rule is obscure enough that the PP might be waived entirely.

Polisner The ruling does not seem to have any basis to support it. The appeals committee did an excellent job. Had the ruling been in N/S's favor and E/W had appealed, it would (should) have been determined as without merit.

- Rigal** Again as I was involved in the case I think the decision taken at the time was right. Alas, E/W did NOT agree with the facts as stated (and yes it was their fault for not attending the appeal.) The handwritten comments appended to the form -- by the appellant -- were not correct as to point two in the appeal; E/W did NOT have system notes on the double. However, Michael Rosenberg indicated to me after tournament-end that he always reminded his partner orally of the advisability to make more flexible doubles on these canapé auctions. Whether this hand would qualify is subjective, I agree. Maybe the final ruling is reasonable, or maybe the non-offenders would get the benefit of the doubt.
- Smith** E/W apparently had notes regarding this situation, so it is hard to have too much sympathy for them. If N/S knew that they were supposed to pre-Alert Canapé and did not, they should have been given a larger penalty.
- Wildavsky** The tournament director ruling should be more specific. The laws do not instruct us to adjust to what could have been, but more specifically the most favorable result likely and most unfavorable result at all probable. The write-up of the appeals committee decision didn't sound plausible to me so I asked E/W, who chose not to be present, about it. They each assured me that their notes make no mention of defense against canapé openings and that they had had no prior discussion of it. This is a good opportunity to remind readers that as a rule we comment on the write-ups of the cases, rather than the cases themselves. This is unavoidable, and I still find the casebooks enormously useful, but one should bear in mind that what one reads has been filtered.
- Wolff** Good ruling.

APPEAL	NABC+ EIGHT
Subject	Misinformation (MI)
DIC	Henry Cukoff
Event	Blue Ribbon Pairs
Session	Second Qualifying
Date	November 27, 2007

BD#	7
VUL	Both
DLR	South

Rob Stevens	
♠	Q J 7
♥	J 7 4 2
♦	5
♣	Q 8 7 5 3

Ralph Katz		Fall 2007 San Francisco, CA		Mitch Dunitz	
♠	A T 2	♠	8 4	♥	T 9 6
♥	8 5 3	♥	T 9 6	♦	J T 8 6 4 3
♦	A K 9 7	♦	J T 8 6 4 3	♣	A K
♣	J 4 2	♣	A K		

John Lusky	
♠	K 9 6 5 3
♥	A K Q
♦	Q 2
♣	T 9 6

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

Final Contract	2♠ by South
Opening Lead	♥3
Table Result	2♠ S, made 3, N/S +140
Director Ruling	3♦ E, made 3, E/W +110
Committee Ruling	2♠ S, made 3, N/S +140

The Facts: The director was called at trick one. North's convention card was marked – four-card majors; South's card – four plus hearts. West looked at card in pass out seat and decided to pass. When dummy was spread, West discovered a disparity between the convention cards on major suit opening length, called the director and said he would have balanced.

The Ruling: Misinformation was ruled. Three of three players who were consulted would pass 3♦ with the North hand. Therefore, the result was adjusted to 3♦ by East making three, E/W plus 110.

The Appeal: N/S did not have two convention cards that were the same. North had his card marked with check marks in the four-card major box for both hearts and spades. South had his card marked with a four in the heart box and a five in the spade box. Questioning of South by the committee ascertained that they were a new partnership that had “worked up their system” by an exchange of e-mails in the last few days before the tournament. The committee determined that their agreement was to open 1♥ with 4-4 in the majors and to open 1♠ only rarely with four (most of the time they would have five). They had no bid for a four-card simple raise.

West had looked at North’s convention card prior to making a decision to pass rather than balance. After passing, making his opening lead and seeing dummy West asked some questions about style. At that point it was determined that North’s card was not correctly filled out. The director was called at this time.

West advised the director that he had passed because he thought N/S could be in a 4-3 fit. He told the director he might have balanced if he knew N/S probably had an eight-card or better fit. The director instructed the players to play the board.

If West had asked questions before making his lead, the director could have reopened the auction and permitted West to withdraw his pass. He could also have asked his questions prior to passing.

The Decision: The committee determined that there was MI and directed N/S to ensure that they had two identical cards that correctly set forth the partnership’s agreements. The committee decided that since a four-card major opening frequently has a five-card suit and that the raise to 2♠ could have contained four spades there was a high probability that N/S had an eight-card fit. West’s decision to hope the opponents were in a 4-3 fit was a narrow window. The committee determined that the decision to balance, when an eight-card or better fit was likely, was not materially affected by the MI. A substantial number of Wests did pass (many N/S pairs played spade partials). E/W were vulnerable and West was 3-3-4-3.

Therefore, the committee restored the table result of 2♠ by South making three, N/S plus 140.

The Committee: Richard Popper (Chair), Mike Kovacich and Hendrick Sharples.

Commentary:

Goldsmith West was misinformed by an incorrect convention card. It is unfortunate that he did not ask his questions before the opening lead; he’d then have the opportunity to back his judgment and balance if he saw fit. Once he didn’t, law 12 C 2 says to give the non offending side the best result likely. I think that’s 2♠ making three, plus 140. The offending side, however, gets the worst result at all probable, which is 3♦ making three, minus 110.

In other words, I’ll guess that fewer than 1/3 but more than 1/6 of West’s peers would have balanced with the correct information if they did not balance with the incorrect information.

This is, however, clearly a judgment call. The appeals committee in NABC+ Case Nine from San Francisco judged that passing was a logical alternative (LA); that supports my ruling. On the other hand, the director ruled that passing was not a LA. But he was clearly in error.

Polisner I don't understand why the directors asked peers about what to bid over 3♦ rather than what they would do with the West hand given the "correct" N/S understanding. Good reasoning and decision by the appeals committee. Just another case of players looking for a better result from the cops than they were able to achieve at the table.

Rigal I'm delighted that the committee did not buy another specious argument trying to link the infraction (and I'm not sure there was one) to damage. I can't find a reason to award an AWMW here. I wish I could.

Smith Unlike NABC+ case five, I think this West does make enough of an argument that he was damaged according to law 40 C. I'm surprised that the committee overturned this decision. Obviously, it is not clear-cut to balance over either a four-card spade opening or a five-card spade opening, but surely it is easier to decide to balance against a five-card spade opening. At least it seems clear to me that N/S should be minus 110 as the "most unfavorable result that was at all probable" even if it is judged not likely enough to give E/W the benefit of a score adjustment (law 12 C 2).

Wildavsky The tournament director (TD) ruling is incomplete. A complete write-up would assert that MI was present, that the MI made the losing action more attractive than it would have been with correct information, that E/W were damaged, and that E/W plus 110 was both the most favorable result likely for E/W and the most unfavorable result at all probable for N/S absent the MI.

