

Spring 2008 NABC
Appeals Casebook



Appeals at the 2008 SPRING NABC Detroit, MI

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 fourteen cases were heard.

Ten 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.

Four 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.

**Appeals at the
2008 Spring NABC
Detroit, MI**

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, 68, 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, 49, 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 North American 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. He served as chairman of the ACBL National Appeals Committee from 2003-2006.

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, 48, 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. He works as a senior software engineer for Google, Inc. Mr. Wildavsky has won the Blue Ribbon Pairs twice and the Reisinger BAM Teams once. He won a bronze medal in the 2003 Bermuda Bowl in Monaco. Mr. Wildavsky is chairman of the National Appeals Committee and vice-chair of the National Laws Commission. His interest in the laws is informed by his study of Objectivism, the philosophy of Ayn Rand.

Bobby Wolff, 75, 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. He has represented the USA in the following team events: 12 Bermuda Bowls, 5 World Team Olympiads, 3 Senior Teams and 1 Mixed Team. Mr. Wolff has also won numerous NABCs including four straight Spingolds (1993-1996). He served as ACBL president in 1987 and WBF president from 1992-1994. He started the ACBL Recorder system in 1985, has served as tournament recorder at NABCs and is the author of the ACBL active ethics program. Among his pet projects are eliminating convention disruption, encouraging less hesitation disruption, allowing law 12C3 to be used in ACBL events and reducing the impact of politics and bias on appeals committees.

APPEAL	Non-NABC+ One
Subject	Unauthorized Information (UI)
DIC	Matt Koltnow
Event	Friday Evening Swiss Teams
Session	N/A
Date	March 1, 2008

BD#	33
VUL	None
DLR	North

3270 Masterpoints	
♠	Void
♥	K Q J 9 4
♦	K 9 6 5
♣	A K 6 4

87 Masterpoints		Spring 2008 Detroit, MI	86 masterpoints	
♠	T 5		♠	A K Q J 9 7 3 2
♥	A 5 2		♥	3
♦	J 8 4		♦	3 2
♣	Q T 7 5 2		♣	J 9

4365 Masterpoints	
♠	8 6 4
♥	T 8 7 6
♦	A Q T 7
♣	8 3

West	North	East	South
	1♥	4♠	5♥ ¹
Db1 ²	Pass	5♠	Pass
Pass	Pass		

Final Contract	5♠ by E
Opening Lead	♥6
Table Result	Down 2, N/S +100
Director Ruling	5♥ dbld N, making 6, N/S +750
Panel Ruling	5♥ dbld N, making 6, N/S +750

(1)	10 second pause observed, all agree
(2)	Break in tempo by West, about 13 seconds

The Facts: The director was called after East bid 5♠. All agreed to an approximate 13 second hesitation by West before the double of 5♥.

The Ruling: By Law 16A and 12C2, pass was substituted for East's 5♠ bid and the contract and result were changed to 5♥ doubled by North, making six, N/S plus 750.

The Appeal: West stated that his double promised a defensive trick, but partner was allowed to pull. East admitted he had not promised any defense when he bid 4♠. He said, with the eighth spade, he thought pulling was clear since he couldn't be hurt much in 5♠. North/South said that the double should have discouraged a 5♠ bid, particularly since East had a potential defensive trick. Only the BIT encouraged pulling the double.

The Decision: Ten peers of East/West were consulted about what they would do with the East hand over 1♥, and then after 5♥, double, pass. Six would have bid 4♠. Of these, five would have passed the double. They were not given the UI.

The panel decided the UI from the BIT demonstrably suggested doubt about the wisdom of the double, and thus the pull to 5♠. The player poll clearly established pass as an unsuggested LA. The panel assigned a result of 5♥ doubled by North, making six, N/S plus 750.

While the appeal had no substantial merit, the panel did not award an appeal without merit warning (AWMW) to two players, each with less than 100 masterpoints, who seemed willing to learn from the experience.

The Panel: Gary Zeiger (Reviewer), Nancy Boyd, Jay Albright

Players consulted: Ten of East/West's peers.

Commentary:

Polisner I seriously doubt that it is possible to find ten peers (players with 86 masterpoints) except in a novice game. Be that as it may, the BIT suggested doubt and pass is a LA to 5♠.

Rigal Yes there was a tempo break and it did suggest bidding 5♠, with pass a LA. I can understand no AWMW, but if they know enough to appeal they know enough to get an AWM.

Smith Not good enough. There is no doubt that this appeal lacked merit. When that is true, committees and panels need to say so by issuing an AWMW. If a pair is ruled against by the directors and they do not understand it, they have a right to have it explained. After that, if they persist in appealing, they need to be told that they wasted the time of many people. Experience as a bridge player is not relevant.

Wildavsky An AWMW is a judgment about the appeal, not the appellants. If the panel finds the appeal lacks merit, it ought to issue a warning. The pair will learn at least as much with an AWMW as without one. If they have indeed learned, they'll accumulate no more warnings and will have no need for concern.
The criterion for being experienced enough to accrue a warning is being experienced enough to file an appeal.

Wolff This case is a classic case of a BIT cancelling partner's takeout of a penalty double. Players should learn from this that in order for their judgment to be applied they must do so without BITs. Some are slow to learn, others never do or do not want to. Good ruling.