The appeals committee (AC) seems to have missed the point. Yes, South often would have five spades even when playing four-card majors, but there's no denying that it changes the odds faced by West when deciding whether to balance. Balancing is risky when the opponents are using five-card majors, more so when they're using four-card majors.

Was it likely that West would have balanced with the correct information available? Note that in NABC+ case nine the TD ruled (albeit incorrectly) that there was no LA to balancing against a pair using five-card majors!

The best strategy for N/S here would be to play five-card majors while claiming to play four-card majors. That is what they achieved, unintentionally but illegally. The laws do not allow them to profit thereby, and the AC went badly wrong.

Would that give E/W a double-shot? It would, in fact the laws require it.

In effect they get one chance for a good result with incorrect information and a second with correct information. N/S can deny them this double-shot by providing correct information.

Not only do I disagree with the AC ruling, I don't see any merit to the appeal.

Wolff Especially good and appropriate ruling.

APPEAL	NABC+ NINE
Subject	Unauthorized Information (UI)
DIC	Henry Cukoff
Event	Blue Ribbon Pairs
Session	Second Qualifying
Date	November 27, 2007

BD#	7
VUL	Both
DLR	South

Tadashi Yoshida	
♠	Q J 7
♥	J 7 4 2
♦	5
♣	Q 8 7 5 3

Lew Stansby		Fall 2007 San Francisco, CA	Joanna Stansby	
♠	A T 2		♠	8 4
♥	8 5 3		♥	T 9 6
♦	A K 9 7		♦	J T 8 6 4 3
♣	J 4 2		♣	A K

Melody Bi	
♠	K 9 6 5 3
♥	A K Q
♦	Q 2
♣	T 9 6

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

Final Contract	3♦ by E
Opening Lead	♥A
Table Result	Made 3, E/W +110
Director Ruling	3♦ E +3, E/W +110
Committee Ruling	2♠ S +3, N/S +140

(1) Agreed break in tempo (BIT) of 8-15 seconds.
--

The Facts: The director was called after the play. The deal occurred near the end of the session. Two players were consulted as to their actions with the West hand. Both said they would double.

The Ruling: The director deemed that pass was not a logical alternative (LA); therefore, the table result of 3♦ making three, E/W plus 110 was allowed to stand.

The Appeal: Only North and South were present. N/S explained that they believed that they considered pass extremely logical, and they had asked many top players about the hand and they agreed. The appeals committee asked why the director was called only after the end of play and N/S explained that they were not sure when would have been the appropriate time to call.

The Decision: The committee discounted the N/S testimony regarding players they had consulted because of the many impairments to credibility of this type of evidence. We did, however, determine that pass was clearly logical. To paraphrase Kaplan, pass would not be an egregious error, in fact, it would be right quite often. The tournament director (TD) stopped his poll much too soon. If half would take one action and half another then ruling "There was no LA." after polling only two players risks a poor ruling 25% of the time.

By the numbers: Was there UI? Yes. Did the UI demonstrably suggest the action chosen (double) over a less successful alternative (Pass)? Yes. Would the less successful action have been logical? Yes. We then moved on to 12C2 to adjust the score. It looked to us as though 2♠ should be held to two for NS +110 on routine defense. We weren't certain, though, that the defense would be found, and we wouldn't want to give the offenders the benefit of the doubt so we asked a TD to look up the frequencies that occurred in the Blue Ribbon sessions. We were surprised to learn that N/S went +140 substantially more often than they went +110. We thus judged that N/S +140 was both the most favorable result that was likely for N/S absent the illegal double and also the most unfavorable result for E/W that was at all probable. Therefore, the committee adjusted the result to 2♠ making three, N/S plus 140 and E/W minus 140.

The appeal was judged to have merit.

The committee did not issue a procedural penalty against E/W. West must have considered balancing automatic. Had he thought it was at all close he'd surely have passed as a matter of self-interest, knowing that his side would keep a poor result and lose the benefit of any good result.

The Committee: Adam Wildavsky (Chair), Laurie Kranyak and Bob White.

Commentary:

Goldsmith Very nice write-up. Good decision.

Polisner How is it possible that the director (or presumably the director's staff) found that pass was not a LA? Did they poll any peers? I think that they may have been influenced by the celebrity of the E/W pair in making the ruling. This appeals committee (AC) did a good job in adjusting the table result. However, it does appear that even the AC took the West's celebrity into account in not issuing a procedural penalty (PP).

Rigal I'm very surprised by the initial tournament director ruling; a cursory glance at the result slips on the board would have shown that passing 2♠ might have been the majority action. A good AC overturn, and the work done to establish tricks taken was also repaid. In context no PP was surely right. An action deemed automatic at first hearing can't be subject to PP -- no matter who West is.

Smith I think the directors got this one wrong, and the committee corrected it. The opinions of the committee members establish pass as a logical alternative, and I agree with their line of reasoning in all other respects.

Wildavsky It's a shame NABC+ case eight was decided as it was. There would have been a nice symmetry in adjusting the result to 2♠ in one case and 3♦ in the other. That would illustrate the way the laws treat those who violate them, giving players a strong incentive to follow the laws while still allowing adjustment only in cases where an infraction leads to damage.

Wolff Excellent ruling.

APPEAL	NABC+ TEN
Subject	Unauthorized Information (UI)
DIC	Henry Cukoff
Event	Blue Ribbon Pairs
Session	First Semi-Final
Date	November 28, 2007

BD#	2
VUL	N/S
DLR	East

Patrick Galligan	
♠	K J 7 6
♥	Q J 8
♦	A K 4
♣	K 9 6

Nicholas Gartaganis		Fall 2007 San Francisco, CA	Judith Gartaganis	
♠	T 9 4		♠	A Q 5
♥	A 7 6 2		♥	T 4
♦	J 3		♦	Q T 5
♣	A 5 3 2		♣	Q J 8 7 4

Ash El Sadi	
♠	8 3 2
♥	K 9 5 3
♦	9 8 7 6 2
♣	T

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

Final Contract	3♦ by S
Opening Lead	♠T
Table Result	Down 1, N/S -100
Director Ruling	2♥ dbld, N -1, N/S -200
Committee Ruling	2♥ dbld, N -1, N/S -200

(1)	Announced as 11-13.
(2)	Announced as transfer (to hearts).

The Facts: The director was called at the end of the auction. N/S play transfers over the double. This was noted on the convention card. South said he intended 2♦ as a transfer, then pulled to 3♦ when 2♥ was doubled.

The Ruling: It was judged that South was Alerted to his misbid (of 2♦) by partner's Announcement. There was no other logical reason for running to a nine-high five-card suit at a higher level. In accordance with laws 16A, 73F1 and 12C2, the result was adjusted to 2♥ doubled by North down one, N/S minus 200.

The Appeal: N/S asserted that, when 5-4, they would transfer to the four-card major and run if doubled to the five-card minor. E/W did not attend the hearing.

The Decision: The committee ruled that without notes definitely showing this Canapé treatment it must be presumed that the Alert of the 2♦ bid prompted the run-out to 3♦. The committee evaluated the result of 2♥ doubled such that N/S would take seven tricks. Therefore, the director's adjustment of 2♥ doubled down one, N/S minus 200 was upheld. The majority of the committee believed that South intended 2♦ as a transfer and ran to 3♦ when 2♥ was doubled. However, if the N/S statement was indeed correct as to their agreement then the 2♦ bid as well as the 3♦ bid required Alerts as to the possible Canapé style.

The committee noted that 2♣ Stayman and passing the response was also available. Had the methods been explained and Alerted properly, 3♦ may well have been doubled, which would have resulted in the same final result of minus 200 for N/S.

The appeal was found to have merit.

The Committee: Bob Schwartz (Chair), Doug Doub, Robb Gordon, Ellen Kent and Peggy Sutherlin.

Commentary:

Goldsmith I don't buy N/S's claims in the slightest. North did not alert or explain the canapé method at the table, nor was there written evidence. Surely anyone would think that 3♦ showing four hearts and five diamonds is Alertable. As well, the methods seem rather ineffective, and most importantly, if they were playing transfers and/or Stayman, why didn't South bid 2♣ the first time? Sorry, but my credulity does not stretch that far – appeal without merit warning (AWMW).

Not only do I not buy any of this, I'm awarding N/S a 1/4 board procedural penalty (PP) for blatant misuse of UI.

It took me a lot longer than one sentence to determine that it isn't at all probable that N/S will go down two in 2♥ doubled.

Polisner Everything was well done by the director and appeals committee (AC) except for the non-issuance of an AWMW and probably worse, it is amazing to believe that the majority of the AC believed the cock and bull story as to the alleged Canapé agreement.

Rigal N/S deserve to be taken out to the woodshed and severely slapped around to let them know that they can't expect to try to pull the wool over the eyes of (apparently) intelligent appeals committee members with impunity. 'This is how we bid 4-5 hands indeed!' I'd prefer to see 2♥ down 500 myself, and an AWMW at the very least for N/S.

Smith One of the elegant things about the Laws is that they don't require us to believe or disbelieve players in this kind of situation. Law 16 states: "After a player makes available to his partner extraneous information that may suggest a call or play, . . . the partner may not choose from among logical alternative actions one that could demonstrably have been suggested over another by the extraneous information." The Announcement was extraneous information, and it clearly suggested not sitting for 2♥ doubled. We don't need to know any more, and we don't need to question South's honesty. The decision to adjust the score is clear, and this appeal had no merit.

Wildavsky I see no merit to this appeal. I'd have considered a PP against N/S in addition.

Wolff Good ruling.

APPEAL	NABC+ ELEVEN
Subject	Unauthorized Information (UI) - Tempo
DIC	Henry Cukoff
Event	Blue Ribbon Pairs
Session	Second Semi-Final
Date	November 28, 2007

BD#	21
VUL	N/S
DLR	North

Vince Oddy	
♠	A T 6
♥	A Q 9 8 6 4
♦	6 3
♣	K T

Andrew Robson		Fall 2007 San Francisco, CA	Ishmael Delmonte	
♠	K J 9 8		♠	7 3 2
♥	K		♥	J 7 3 2
♦	Q T 7 2		♦	A K J 4
♣	8 4 3 2		♣	7 5

Roy Dalton	
♠	Q 5 4
♥	T 5
♦	9 8 5
♣	A Q J 9 6

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

Final Contract	2♠ doubled by E
Opening Lead	♠4
Table Result	Down 3, N/S -500
Director Ruling	3♥ N, making 3, N/S +140
Committee Ruling	2♠ dbld by E, -3, N/S -500

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

The Facts: The director was called after the play of the hand. East estimated the BIT as 5 seconds. West did not quantify the BIT but stated that there was a clear indication that South was contemplating additional action. South stated that this was his normal tempo.

The Ruling: It was decided that there was a BIT sufficient to convey UI and that pass by North was a logical alternative (LA) to redoubling. Since various logical actions are available to South without a redouble by North, in accordance with laws 73F1 and 12C2, the score was adjusted to 3♥ by North making three, N/S +140.

The Appeal: South is a deliberate player and his pass of 2♥ was made in his normal tempo. His hand was clearly too weak to try for game. He was not considering raising to 3♥. North had a sound opening bid with good hearts and good quick-trick structure, prompting his redouble. He did not notice a BIT by South.

E/W did not attend the hearing. They had told the director that South took about five seconds to pass. Consequently, they said, North made a very aggressive redouble, which led to a favorable result for N/S.

The Decision: The expected amount of time for a player to make a call is about three to five seconds. South's pass was likely to be the last call for his side; so, it was entirely reasonable that his pass was deliberate. Additionally, the South hand was not strong enough for any player to seriously consider raising to 3♥, so his hand did not suggest that he was thinking of bidding.

The committee judged that the time South took to pass did not constitute a BIT.

Therefore, the table result of 2♠ doubled, down three, N/S plus 500 was reinstated.

The Committee: Doug Doub (Chair), Shannon Cappelletti, Robb Gordon, Ellen Kent and Bob Schwartz.

Commentary:

Goldsmith I think there's conflicting evidence. South has an obvious pass of 2♥. But North has an obvious pass of 2♥ doubled. What does he have that he didn't already announce? His sixth heart or thirteenth HCP? Redoubling seems only slightly more likely to me than bidding with the South hand, so on balance, it looks as if there were a BIT, but it's a close enough call that I'd want to be there to judge. Given that the director judged that there was a BIT, I'd go with his opinion, but the appeals committee has more information than I do.

Polisner Excellent appeals committee decision and a somewhat dubious director ruling. Again, perhaps influenced by the celebrity of the E/W pair.

Rigal Strongly disagree with the rationale of the decision. Tournament directors got this exactly right, and North's redouble makes no sense unless influenced by partner's tempo! And yes, South's hand IS strong enough to consider a game-try for hearts (a 3♣ fit-showing call if available, using 2♠ as the way to sign-off in a minor for example) would not be unreasonable. All this guff about slow thinkers is absurd. The committee bought the Brooklyn Bridge here, and when E/W called the director that should have been enough to establish there was a BIT.

Smith Is it clear that South considered his pass automatic and that he wasn't considering further action? Not to me. I would have been more comfortable with E/W's version of the facts had they called the director before the end of the hand to report the alleged hesitation, but as it is I think this case is close. Five seconds is more than normal tempo for this kind of auction in my experience. But that fact was not agreed. It would have been nice if the committee could have interviewed E/W, but in their absence the committee made a reasonable decision. In close cases where facts are in dispute, the side that doesn't show up to committee usually loses.