APPEAL	Non-NABC+ Two
Subject	Misinformation (MI)
DIC	Harry Falk
Event	Senior Pairs
Session	First
Date	March 8, 2008

BD#	10
VUL	Both
DLR	East

11,187 Masterpoints	
♠	A K Q 9 7 3
♥	A 8 6 2
♦	8 6
♣	J

16,141 Masterpoints		Spring 2008 Detroit, MI	3,755 Masterpoints	
♠	4		♠	T 8 5 2
♥	K Q T 9 3		♥	7
♦	K J 9 7 5 3		♦	A Q
♣	T		♣	A 9 8 7 6 2

641 Masterpoints	
♠	J 6
♥	J 5 4
♦	T 4 2
♣	K Q 5 4 3

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

Final Contract	4♠ doubled by N
Opening Lead	♥7
Table Result	Down 1, N/S -200
Director Ruling	4♥ W, down 3, E/W -300
Panel Ruling	4♥ W, down 2, E/W -200

(1)	Alerted and explained as Drury.
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The Facts: The director was called after the play. The E/W agreement, which was clearly marked on the convention card, is that Drury does not apply in competition. North expected partner to be short in hearts given the information that 2♣ was a heart raise and would have passed 4♥ had he known that 2♣ was not Drury.

The Ruling: The director found that there was misinformation. Therefore, in accordance with laws 12 C 2, 21 B 3 and 40 C, the score was adjusted 4♥ by West, down three, E/W minus 300.

The Appeal: East felt that North “took his chances” by bidding 4♠. East also said North looked at her convention card before bidding it, so he should have known Drury was off in competition. West seemed resigned to the fact that the score should be adjusted but he thought three down was excessive. At first West said he could make 4♥; then he decided he would be down one.

North thought it was unfair to allow West to play the hand double dummy after the fact. South had no comment.

The Decision: Eight players were asked what they would do with the North hand given the information that 2♣ was Drury. Four bid 4♠ using the same reasoning as the North player (“Partner is short in hearts and is likely to hold some spades. If I don’t make this, it should be a good sacrifice.) 4♠ was less attractive if 2♣ was natural. The panel, therefore, agreed with the director’s decision to adjust to a contract of 4♥ by West in accordance with Laws 21 B 3, 40 C and 12 C 2.

The play in 4♥ presented a different problem. Several of West’s peers were polled and asked how many tricks they could take in 4♥. They thought a competent West could take eight or nine tricks depending on the defense. Since E/W was the offending side, the panel changed the director’s adjustment to 4♥ by West down two, E/W minus 200 as the most favorable result that was likely for N/S (the non-offenders) and the most unfavorable result that was at all probable for E/W (the offenders).

The appeal was found to have merit.

The Panel: Jean Molnar (Reviewer), Nancy Boyd and Mike Flader.

Players Consulted: Bidding: Fred Hamilton, John Kranyak and several others. Play: Grant Baze, Gary Cohler and Alan Sontag.

Commentary:

Polisner Well done.

Rigal Yes there was MI and the contract should be set back to 4♥; bidding 4♠ is the indicated action not a wild gamble. The normal defense of a top spade and a spade to the jack would see West pitch a diamond, and now a low club leaves declarer in very bad shape.
A penalty of at least 200 seems right; maybe the adjustment is enough to save E/W an appeal without merit warning (AWMW). Maybe not!

Smith A good and thorough job by the panel.

Wildavsky Minus 200 seems closer to the correct adjustment than minus 300, though there was likely little or no matchpoint difference between the two scores. Had the panel left the score unchanged I hope it would also have found the appeal without merit.

Wolff The convention disruption was penalized severely and the only question is: Does the injured side deserve such a good board? The committee ruled that it did. I can accept that, but that question always needs to be asked.

APPEAL	Non-NABC+ Three
Subject	Unauthorized Information (UI)
DIC	Richard Mueller
Event	Tuesday Evening Swiss Teams
Session	Only
Date	March 11, 2008

BD#	14
VUL	None
DLR	East

1328 Masterpoints	
♠	7 4 2
♥	A J
♦	J 8 7 6
♣	K T 6 3

802 Masterpoints		Spring 2008 Detroit, MI	829 Masterpoints	
♠	Q T		♠	9 8 3
♥	7		♥	Q 6 5 4 3 2
♦	K Q 9 5 4 2		♦	3
♣	A J 9 7		♣	5 4 2

1152 Masterpoints	
♠	A K J 6 5
♥	K T 9 8
♦	A T
♣	Q 8

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

Final Contract	4♠ by South
Opening Lead	♦K
Table Result	4♠ by South, making 5, N/S +450
Director Ruling	4♠ by South, making 5, N/S +450 N/S 1 VP procedural penalty (PP)
Panel Ruling	3♠ by South, making 5, N/S +200

(1) Accompanied by statement "I'm taking 3♦ as a help suit game try"

The Facts: North agreed to the facts, including the unsolicited comment. This constitutes unauthorized information per Law 16A.

The Ruling: Per Law 16A, a player who is in possession of extraneous information from his partner may not choose from among logical alternatives one which could have been demonstrably suggested by the extraneous information. The Director found pass to NOT be a logical alternative, therefore the table result of 4♠ by South making five, N/S plus 450 was allowed to stand. N/S were given a one victory point penalty for the extraneous comment.

The Appeal: E/W commented that after the comment and the “denial” of help in diamonds, South could infer that partner’s values were in hearts and clubs and would be helpful in making game. West did not understand the purpose of South’s 3♦ bid. South indicated that he had intended 3♦ to be “tell me more”. South also felt he had a very good hand and would easily make game if partner had a king or queen somewhere.

The Decision: Twenty of South’s peers were polled, and of those seven would have bid 3♠ or 4♠ and eight would have bid 3♥. None of these fifteen players could agree to continuing an auction if they were requested to bid 3♦. Of the remaining five players, four agreed to bid 3♦, and then passed over 3♠. One player chose to continue to 4♠ over 3♠. In addition, the polled players, after responding to the auction questions, were asked what the extraneous comment would mean to them. They stated that the comment suggested that bidding 4♠ was more attractive.

The panel concluded that, after the extraneous comment, 4♠ was demonstrably suggested, and pass was a logical alternative for a player of South’s level. The panel ruled the result to be 3♠ by South, making five, N/S plus 200 per laws 16A2 and Law 12C2. The one victory point PP was removed.