Wildavsky I am not convinced that five seconds is a reasonable amount of time for a player with no problem to hesitate before passing. As Barry points out, North's double with a 13 count when his range was 11-16 or so was unusual enough to give me reason to believe that South's pass was out of tempo and that North took notice, consciously or subconsciously. The tournament director (TD) who was at the table immediately after the deal was played found that UI existed. I would hate to overrule him on this point -- he was better placed than the committee to judge the facts. E/W may have felt that the TD's determination on the appeal form that UI existed meant that they did not need to appear, and, if so, I have great sympathy for their decision. Perhaps, it's close, but I prefer the TD's ruling to the appeal committee's.

Wolff OK ruling.

APPEAL	NABC+ TWELVE
Subject	Misinformation (MI)
DIC	Henry Cukoff
Event	Blue Ribbon Pairs
Session	Final
Date	November 29, 2007

BD#	16
VUL	E/W
DLR	West

Shannon Cappelletti	
♠	A Q
♥	8
♦	A J 9 8 7
♣	A K Q J T

Mike Passell		Fall 2007 San Francisco, CA	Drew Casen	
♠	J 9 6 3		♠	T 5 4
♥	A Q T 7 6 5		♥	K J 9 4
♦	T		♦	K 6 4 2
♣	7 3		♣	9 4

David Walker	
♠	K 8 7 2
♥	3 2
♦	Q 5 3
♣	8 6 5 2

West	North	East	South
2♥	3NT	4♥	Dbl
Pass	Pass	Pass	

Final Contract	4♥ doubled by West
Opening Lead	♣A
Table Result	Down 2, E/W -500
Director Ruling	3NT N, -2, N/S -100
Committee Ruling	4♥ doubled by W -2, E/W -500

The Facts: The director was called after the hand. The 3NT call was not Alerted as showing the minors because South had forgotten the agreement. East stated that he might not have bid 4♥ had he had the correct information.

The Ruling: The players polled by the director thought 4♥ much more attractive over a natural 3NT. Therefore, in accordance with laws 40 C and 12 C 2, the result was adjusted to 3NT by North, down two, N/S minus 100.

The Appeal: E/W did not attend the hearing. North said that E/W's treading into possible minus 800 territory versus a non-vulnerable 3NT was not "much more attractive" than to do so versus a strong minor-suited auction. Therefore, while East was misinformed by the failure to Alert the 3NT bid, the misinformation was not the source of the damage to E/W. It was East's decision to bid in any case.

The Decision: The committee was surprised at the director's poll findings, especially in light of the vulnerability. However, the committee is responsible for exercising its own judgment. In general, the player polls are more helpful in determining logical alternatives than in determining relative attractiveness of calls. In this case, East chose, at unfavorable vulnerability, to give up any chance of defeating 3NT and to position himself for a minus score worse than 3NT making. The committee determined that 4♥ was not more attractive versus a natural 3NT than interfering with a minor-suit auction. This action was risking the same penalty but giving up any likelihood of defeating the N/S minor suit game.

Therefore, the committee restored the table result of 4♥ doubled by West down two, E/W minus 500.

The Committee: Michael Huston (Chair), Abby Heitner, Jacob Morgan, Aaron Silverstein and Riggs Thayer.

Commentary:

Goldsmith What did 3NT really show? Normally, it shows a long suit, usually a minor, and close to nine tricks. While we are supposed to assume MI rather than misbid, 3NT for minors outside of a long-standing partnership seems rather unlikely. It'd be reasonable for the appeals committee (AC) to find misbid, hence no adjustment.

Their ruling does not seem obvious. If 3NT is really a long minor and an ace or two, East knows that minor is clubs and thinks his ♦K is working. Moreover, declarer rates to have seven clubs and two aces, so 3NT is making.

I don't see many constructions, however, where 4♥ is down only one; moreover, it's likely that if N/S bid 4NT, that'll be a make, so 4♥ appears to be giving the opponents a fielder's choice. On the other hand, If North has both minors, the bidding may die in four of a minor, which is cheaper than 4♥ doubled. All in all, it seems roughly equivalently bad to bid 4♥ over either meaning of 3NT, which is what the AC ended up ruling.

It's close though, and it's tough to rule on this sort of case, because an AC must think as someone who would take an action they wouldn't, especially after seeing the result.

Polisner It seems as the directors need training as to how to conduct a poll. For example, "assuming that 3NT is natural, what would you do?" and "assuming that 3NT is unusual, what would you do?" Further, East made no effort to protect himself by asking South what 3NT was in spite of the lack of an Alert as many players are not aware of which uncommon bids are or are not Alerts. In any event, the AC came to the right conclusion.

- Rigal** Sensible committee ruling, after a strange set of opinions garnered by the tournament directors. I agree entirely with the AC; over a 'semi-natural' 3NT you pass, expecting to have a shot to set it. Over an unusual 3NT bid you know you won't defend 3NT so you might bid. Had the decision initially gone the other way this would be AWMW territory.
- Smith** Although I agree that director polling in MI cases is not as effective as in UI cases, I think committees need to take director polls more seriously before they overrule them. I think the directors got this one right due to the opinions of the players polled. I will apologize if all the other commentators on this case agree with the committee.
- Wildavsky** I'll buy that E/W were injured primary through East's call, which some might consider wild or gambling. I agree with those polled, though, that the call would have been less attractive opposite a 3N showing the minors. N/S's score ought to have been adjusted, per law 72 B 1.
- Wolff** Excellent ruling.

APPEAL	NABC+ THIRTEEN
Subject	Unauthorized Information (UI) - Tempo
DIC	Henry Cukoff
Event	Blue Ribbon Pairs
Session	First Final
Date	November 29, 2007

BD#	22
VUL	E/W
DLR	East

Mark Dean	
♠	9
♥	J T 8 6 2
♦	9 5 2
♣	T 7 5 4

Shirley Blum		Fall 2007 San Francisco, CA	Steve McConnell	
♠	J 3		♠	A K Q 5 4 2
♥	K Q 9 5		♥	A 7 4
♦	A T		♦	K 7 3
♣	A K Q 8 3		♣	9

Victor Chubukov	
♠	T 8 7 6
♥	3
♦	Q J 8 6 4
♣	J 6 2

West	North	East	South
		1♠	Pass
2♣	Pass	3♠	Pass
4NT	Pass	5♣ ¹	Pass
5♦	Pass	5♥ ²	Pass
7NT	Pass	Pass	Pass

Final Contract	7NT by West
Opening Lead	Not Shown
Table Result	Made 7, E/W +2220
Director Ruling	6NT W +7, E/W +1470
Committee Ruling	7NT W made 7, E/W +2220

(1)	Shows three controls.
(2)	A break in tempo (BIT) before bid, which denied the ♠Q.

The Facts: The director was called after the hand and after the opponents had left the table. When the E/W pair was questioned about the 5♥ call, both players agreed that there had been a BIT. There was no agreement by either pair as to the length of the BIT.

The Ruling: The director determined that there was UI and that the BIT suggested additional values. If West didn't care about the ♠Q, she should have bid 7NT after 5♣. Therefore, in accordance with laws 16 and 12C2, the result was adjusted to 6NT by West making seven, E/W plus 1470.

The Appeal: E/W were relatively inexperienced as a partnership, having played “a bit” on the Internet. Their system is two over one. The 3♠ bid showed 16-17 HCP and did not promise solid or semi-solid spades (They seemed to be unfamiliar with that treatment.). 4NT was Roman Keycard Blackwood in spades and the follow-up was the queen ask. At that point, East did not know how to show the queen and decided that he would bid 5♥, uncertain of its meaning, and then bid more later. West thought 5♥ denied the ♠Q but bid 7NT anyway thinking that East had to have other good card to make up his compliment of HCP to make his hand good enough to bid 3♠. She thought that two side jacks instead of the ♠Q could make 7NT playable, so she bid it.

The committee asked West why she asked for the ♠Q if she was going to bid 7NT anyway. She said she asked for it so that she wouldn't have to think about whether to bid 7NT. When her partner denied the ♠Q, she thought about hand possibilities that would make 7NT playable without bringing in the spade suit. She decided in favor of 7NT.

The Decision: When West made her decision to bid 7NT she already had interpreted her partner's hand to be 16-17 HCP with six spades. Her partner's BIT may have suggested his lack of certainty about how to deny the ♠Q more than anything else, which his bidding had already shown. In fact, in terms of HCP, East was at the bottom of his bid, thus not possessing extra strength according to this partnership's understanding. Since East's hesitation seems to be the result of random confusion, the committee decided that the BIT did not demonstrably suggest a line of action to West. West was permitted to make her choice of bid unconstrained.

Therefore, the committee restored the table result of 7NT by West making seven, E/W plus 2220.

The Committee: Michael Huston (Chair), Shannon Cappelletti and Jacob Morgan.

Commentary:

Goldsmith The director got this one right. Was there a BIT? Yes. Did it demonstrably suggest 7NT? Yes, of course. Even if the BIT just showed confusion, then it demonstrably suggested not trusting the 5♥ response. What were the logical alternatives (LA)? 6NT seems pretty obvious. Did the UI suggest 7NT over 6NT? Yes. Therefore, 7NT is illegal. Can 6NT be the right spot? Sure. Give East AKxxxx/AJ10/KQx/x and 7NT is on an unlikely squeeze or the stiff SQ, but 6NT is cold. If West didn't know what the responses to 5♦ were, bidding it could only hurt her, especially if partner didn't know, too. That reasoning might have encouraged choosing an action which would not have led to controversy. This decision is so easy, I'd give E/W an appeal without merit warning (AWMW).

Polisner It seems that there has been a common theme throughout this set that if it hesitates - shoot it (except for NABC+ case nine where they should have shot it). What, pray tell, did the BIT (which was never described) indicate? What did the BIT mean? Who said that it claimed the ♠Q? The appeals committee did the right thing to restore the table result.

Rigal The most interesting of the cases so far. The question of slow key-card responses (as opposed to continuations after the response) DOES raise some challenging problems. The most likely meaning for a slow denial of the trump queen is not 'I don't have the trump queen' it is 'I do have it but don't know what to do' or 'I have an extra trump -- is that worth the trump queen?' Or 'I do not have it but I have enough extras to want to play slam anyway'.

In my view West would not have bid the Grand Slam facing a prompt denial so can't do so here when she correctly reads her partner's tempo. When she asked for the trump queen she must have been prepared to stop out of 7NT, so now she gets to do so after the worst response; her partner's tempo encouraged her to be thoughtful when she had already indicated that she might have been lazy.

Smith I strongly disagree with this committee decision. When a player hesitates before making the weakest bid available, it shows extra values of some kind. West had absolutely no new information not available on the last round of the auction when she could have just bid 7NT if she thought it was right, so she must have been considering other contracts. All the elements are present for a law 16 score adjustment and it should have been made by the committee.

Wildavsky I don't follow the appeal committee's (AC) logic. Yes, East's hesitation suggests that he was unsure about how to show or deny the spade queen. Since he in fact denied it, the hesitation suggests that he holds it, and sure enough he did.

UI was present and it demonstrably suggested bidding on. The question the AC ought to have considered was whether 6NT would have been logical for this West. Surely it was. It's easy enough to construct hands consistent with East's bidding where 7NT is an underdog. We have as further evidence West's failure to bid 7NT the previous round. No doubt she did not anticipate the ethical bind her partner's actions would place her under. Unfortunately, he both denied a card he held and indicated by his tempo that he had done exactly that. We cannot give the offenders the benefit of the doubt here. When West asks for the spade queen we have little choice but to conclude that her choice of contracts depended on the answer.

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

Wolff Excellent ruling.

APPEAL	NABC+ FOURTEEN
Subject	Misinformation (MI)
DIC	Henry Cukoff
Event	Blue Ribbon Pairs
Session	First Final
Date	November 29, 2007

BD#	16
VUL	E/W
DLR	West

Diego Brenner	
♠	K 6 3
♥	Q T
♦	6 2
♣	Q J 9 8 7 2

Steven Price		Fall 2007 San Francisco, CA	Martin De Bruin	
♠	9 5 4 2		♠	J T
♥	6 2		♥	J 9 8 5
♦	Q J 5 4		♦	A 9 8 3
♣	K T 4		♣	6 5 3

Marcelo Branco	
♠	A Q 8 7
♥	A K 7 4 3
♦	K T 7
♣	A

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

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

(1) Altered and explained as fewer than three hearts.

The Facts: The director was consulted after the hand. The facts are as above.

The Ruling: As the director was not called when dummy appeared, in accordance with law 9B1(a) the call was deemed untimely. The director believed that E/W should have understood that 2♦ was artificial since it would not have been Altered otherwise. The table result of 3NT by South making five, N/S +460 was allowed to stand.

The Appeal: West summoned the director at trick two. He was told to call back at the end of the hand. He understood the explanation to mean natural and would have led a diamond had he been given a complete explanation.

The Decision: The explanation of the 2♦ bid was incomplete, and it is the Alerting side's responsibility to fully disclose. Therefore, it was determined that MI existed. With the correct explanation, it is likely that West would have led a diamond. The committee judged that the diamond led would be most likely to be a count diamond and declarer would have known to give up the fourth heart to make three. The Committee found the director call to be timely. Therefore, the committee adjusted the result to 3NT by South, making three, N/S plus 400.