The Panel: Nancy Boyd (Reviewer), Jay Albright, Gary Zeiger.

Commentary:

Polisner Certainly, there was UI and, if the UI demonstrably suggested that bidding 4♠ would be more profitable than passing, then pass would be a LA. However, I am not convinced that the UI did suggest anything in that South chose to rebid 3♦ - a cue bid which most players would consider a game force and probably a slam try or possibly a try for 3NT. Therefore, 3♠ would merely mean (absent the UI) that North could not cooperate in a slam auction and would still be in a forcing auction. Basically, the UI did not suggest bidding more and South just took a shot. In spite of this analysis, I would still adjust the result because South did not intend his 2♦ bid to mean what it should have meant, and he was making a game try.

Rigal Someone needed to ask South what he thought he was showing or asking. I just don't see why the comment implied anything, unless it was established that South meant 3♦ as something other than help-suit. The point is that if South meant 3♦ as a stopper-ask then 3♠ denied a stopper and implied values elsewhere -- by definition. It looks as if South meant 3♦ as a stopper-ask and was choosing between 3NT and 4♠. I would have let the penalty imposed by the director stand. Had there been a tempo break....but there wasn't.

Smith I don't understand why the table director decided that passing 3♠ was not a logical alternative. If South always intended to go to game, why didn't he just bid it over 2♠?

So the panel clearly corrected that error and produced a better and well reasoned decision. I like the panel's methodology in only considering the opinions of those who could accept a 3♦ bid by South. One of the difficulties of polling is that sometimes it is difficult to find true peers who agree with a player's previous action(s), but here the reviewer went the extra mile to find those players.

I am less impressed by the panel's removal of the penalty. I think panels and committees should be very reluctant to remove these kinds of penalties unless it is truly judged that a miscarriage of justice has occurred. Otherwise we will be encouraging people to appeal for the removal of penalties, not something we want. I know that the panel probably removed it since it decided to reduce the N/S score on appeal, but that shouldn't matter. Score adjustments are made to achieve equity, and penalties are separate matters unrelated to that principle.

Wildavsky How did the director determine that there was no LA to 4♠? As the panel's admirably thorough poll showed 3♠ was a standout. The panel corrected an injustice. I do not understand, though, why they removed the PP. I'd have assessed a heavier one! North caused this problem all by himself, by speaking during the auction with no reason. 3♦, being a cue-bid, did not require an Alert. If North, nevertheless, felt the need to call attention to the call he ought to have used the single word "Alert" and to have done so immediately after his partner's call. This is not rocket science, and ought to be well known to a player with over 1000 masterpoints.

Wolff Good ruling based on blatant UI (although probably not intended as such). North probably learned that it is, "Better to be quiet and thought a fool, then to open one's mouth and remove all doubt."

APPEAL	Non-NABC+ Four
Subject	Misinformation (MI)
DIC	Patty Holmes
Event	Friday/Saturday KO Teams – Bracket 3
Session	Finals
Date	March 15, 2008

BD#	6
VUL	E/W
DLR	East

606 Masterpoints	
♠	Q x x
♥	Q x
♦	K Q J 9 x x
♣	x x

521 Masterpoints		Spring 2008 Detroit, MI	755 Masterpoints	
♠	J		♠	A K x x x x
♥	7		♥	K x x x
♦	T 8 6 5 3 2		♦	
♣	K Q J 9 8		♣	x x x

766 Masterpoints	
♠	T x x
♥	A J T x x x
♦	A
♣	A x x

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

Final Contract	5♠ doubled by E
Opening Lead	♥A
Table Result	Down 3, E/W -800
Director Ruling	5♠ dbld E down 3, E/W -800
Panel Ruling	5♠ dbld E down 3, E/W -800 to E/W 4♥ dbld N down 3, N/S -500 to N/S

(1)	Negative
(2)	Alerted
(3)	Before passing asked for an explanation of 3♦ and was told it was a cue bid in support of hearts

The Facts: The director was called at the end of the auction. 3♦ was Alerted and explained as above. However it was determined that N/S had no agreement. West claimed that she would have passed 4♥ doubled had she been given the correct information.

The Ruling: The director judged that there was misinformation but that the damage was not the direct result of the MI. Therefore, since law 40 C does not apply, the table result of 5♠ doubled by East, E/W minus 800 was allowed to stand.

The Appeal: E/W said that there was MI without which West would never bid 5♦ citing either pass or 4NT as alternative actions.

N/S said they hadn't talked about this auction. North thought 2 spades would have been a cue bid. They felt that West should have worked out it could not be correct to bid 5♦.

The Decision: The panel determined that there was MI in the auction. In order to determine whether the damage to E/W was the direct result of the MI, five players in the 300-500 masterpoint range (new Life Masters) were polled. When given the auction with the MI included all five players passed. (I "knew" that 3♦ was not a cue bid was a common statement.)

Thus, the panel determined that the damage was not the direct result of having been misinformed. So, the panel allowed the table result of 5♠ doubled by East, E/W minus 800 to stand for E/W.

However, the panel decided that N/S should not be allowed to benefit from their infraction (misexplanation). It was determined that if N/S were to play in 4♥ doubled that they would win seven tricks, five hearts, the club ace and a club ruff in dummy.

Therefore in accordance with laws 12 C 2 and 40 C, the result of 4♥ doubled down three, N/S minus 500 was assigned to N/S.

The Panel: Mike Flader (Reviewer), Jay Albright and Jean Molnar.

Commentary:

Polisner I disagree with the panel and E/W minus 800 for both sides should be the result. Since everyone agreed that the result was not the result of the MI but of West's insane action (which would have broken the chain between the MI and the result in any event), the table result should stand.