The Committee: Aaron Silverstein (Chair), Abby Heitner and Riggs Thayer.

Commentary:

Goldsmith I agree with the appeals committee (AC). There was MI. The MI led directly to the non-offending side's bad result. So we adjust. The tournament director (TD) has a point in that West might have protected himself by asking, "Is 2♦ natural?" but he might have been afraid of giving away his diamond holding. Another rule for players: when answering the question "please explain," after any bid, please start with either "natural" or "artificial," then add either "forcing" or "nonforcing," then add any other useful information that seems appropriate. If South had said, "artificial, forcing, shows limit raise values, denies three or more hearts," there would have been no problem. Describing doubles is a little harder, but starting with "penalty," "takeout," or whatever appropriate adjective in between, or "artificial" is usually a good idea.

Polisner Another unbelievable director ruling. Apparently the director thought that because the explanation was "fewer than three hearts" that ipso facto, it also said nothing about diamonds which is quite a leap of faith. The AC properly adjusted the result.

Rigal Well ruled by the AC to make up for the TD's erroneous decision. The response given could (and would normally) be construed as 'diamonds no heart support' and nothing in that response would require further enquiry.

- Smith** First of all, even if the director believed that E/W did not call until the end of the hand, there is nothing in law that forfeits E/W's right to an adjustment. A late director call may make it difficult to ascertain the facts in some cases, or it may speak to how strongly a player really feels he might have done something differently without MI in others. But in general players have a right to ask for a ruling up until 30 minutes after the scores have been posted (law 92B).
So I don't know where the director came up with that reason for no adjustment, and it is clearly erroneous. However, I do think the director's other argument is valid and perhaps its validity was dismissed too quickly by the committee due to the statement about timeliness. Essentially, West understood that he was Alerted to a natural 2♦ bid that promised fewer than three hearts by a player to whom English is not his first language and to whom ACBL Alerting regulations were likely unfamiliar. Didn't West wonder why he was being Alerted? He was told that 2♦ showed 9-11 points and fewer than three hearts, exactly what one would expect with no Alert.
As in NABC+ case four, I'm sure that South assumed his opponent would know it was not natural by the very fact that it was Alerted. Of course he should have said "artificial," and maybe he should be held responsible for that by either a score adjustment according to law 12 or a procedural penalty. But I just can't get over West's blind assumption that 2♦ was natural. I would be reluctant to reward him with a score adjustment.
- Wildavsky** Good work by the AC to correct an injustice.
- Wolff** Excellent ruling.

APPEAL	NABC+ FIFTEEN
Subject	Unauthorized Information (UI) - Tempo
DIC	Steve Bates
Event	Reisinger BAM Teams
Session	Second Qualifying
Date	November 30, 2007

BD#	16
VUL	E/W
DLR	West

Marc Umeno	
♠	Q 7 4
♥	A K 9 6
♦	A K Q 7 2
♣	4

Kenneth Zuckerberg		Fall 2007 San Francisco, CA	Drew Becker	
♠	A T 6 3		♠	J 9 8 5 2
♥	Q J T 3		♥	8 7 4 2
♦	5 3		♦	9 8 4
♣	T 7 6		♣	Q

Josh Sher	
♠	K
♥	5
♦	J T 6
♣	A K J 9 8 5 3 2

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

Final Contract	6♣ by S
Opening Lead	♠A
Table Result	Made 6, N/S +920
Director Ruling	5♣ S, +6, N/S +420
Committee Ruling	6♣ S, +6, N/S +920

(1)	Game forcing.
(2)	Some extra values.
(3)	Break in Tempo (BIT) agreed by all.

The Facts: The director was called after the hand had been played. N/S contended that all bids after 1♦ were slow and that 1♦- pass – 3♣ would have been invitational.

The Ruling: Several players were polled. All passed 5♣. When asked if a slow 5♣ suggested bidding on, half thought it did and half did not. Therefore, in accordance with law 16 and 12C2, the result was adjusted to 5♣ by South making six, N/S +420.

The Appeal: South had several options open at his third turn:

3♠ = fourth suit.

4♣ = long clubs.

5♣ = good suit.

Did no 3♠ bid by South imply spade shortage? South said that he did not bid 3♠ then clubs because he thought that would show the ace of spades.

The N/S system notes suggest that fast arrival was not in use. Picture bidding – jumps to game suggest very good trumps in the context of the auction.

The Decision: The committee accepted that the jump to 5♣ showed very good trumps. The system file (not seen by the director) documented this. The committee though felt that there were two lines of argument that would serve to allow the 6♣ call.

The first was that South's failure to try for 3NT at BAM scoring almost guaranteed spade shortness. No hand worth a two over one could be missing a spade control with broken clubs. Any hand with solid clubs would check out 3NT via fourth suit forcing.

The second approach was that the committee (and clearly the consulted players) were not convinced a slow 5♣ call demonstrably suggested 6♣. The doubt could be about strain as well as level.

Hence, the table result of 6♣ by South making six, N/S plus 920 was restored.

The Committee: Barry Rigal (Chair), Ed Lazarus, Chris Moll, Hendrick Sharples and Adam Wildavsky.

Commentary:

Goldsmith If half the players consulted thought that the BIT encouraged bidding on, and half didn't, is that "demonstrably suggesting?" Doesn't seem like it to me. I also suspect that the polled players didn't get "you do not play fast arrival; 5♣ is a slam try showing good clubs." Given that, I think that the BIT actually slightly suggests NOT bidding on, that a reason for the BIT is that the club suit isn't good enough for the jump.
Good job, appeals committee..

Polisner Here again, the directors confessed that they do not know how to use a poll. In this case, the results of the poll only established that a slow 5♣ bid did not suggest that bidding would be more successful than passing. This was not a logical alternative (LA) issue wherein an evenly divided poll would suggest that a LA exists. The appeals committee got it right.

Rigal I don't object to the tournament director ruling (particularly when they had not seen the system file) but the arguments for the committee ruling still seem strong to me.

- Smith** I think the committee did a thorough job and arrived at a good decision.
- Wildavsky** Had the tournament director known that N/S were not using "Fast Arrival" he might have ruled differently. He should have enquired, but the "Fast Arrival" style is so popular nowadays that many don't realize there's any alternative.
- Wolff** Excellent ruling.