Rigal The ruling here seems harsh to someone -- I'm just not sure who. West, relatively inexperienced, made a bad call of 5♦, but one that was surely made more attractive by the MI. Did they stop playing bridge? Possibly; but I'd need to know more about experience-level. masterpoints do not tell the whole story. N/S might have received a penalty and kept their score. Reverting the contract to 5♥ also seems harsh. Still, just to encourage the others I suppose I can live with both halves of the ruling. It's nice to see bad bridge being punished once in a while (just so long as it's not MY bad bridge).

Smith This kind of case is very difficult to resolve. A player gets MI, but the decision he later makes that causes damage seems to have so much more to do with that player's poor judgment than with the MI he received. I suppose I can live with a split score in this case (clearly West would not have bid 5♦ had he been told that 3♦ was natural), but my inclination in general is to apply law 40C simply: "If the Director decides that a side has been damaged through its opponents' failure to explain the full meaning of a call or play, he may award an adjusted score." That law instructs the director to decide what caused the damage before any thought of a score adjustment is made. Was it the MI? Was it poor judgment? Only after making the determination that damage resulted from MI is it correct to then use the standard of 12C2 in awarding different scores for each side. Otherwise we would always adjust an offending side's score when they get a good score after MI is given, and I don't think that is the intent of the law. What if West had pulled the double to 7NT? Would we still want to adjust the E/W score? I don't think so. And by the way, I think the panel should have taken the extra step of polling the result of 4♥ doubled.

Wildavsky The panel improved upon the director's ruling. All that was missing was the legal basis for their ruling, which I believe is Law 72B1. This will be made clearer in the 2007 Laws, scheduled to take effect in the ACBL in September 2008.

Wolff Two significant crimes, both heavily penalized, but since this game was a knockout it may have tended to even out. I like these kinds of rulings which tend to emphasize wrongdoing and the punishment for it. It will eventually make bridge a better game for these players.

APPEAL	NABC+ ONE
Subject	Unauthorized Information (UI)
DIC	Olin Hubert
Event	Silver Ribbon Pairs
Session	Second Qualifying
Date	March 9, 2008

BD#	9
VUL	E/W
DLR	North

Bill Hale	
♠	9 5 4
♥	3
♦	J T 4
♣	J T 9 8 6 5

Bernard Fudor		Spring 2008 Detroit, MI		Jay Levy	
♠	6 3 2	♠	J T 8	♥	A J 6
♥	9 7 5 4 2	♥	A J 6	♦	Q 2
♦	K 9 8 7 5	♦	Q 2	♣	A K 7 3 2
♣		♣	A K 7 3 2		

Robert Katz	
♠	A K Q 7
♥	K Q T 8
♦	A 6 3
♣	Q 4

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

Final Contract	3♥ doubled by East
Opening Lead	♠A
Table Result	Down 3, E/W -800
Director Ruling	2♥ by E, down 2, E/W -200
Committee Ruling	3♥ dbld by E, down 3, E/W -800

(1)	15-17 HCP.
(2)	Break in Tempo (BIT) = North said 10 sec., West said 10 sec. And East said 30 sec.
(3)	Announced as "Transfer" to hearts.

The Facts: The director was called after the 3♣ call and returned after the hand. The length of the BIT was as noted above.

The Ruling: The director determined that there was an unmistakable BIT, which demonstrably suggested that North take action and that pass was a logical alternative. Therefore, in accordance with laws 16 A 2 and 12 C 2, the result was adjusted to 2♥ by East, down two, E/W minus 200.

The Appeal: South (the appellant) was the only player to appear at the hearing. He agreed that he noticeably broke tempo before passing at his first opportunity to call. He did not agree that the UI suggested bidding.

He continued that from the auction, North knows that South has at least opening bid values. North also knows that South is not markedly unbalanced since the N/S methods handle one and two-suited hands well. Their defense is:

Double = a minor one-suiter or the majors

2♣ = clubs and a major

2♦ = diamonds and a major

2♥ = hearts

2♠ = spades

2NT = both minors

North had contended that within the context of the system, the 3♣ bid was clear-cut. If, however, the committee disagreed, then it should find that 3♣ was worse than a pass because 3♣ was aimed at plus 110 or 130, when plus 200 was available by passing.

The Decision: The committee found that the BIT did not demonstrably suggest a line of action – in this case bidding. By bidding, North may be trading a plus score for a minus score and he also might be trading a plus 200 for a plus 110 or 130. The stronger one thinks south's hand is, the more likely this unprofitable trade might be. Therefore, because bidding was not demonstrably suggested by the BIT, the committee permitted North to bid 3♣. East could then have passed, as some Easts did, and have received a good score. It was East's decision to double that caused E/W to dive "back into the soup." Therefore, the table result of 3♥ doubled by East, down three, E/W minus 800 was reinstated.

The Committee: Doug Doub (Chair), Dick Budd, Jerry Gaer, Gene Kales and Ed Lazarus. Michael Huston (Scribe).

Commentary:

Goldsmith The UI tells North that partner does not have a minimum; he could easily have only about 13 HCP, not 20. North has a 10-loser hand---if he catches partner with a minimum, he's going for a huge number. The UI suggests that responder does not have, say Jx Qxxxx xxx KQx, which would likely lead to a four-digit number.

Passing is certainly a LA, and knowing partner is very strong makes it far safer to bid, so North must pass. E/W's later actions were not foolish, so the director got it right, N/S plus 200.

Polisner I disagree. What was demonstrably suggested by the BIT was that South's hand was stronger (perhaps substantially) than a strong one notrump as in the context of their system pass is an easy bid with a balanced 15-17. Of course, there is no guarantee that bidding 3♣ would be successful; however, at this vulnerability, it is clear if you put partner with say AKQx, Q10xx, Ax, Kxx or the like, 3♣ is a standout. E/W minus 200.