APPEAL	NABC+ SIXTEEN
Subject	Misinformation (MI)
DIC	Steve Bates
Event	Reisinger BAM Teams
Session	Second Qualifying
Date	November 30, 2007

BD#	9
VUL	E/W
DLR	North

Sam Lev	
♠	Q J T
♥	T 9
♦	K J 8 4
♣	K J 5 3

Marcelo Branco		Fall 2007 San Francisco, CA	Pinhas Romik	
♠	K 8 7 6 3		♠	9 2
♥	J 5 2		♥	K 7 3
♦	A 6 3		♦	Q 7
♣	A 7		♣	Q T 9 8 6 4
Jacek Pszczola				
♠	A 5 4			
♥	A Q 8 6 4			
♦	T 9 5 2			
♣	2			

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

Final Contract	2♠ by W
Opening Lead	♠Q
Table Result	Down 1, N/S +100
Director Ruling	2♦, dbld by S, +3, N/S +280
Committee Ruling	2♠ W or 3♣ E, down 2, N/S +200

(1)	Alerted. Asked and explained as transfer to diamonds.
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The Facts: The director was called initially after dummy was tabled and again after the play of the hand. South said he might have bid 2♦ over 2♣ with the correct information. Later, South said his partner might not have led a trump with the correct information. East did not correct the explanation prior to the opening lead.

The Ruling: Players who were polled with respect to the lead did not find a different lead with the correct information. However, if South bid 2♦, West might have doubled ending the auction. Therefore, the score was adjusted to 2♦ doubled by South, making three N/S plus 280.

The Appeal: North was the only player who did not attend the hearing. E/W stated that on this auction, if South had bid 2♦, double would be card showing, and East would always pull the double. E/W agreed that their agreement was that 2♣ showed clubs and that there was MI.

South asserted that North might have led a heart if furnished with the correct information before the opening lead.

The Decision: The committee found there was MI. The committee did not consider the auction suggested by the director in his ruling as likely. The actual auction as explained by E/W suggested East was raising spades and showing diamonds. This made a spade lead more likely than with a correct explanation of the auction. Hence, the MI contributed to N/S's choice of opening leads when an alternative heart lead would assure defeating the contract by two tricks.

While down two was possible with ♠Q lead, N/S did nothing egregious in the actual defense resulting in down one. The committee thought that if South had bid 2♦, after a correct explanation, 3♣ would be a possible E/W contract, which would also be defeated by two tricks.

In accordance, with law 12C2, the committee adjusted the score to N/S plus 200 and E/W minus 200 resulting from a contract of 2♠ by West or 3♣ by East.

The committee admonished E/W about its responsibility to correct MI before the opening lead when their side is declaring the hand.

The Committee: Richard Popper (Chair), Mike Kovacich, John Solodar, Riggs Thayer and Bob White.

Commentary:

Goldsmith If East had corrected the MI before the opening lead, it is probable there would have been no appeal. Therefore, E/W ought to be assigned a procedural penalty (PP) of 1/4 board.

The appeals committee (AC) did a good job overall, but should have mentioned that the unauthorized information (UI) arising from the MI didn't cause a problem.

Polisner An adjusted score seems to be in order and the plus 200 for N/S appears to be the most likely.

Rigal I like the AC ruling which seems to have covered all of the bases, while the tournament director ruling was incomplete and inaccurate. Regardless of the minutiae of the decision the approach the AC took was far more appropriate -- including the admonishment to East, who should know a lot better here. Indeed, close to PP territory.

Smith I think that both the directors' ruling and the committee ruling were thorough and well done in this case even though different adjustments were made. The committee had more time and opportunity to interview the players about methods (such as the meaning of a possible double by West of a 2♦ bid by South), and that understandably led to a different adjustment.

Wildavsky Good work all around. The AC's adjustment may have been a small improvement over the tournament director's.

Wolf Good ruling. South would have bid 2♦ without the convention disruption and then what? Plus 200 is appropriate for N/S.

APPEAL	NABC+ SEVENTEEN
Subject	Unauthorized Information (UI)
DIC	Chris Patrias
Event	North American Swiss
Session	First Semi-Final
Date	December 1, 2007

BD#	14
VUL	None
DLR	East

Larry Mori	
♠	A K 3 2
♥	K 9 4
♦	K 9 6
♣	K Q 7

Katrin Litwin		Fall 2007 San Francisco, CA	Aidan Ballantyne	
♠	T 8 5		♠	J 9
♥	A T 8 3		♥	Q 7 5 2
♦	A 2		♦	8 7
♣	A J 6 2		♣	9 8 5 4 3

Leonard Melander, Jr	
♠	Q 7 6 4
♥	J 6
♦	Q J T 5 4 3
♣	T

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

Final Contract	3NT by North
Opening Lead	♣4
Table Result	Made 3, N/S +400
Director Ruling	3NT N, +3, N/S +400
Committee Ruling	3NT N, +3, N/S +400

(1) Announced as transfer.

The Facts: The director was called at the end of the auction. N/S had had differing information on their convention cards about whether systems were on after a one notrump overcall. E/W questioned South's further actions since he had UI from hearing the Announcement "Transfer." There also was concern that North had three hearts yet didn't bid 4♥.

The Ruling: While there was UI, the 3♦ bid was deemed to not be demonstrably suggested by the UI. The table result of 3NT by North, making three, N/S +400 was allowed to stand because:

1. If the 2♥ bid is taken as positive for diamonds, South could bid 2♠ and get N/S to a contract of 4♠.
2. It doesn't seem likely at IMPs to advance to a different partscore.

The Appeal: N/S did not attend the hearing. E/W said that South's pull of 2♥ to 3♦ was demonstrably suggested by the announcement that 2♦ was a transfer and some Souths would pass 2♥ without that UI. E/W also thought it was peculiar that North would bid 3NT rather than 4♥ in this sequence.

The Decision: Clearly the transfer Announcement was UI to South. It also strongly suggests that South not pass. Therefore, bidding (as a line of action under law 16) was demonstrably suggested. No particular bid (2♠, 2NT or 3♦) was suggested over any other, though. The committee found that passing was not a logical alternative (LA) since it was unlikely that North had a good five-card heart suit and if the 2♥ bid was in favor of diamonds, passing could be disastrous. Of all the alternatives available to South, South chose one (of two) that led to the defeatable 3NT contract. The 3NT contract was lower scoring than the 4♠ contract, which might otherwise have been bid.

The committee noted that North's choice of bids was entirely unconstrained as he was in possession of no UI.

Ultimately, the committee agreed with the entirety of the director's ruling, although the committee pigeon-holed some of the director's rationale into different parts of law 16 than the director did. The committee sustained the director's decision to allow the table result of 3NT by North making three, N/S plus 400, to stand.

The Committee: Michael Huston (Chair), Bruce Ferguson, Chris Moll, Jacob Morgan and Eddie Wold.