- Rigal** I hate this decision; bidding over 2♣ here looks bizarre to me (maybe that's why I do so badly at pairs). Yes, East might not have acted over 3♣...right! With AK732 of the suit they bid he is supposed to pass!
- Smith** I disagree with the committee. Players of this caliber playing these methods would not hesitate with a run of the mill 16 count. This huddle shows more, and to me it provides an apparent margin of safety to North in deciding to balance. Maybe upon deep analysis there may be more to it than that, but to me that is how it will appear to North and that's all that matters.
- Wildavsky** This case gave me fits. It's the most difficult I've seen in a while. Was there UI? Yes, South's hesitation was unmistakable. What did the hesitation suggest? Let's agree that it suggested a strong hand, perhaps 20 HCP or more. What were the logical alternatives? Let's take for granted that both pass and 3♣ would be logical -- I'm confident that many of North's peers would choose each. Law 16 then instructs us to adjust the score if and only if the UI could demonstrably suggest 3♣ over pass. South made a sophisticated argument to the committee that the UI suggested passing, and that in his judgment the laws required his partner to bid. This sounded implausible to me, and many others; so, I set out to see what I could demonstrate.
- I started by constructing various layouts of the unseen hands. I wondered whether the appeals committee (AC) might have been unduly influenced by the actual layout, which was such a misfit for E/W. I gave West a more balanced pattern and then looked to see how transferring five points or so from E/W to South would affect the results. I had trouble coming up with even one deal whether giving South more points made balancing more attractive. I've no doubt I could have done so had I persevered, but I decided instead to take a different approach.
- I purchased simulation software, Dealmaster Pro, which includes a version of the Deep Finesse double-dummy analyzer. I set up two simulations of 100 deals each. For those who are interested I've posted the criteria I used, along with all 200 generated deals and the double-dummy results playing in hearts and clubs: <http://tinyurl.com/6ky35y>
- I realize that double-dummy results need not mirror real life, but I found the exercise informative. If the UI improves the expectation for balancing double-dummy it seems likely that it would improve it in real life.
- What did I learn? It depends on the assumptions one makes. If E/W always pass out 3♣, then balancing is a big winner overall, and the UI makes balancing substantially *less* attractive. That's for precisely the reason given by the appellants, that balancing is likely to lose the chance at plus 200. E/W might do better, though. Suppose that E/W double when they can collect 300, and otherwise bid on to 3♥ when they can make nine tricks or more, half the time. Then balancing will improve the N/S score 76 times out of 100 in the AI case and 74 times out of 100 in the UI case. The UI still makes balancing less attractive.

Wildavsky continued;

The assumptions I made ignored a couple factors that argue in favor of balancing being the legal action and one that argues against it. I did not assume that the UI implied that South was 4-4 in the majors, though that seems to be the shape likeliest to give him a problem. I did not take into account that South might bid 3NT, which will tend to be a poor spot, with some 20+ HCP hands. Contrariwise, I did not take into account that E/W might bid and make 4♥ after North balances. That's not at all likely if South has 20 HCP, but could happen occasionally when South has less. The exact figures don't matter, since North is not a computer and can't run a simulation like this at the table. They simply helped me judge whether South's contention, that North knew he was giving up a realistic shot at plus 200, was reasonable. The simulation makes it seem reasonable enough. Whether player looking at the North hand would believe it is another matter.

South's hesitation in a situation where he ought to have known it could cause a problem like this was unfortunate. To play methods like these one must be prepared to pass in tempo. Some would like to see a procedural penalty assessed in cases like this, but the laws are clear that a hesitation is not an infraction in and of itself. South's incentive to act in tempo is that, in the vast majority of cases where the UI does suggest the winning action over the losing one, his partner will be precluded from taking that winning action.

I like the director's ruling, because I believe that in close cases the director ought to rule against the side that may have committed an infraction. It seems wrong to force E/W to appeal here. That said, I have no problem with the AC's decision. It's perfectly plausible to conclude that the UI did not suggest balancing over passing.

This is an unusual case. See my comments on NABC+ Case 8 for my view as to why that one is different. The factors present there seem more typical.

Wolff

BITs are BITs and should not contribute to UI which obviously makes a difference with the balancer to balance. All sanctimonious rhetoric does not change that advantage. If players choose methods which require BITs in simple situations (here) they should then not be advantaged by them. Players who use non-standard methods MUST know them and not cause BITs, otherwise they should be penalized. Result stands -200 E/W, +200 N/S, plus a 3MP procedural penalty (PP) for N/S for taking advantage. Sometimes, somewhere errant players need to be penalized, otherwise they will continue to do self-serving things since they have such a good chance of getting away with it.

APPEAL	NABC+ TWO
Subject	Unauthorized Information (UI)
DIC	Olin Hubert
Event	Silver Ribbon Pairs
Session	First Final
Date	March 10, 2008

BD#	20
VUL	Both
DLR	West

Garey Hayden	
♠	9 7 3
♥	Q T 8 6 4
♦	9 7 4 3
♣	T

Henry Shevitz		Spring 2008 Detroit, MI	Rick Kaye	
♠	J T		♠	A K Q 6 5
♥	A 5 3		♥	J 7 2
♦	T 5		♦	J 6 2
♣	K J 9 6 3 2		♣	Q 7

Tony Kasday	
♠	8 4 2
♥	K 9
♦	A K Q 8
♣	A 8 5 4

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

Final Contract	3♣ by W
Opening Lead	♦4
Table Result	Down 2, E/W -200
Director Ruling	3♣ by W, making 4, E/W 130
Committee Ruling	3♣ by W, making 4, E/W 130

Material play of the hand:

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

The Facts: The director was called at the end of the hand. North played out of tempo to the second diamond. According to North the break in tempo (BIT) was not "long, long." N/S play 3rd and 5th best leads versus suit contracts.

The Ruling: The director determined that:

1. There was a BIT.
2. South chose from among logical alternative (LA) actions one that could demonstrably have been suggested over another by the BIT, which resulted in damage.
3. Therefore, the result was adjusted to 3♣ by West making four, E/W plus 130.

The Appeal: Present at the hearing were North, South and West.

South knew that West had at most three hearts from his failure to make a negative double. Additionally, if West was 6-4 in the minors with the ace and queen of hearts and king and jack of clubs, he might have opened the bidding. Thus, it was quite likely that North held the ♥Q and a shift to the king of hearts would, at worst, break even.

E/W argued that West could easily have the ♥AQ in which case N/S would lose their diamond trick if South played the ♥K at trick three. North's BIT before playing the ♦3 told South that he started with four diamonds in which case playing a third round of diamonds would not be successful.

North claimed that he took 2-3 seconds to play the ♦3. He was quite surprised when West followed to the second round of diamonds. He did a quick recount of the diamond suit and, realizing that, if he played the 7 or 9 of diamonds, South would surely continue, he played the three. E/W estimated the time that North took to play the three at 7-8 seconds.

The Decision: The committee determined that a BIT took place before North played the ♦3. The UI that South had from the BIT demonstrably suggested that a heart shift was more likely to be successful than a diamond continuation. Since a diamond continuation was a LA to the ♥K, the committee upheld the director's decision to disallow the play of the ♥K and to adjust the score to 3♣ by West making four, E/W plus 130 as the result that would have been achieved there been a third diamond played.

The committee discussed the merit of the appeal and decided that there were enough factors to process so as to allow N/S to avoid an appeal without merit warning (AWMW).

The Committee: Doug Doub (Chair), Dick Budd, Ellen Kent, Jeff Meckstroth and Jim Thurtell.

Commentary:

Goldsmith I don't buy that the case had merit, but good work otherwise.

Polisner I agree. When playing with a client, the pro needs to take special care not to "give the show away" which is what North did by his BIT. It also looks like North helped South with his reason for shifting to the ♥K for the appeals committee (AC).

Rigal Excellent decision. No merit to the appeal. North convicted himself out of his own mouth, when he said he was thinking about how to get South to shift. Well, he found the way!

Smith A thorough job by the directors and the committee. Perhaps it was generous not to award an AWMW.

Wildavsky North's testimony was useful, though perhaps not in the way he expected. He confirmed that he broke tempo, thereby making UI available. The reasons for his doing so are not relevant. The AC used a blind preview in this case and it proved effective. When given as a defensive problem, with just the authorized information, most of the AC members quickly continued with a third high diamond. Kudos to the director and AC for a sound decision in an unusual situation. Kudos also to E/W for realizing that they might have been damaged and allowing the director to assess the situation. I see little merit to the appeal, but I don't fault the committee for failing to assess an AWMW.

Wolff Much closer than NABC+ case number one. The result should stand E/W minus 200, N/S plus 200, but a two MP procedural penalty (PP) penalty for possible UI resulting from the slow play of the ♦3. The difference in the penalty is a calibration of the severity of the hesitation.

APPEAL	NABC+ THREE
Subject	Unauthorized Information (UI) - Tempo
DIC	Henry Cukoff
Event	Rockwell Mixed Pairs
Session	Second Qualifying
Date	March 11, 2008

BD#	8
VUL	None
DLR	West

Bernace De Young	
♠	9
♥	A J 6 5 3
♦	5 4
♣	A Q J 6 2

Stanley Yellin		Spring 2008 Detroit, MI	Karen Yellin	
♠	5		♠	A K Q 7 6 3 2
♥	Q 9 4 2		♥	K 8
♦	A K Q T 8 3		♦	6 2
♣	K 7		♣	T 4

Cam Doner	
♠	J T 8 4
♥	T 7
♦	J 9 7
♣	9 8 5 3

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

Final Contract	4♠ by E
Opening Lead	♥T
Table Result	Making 5, E/W +450
Director Ruling	4♠ E making 5, E/W +450
Committee Ruling	4♠ E making 5, E/W +450

(1)	After a break in tempo (BIT).
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The Facts: The director was called after the 4♠ bid and again at the end of the play. 2NT showed hearts and clubs. 3♠ was forcing. West asked about 2NT at his turn and broke tempo before the second double.(length of the BIT was disputed). South said “he considered his options.” West said there was “a slight break.”

The Ruling: Polling established that pass was not a logical alternative (LA). Since law 16 A was not violated, the table result of 4♠ by East making 5, E/W plus 450 was allowed to stand.

The Appeal: N/S argued that the hesitation showed doubt. If you were going to bid 4♠, you should have done it at your previous turn to call. South characterized the hesitation as 5-7 seconds. East judged it to be 2 or 3 seconds and West around 5 seconds. The reason to double 4♣ was to stop partner from bidding.

The Decision: The committee discussed whether there was an unmistakable hesitation. We discussed the normal tempo of the auction, but shelved it for a later time. Next, the committee judged that if there was a BIT, it did suggest bidding over passing. The committee then discussed whether pass was a LA. Four members of the committee felt that although pass could be right, as the poll suggested, it was an action unlikely to be chosen by anyone. Since pass was not a LA, the committee upheld the director's decision to allow the table result of 4♠ by East making five, E/W plus 450 to stand. The appeal was found to have merit.

The Committee: Aaron Silverstein (Chair), Lynne Deas, Gail Greenberg, Ed Lazarus and Jacob Morgan.

Commentary:

Goldsmith Another without merit. Would anyone even consider playing 4♣ doubled holding the East hand? If I took a poll, I bet I'd get more "what's the problem" replies than thoughtful hesitations. 3NT doubled with what looks like 7-8 tricks, sure---but 4♣ with one or two?