Commentary:

- Goldsmith** "The director was called at the end of the auction," suggests to me that before the opening lead South explained that there was MI. Given that, MI isn't a problem. (In fact, I think the explanation strongly suggests the winning heart lead; if South doesn't have hearts and North chose 3NT over 4♥, it's a good bet that West has hearts. Moreover, the UI means that if South does have hearts, 3♦ is likely to be illegal, so a losing heart lead may just lead to an adjusted score anyway.)
How about UI? South chose 3♦, which surely is not suggested by the UI; he knows that 3♦ is game forcing after a transfer, so his only real shots at staying low are 2♠ and 2NT, which are therefore illegal. 3♦ isn't.
I wonder at what point we ought to just agree that there is no UI here. 2♥ is prima facie evidence that North thought 2♦ was a transfer. Super-accepts of 2♦ are much rarer (has anyone ever seen a 2H super-accept of 2♦?) than "I thought 2♦ was a transfer." So much so that just about everyone will figure out what has happened. Perhaps the whole world should agree that if playing natural responses to notrump bids, the next step is impossible, not a super-accept, and therefore there's no UI from partner's Alert or Announcement---you know he thinks it is a transfer.
How about an appeal without merit warning (AWMW)? I think it's close. N/S didn't do anything wrong, and E/W should know that. Is this a complicated enough ruling that no AWMW ought to be considered? Probably not. At least the appeals committee (AC) ought to tell us they considered and rejected an AWMW and why.
- Polisner** I agree that it is unlikely that North would have a good five-card heart suit for a 1NT overcall - however, not impossible. I would like to have seen the results of a peer poll with the South hand absent an Alert to the 2♦ bid. Once you get past this, the decision is to allow the 3♦ bid, and the table result stands.
- Rigal** The best argument for letting the score stand was 'No damage' since West could and should have set 3NT and indeed had far more than enough information to do so. But I'm still not happy N/S did not exploit the UI, though maybe (since South would never pass 2♥) any action he took was going to lead to a better result than plus 400? I'm unconvinced.
- Smith** Good job all around.
- Wildavsky** A close call. I hate to allow a pair to appear to profit through the Alert system, but I don't fault the tournament director and AC rulings.
- Wolff** OK ruling.

APPEAL	NABC+ EIGHTEEN
Subject	Unauthorized Information (UI) - Tempo
DIC	Chris Patrias
Event	North American Swiss
Session	Second Qualifying
Date	December 1, 2007

BD#	13
VUL	Both
DLR	North

Bruce Ferguson	
♠	K J
♥	T 7 6
♦	Q 8 7 5
♣	A K J 7

Apolinary Kowalski		Fall 2007 San Francisco, CA	Piotr Tuszynski	
♠	T 9 7		♠	A Q 6 5 3
♥	A 8		♥	K Q 4 3
♦	A J 4 3		♦	K 6
♣	8 5 3 2		♣	Q 4

Brenda Keller	
♠	8 4 2
♥	J 9 5 2
♦	T 9 2
♣	T 9 6

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

Final Contract	4♠ by W
Opening Lead	High ♣
Table Result	Made 4, E/W +620
Director Ruling	4♠ W, +4, E/W +620
Committee Ruling	2♠ W, +4, E/W +170

(1)	14-17 HCP.
(2)	Majors.
(3)	4-5 seconds before 2♠ bid.

The Facts: The director was called when dummy was displayed. N/S stated that the pause was long enough to be noticeable, but did not take issue with the time asserted by E/W.

The Ruling: Whether there was a break in tempo (BIT) is debatable. Even if there were a BIT, it did not demonstrably suggest bidding 3♠. Therefore, the parameters of law 16 were not satisfied and the table result of 4♠ by West making four, E/W plus 620 was allowed to stand.

The Appeal: E/W did not attend the hearing.

North stated that he is aware that sometimes a four-five second hesitation is a BIT and sometimes not. In this case it was apparent that West was considering other options. North said that West had a very good hand for only bidding 2♠, as one might expect would be the case for a hesitation and then a minimum strength bid.

The Decision: The director said that the existence of a BIT was debatable (he did not make a clear determination) and the committee debated. A pause of four-five seconds is often ruled not to be a BIT; but in a fairly routine situation in which a player is tightly focused on his hand, a four-five second hesitation is capable of bearing an information load. After considerable discussion, the committee decided that West's hand, North's statement about it being clear that West was thinking about his options, and the agreement by the players that West hesitated four-five seconds all contribute to a finding that the BIT was unmistakable per law 16.

West could have been considering whether to:

1. Pass 2♣,
2. Bid 2♦,
3. Bid 2NT, or
4. Bid 3♠

as well as the bid he chose. Passing 2♣ is an infrequent choice. The meaning of 2♦ was not available to the committee, but it may well not have been available as a natural non-forcing bid. 2NT is a bid that might be used as a good three-card raise. 3♠ might be used for an invitational four-card raise. It is also possible but unlikely that West was choosing between majors, but that is a choice a good player usually makes very routinely. The most likely alternatives that West was considering were extra-value bids in spades. Since the extra-value bids were considerable more likely than the others, the committee found that they were demonstrably suggested per law 16.

The issue of logical alternative(s) (LA) was disposed of summarily since it was clear that a pass is a LA.

Accordingly per law 12 C 2, the committee adjusted the result to 2♠ by West making four, E/W plus 170.

The Committee: Doug Doub (Chair), Michael Huston, Chris Moll, Jacob Morgan and Eddie Wold.

Commentary:

Goldsmith Good job, appeals committee. I suspect that in fact, West was thinking of bidding 2♦, "you pick your major," planning to correct 2♥ to 2♠ to show a mild invitation to game. That's a pretty common meaning of the sequence, and, red at IMPs, I think his hand is a close decision between 2♦ and 2♠.

- Polisner** The director got it right and the appeals committee (AC) missed it. The director, who had the advantage of discussing the facts with all of the players, concluded that four or five seconds was not an unmistakable BIT which is required for Law 16 to apply. If West had bid in one second, it would be too fast so we are down to a two-second window if four seconds is a BIT. However, if it was determined that there was a BIT, I agree with the AC that the table result should be adjusted.
- Rigal** Excellent decision by the appeals committee to overrule what in my opinion was a flawed tournament director (TD) ruling. Though it is easy to over-generalize, the idea that slow sign-offs generally deliver unbidable extras is one that has come up enough for us all to be familiar with it. Here I'm drinking the Kool-Aid. I would have expected the initial TD ruling to force E/W to appeal the decision.
- Smith** I agree with the committee's rationale and think it's decision was correct.
- Wildavsky** The tournament director ruling is puzzling. Certainly a slow 2♠ suggests that the final contract should be higher -- how could it not? The appeals committee got this one right. They might also have noted that 2♥ may have been available if West had equal length in both majors, and if not then 2♥ would be the most frequent choice with equal length since it leaves partner room to show extra strength with longer spades at the two-level.
- Wolff** OK ruling.