Polisner I agree, but I would have had a problem in determining that there was even an unmistakable BIT. South's 3NT bid was an effort to mess with the opponents' auction and then later complain that an opponent may have taken a few seconds to "consider his options." I normally like to see the steps in UI cases considered in proper order. I agree that there was no LA to bidding 4♠. I would have issued a appeal without merit warning (AWMW).

Rigal Sensible decision and the merit of this appeal was certainly not all that apparent – though I can live with the decision. No reason for the N/S argument that East had to bid over 3NT doubled, since he was happy to defend that contract.

- Smith** This was a distasteful appeal. South threw sand in the eyes of the opponents, and then objected when they needed a small amount of time to work out what to do in the unusual auction he had created. In such circumstances we should be slower to decide that a meaningful hesitation has occurred, but in any event the committee decided correctly that pass was not a LA for East anyway. N/S should have been given an AWMW.
- Wildavsky** I'm delighted that the director took a poll. I'd have loved to know the result of the poll, not just the conclusion drawn. It might have affected both N/S's decision to appeal and the committee's decision whether to assess an AWMW.
- Wolff** Result stands N/S minus 450, E/W plus 450, but a one MP procedural penalty (PP) penalty for E/W. Again the calibration regarding the PP resulted in a small penalty with the following facts considered: 1. A short BIT, 2. West, having to deal with a psychic by his right hand opponent, 3. East having such an overwhelming choice of bidding 4♠. "Let the punishment fit the crime, tra la!"

APPEAL	Non-NABC+ Four
Subject	Misinformation (MI)
DIC	Patty Holmes
Event	Friday/Saturday KO Teams – Bracket 3
Session	Finals
Date	March 15, 2008

BD#	6
VUL	E/W
DLR	East

606 Masterpoints	
♠	Q x x
♥	Q x
♦	K Q J 9 x x
♣	x x

521 Masterpoints		Spring 2008 Detroit, MI	755 Masterpoints	
♠	J		♠	A K x x x x
♥	7		♥	K x x x
♦	T 8 6 5 3 2		♦	
♣	K Q J 9 8		♣	x x x

766 Masterpoints	
♠	T x x
♥	A J T x x x
♦	A
♣	A x x

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

Final Contract	5♠ doubled by E
Opening Lead	♥A
Table Result	Down 3, E/W -800
Director Ruling	5♠ dbld E down 3, E/W -800
Panel Ruling	5♠ dbld E down 3, E/W -800 to E/W 4♥ dbld N down 3, N/S -500 to N/S

(1)	Negative
(2)	Alerted
(3)	Before passing asked for an explanation of 3♦ and was told it was a cue bid in support of hearts

The Facts: The director was called at the end of the auction. 3♦ was Alerted and explained as above. However it was determined that N/S had no agreement. West claimed that she would have passed 4♥ doubled had she been given the correct information.

The Ruling: The director judged that there was misinformation but that the damage was not the direct result of the MI. Therefore, since law 40 C does not apply, the table result of 5♠ doubled by East, E/W minus 800 was allowed to stand.

The Appeal: E/W said that there was MI without which West would never bid 5♦ citing either pass or 4NT as alternative actions.

N/S said they hadn't talked about this auction. North thought 2 spades would have been a cue bid. They felt that West should have worked out it could not be correct to bid 5♦.

The Decision: The panel determined that there was MI in the auction. In order to determine whether the damage to E/W was the direct result of the MI, five players in the 300-500 masterpoint range (new Life Masters) were polled. When given the auction with the MI included all five players passed. (I "knew" that 3♦ was not a cue bid was a common statement.)

Thus, the panel determined that the damage was not the direct result of having been misinformed. So, the panel allowed the table result of 5♠ doubled by East, E/W minus 800 to stand for E/W.

However, the panel decided that N/S should not be allowed to benefit from their infraction (misexplanation). It was determined that if N/S were to play in 4♥ doubled that they would win seven tricks, five hearts, the club ace and a club ruff in dummy.

Therefore in accordance with laws 12 C 2 and 40 C, the result of 4♥ doubled down three, N/S minus 500 was assigned to N/S.

The Panel: Mike Flader (Reviewer), Jay Albright and Jean Molnar.

Commentary:

Polisner I disagree with the panel and E/W minus 800 for both sides should be the result. Since everyone agreed that the result was not the result of the MI but of West's insane action (which would have broken the chain between the MI and the result in any event), the table result should stand.

Rigal The ruling here seems harsh to someone -- I'm just not sure who. West, relatively inexperienced, made a bad call of 5♦, but one that was surely made more attractive by the MI. Did they stop playing bridge? Possibly; but I'd need to know more about experience-level. masterpoints do not tell the whole story. N/S might have received a penalty and kept their score. Reverting the contract to 5♥ also seems harsh. Still, just to encourage the others I suppose I can live with both halves of the ruling. It's nice to see bad bridge being punished once in a while (just so long as it's not MY bad bridge).

Smith This kind of case is very difficult to resolve. A player gets MI, but the decision he later makes that causes damage seems to have so much more to do with that player's poor judgment than with the MI he received. I suppose I can live with a split score in this case (clearly West would not have bid 5♦ had he been told that 3♦ was natural), but my inclination in general is to apply law 40C simply: "If the Director decides that a side has been damaged through its opponents' failure to explain the full meaning of a call or play, he may award an adjusted score." That law instructs the director to decide what caused the damage before any thought of a score adjustment is made. Was it the MI? Was it poor judgment? Only after making the determination that damage resulted from MI is it correct to then use the standard of 12C2 in awarding different scores for each side. Otherwise we would always adjust an offending side's score when they get a good score after MI is given, and I don't think that is the intent of the law. What if West had pulled the double to 7NT? Would we still want to adjust the E/W score? I don't think so. And by the way, I think the panel should have taken the extra step of polling the result of 4♥ doubled.

Wildavsky The panel improved upon the director's ruling. All that was missing was the legal basis for their ruling, which I believe is Law 72B1. This will be made clearer in the 2007 Laws, scheduled to take effect in the ACBL in September 2008.

Wolff Two significant crimes, both heavily penalized, but since this game was a knockout it may have tended to even out. I like these kinds of rulings which tend to emphasize wrongdoing and the punishment for it. It will eventually make bridge a better game for these players.

APPEAL	NABC+ FIVE
Subject	Misinformation (MI) and Unauthorized Information (UI)
DIC	Henry Cukoff
Event	Rockwell Mixed Pairs
Session	Second Final
Date	March 12, 2008

BD#	1
VUL	None
DLR	North

Lynne Feldman	
♠	8 6 4 3
♥	A Q 8 6
♦	9 6 2
♣	4 2

Valerie Gamio		Spring 2008 Detroit, MI	Carlos Pellegrini	
♠	K Q J T		♠	9 7 5
♥	9 7 3		♥	K J 5 4 2
♦	A T 8 7		♦	Q J 3
♣	8 6		♣	K 9

Barry Schaffer	
♠	A 2
♥	T
♦	K 5 4
♣	A Q J T 7 5 3

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

Final Contract	4♣ by S
Opening Lead	♠K
Table Result	Down 1, N/S -50
Director Ruling	3♣ by S, made 3, N/S +110
Committee Ruling	3♥ by E, down 1, N/S +50

(1)	Alerted and explained as responsive showing spades.
(2)	North passed originally. After explanation of double was changed to penalty of 1♥, North was permitted to change her call to 3♠.

The Facts: The director was called after the auction was concluded at 3♥, because the explanation of East's double was changed to penalty rather than responsive showing four spades. North was permitted to change her call. The director was called back after the play. N/S argued that the pull of the double of 2♣ may have been based on UI. If East had passed, South would have pulled to 3♣, which would likely have ended the auction because East had described his values.

The Ruling: The director determined that the MI did not damage N/S. However, it was determined that the UI caused had an affect on the outcome. Therefore, in accordance with laws 16 A and 12 C 2, the director adjusted the score to 3♣ by South making three, N/S plus 110 and E/W minus 110.

The Appeal: South said he did not bid 3♣ on the second round of bidding because he wanted to be able to cuebid spades in an effort to get his side to 3NT if North could bid it. If he had known East's double showed hearts, then he would probably have opted for 3♣ on the second round, which may have frozen East out of the auction. South felt that with the poorly placed ♣K, East may not have bid.

The committee asked East why he pulled the double of 2♠. He could provide no explanation other than that he thought playing the hand in 3♥ was clear-cut opposite a take-out double.

The Decision: This is a complicated case of combined MI and UI. The committee affirmed the director's finding that pulling the double of 2♠ was an infraction of law 16 and that the Alert and explanation of East's previous double was MI to N/S. However, the committee disagreed with the appropriate adjustment. The committee found that had South, with the correct information, had bid 3♣ on the second round of bidding, it was very unlikely that East would pass, even with the poorly positioned ♣K (which contributes to the likelihood that South will make his contract). The vulnerability and form of scoring both make East's passing unlikely and improbable.

Furthermore, in that auction North's eccentric bid of 3♠ would never have occurred. The committee also considered other likely auction had the first double been properly explained and found that the most favorable result N/S was likely to achieve was 3♥, down one, N/S plus 50.

The committee considered the possibility that North's 3♠ bid broke the chain of causality from infraction to damage. It found that the MI early in the hand regarding spades made South's 2♠ call sufficiently ambiguous that North's bid of 3♠ did not break the chain. The committee also considered East's pull of West's double of 2♠ to be apparently predicated on the UI he had from West's explanation of the double of 1♥. The committee adjusted the result to 3♥ by East, down one, N/S plus 50.

The committee was divided on whether to issue a procedural penalty (PP) but ultimately declined to do so.

The Committee: John Solodar (Chair), Huston (Scribe), Jerry Gaer, Ed Lazarus and Tom Peters.

Commentary:

Goldsmith Yes, this seems complicated with both UI and MI. The first UI issue occurred at East's third turn. 2♥ seems like a normal action; passing is not a LA. The next problem was MI. South would never have bid 2♠ without MI; he'd have bid 3♣. He might have bid 3♥, which would lead to the making of 3NT, but he said he wouldn't, so we can believe him. After this start, the possible results seem to be 3♣, 3♥ doubled or not, and 4♣ doubled or not. I don't see anyone's hitting 4♣, but I think all the other results are at least at all probable. So by law 12C2, E/W gets the worst of those, which is minus 110 for 3♣. I think 3♣ is also a likely result, so N/S get plus 110.

It's complicated enough that we should not give an AWMW even though the director got it right. The director ought, however, have put extra effort into explaining his ruling this time.

East abused UI pretty blatantly when he bid 3♥. If he is an experienced player, 1/4 board might help wake him up to his responsibility.

Polisner I think the director got this one right. The combination of East bidding 3♥ knowing that West can make such a light takeout double, the poorly placed ♣K and the known poor heart break would make a 3♣ final contract more likely. Also, at the minimum, the committee should have assumed that 3♥ doubled would be the final contract if it decided to assume that East would compete to 3♥.

Rigal I'm inclined to leave the contract in 3♣. Given North's heart bid and the doubleton club king, I'm not sure why East has to compete over 3♣ here. Once we establish UI and MI, I certainly think that even if N/S are only due plus 50, E/W might be due minus 110.

- Smith** I'm not as sure as the committee that East would never sell out to 3♣ no matter how N/S got there, but the committee decision is reasonable.
- Wildavsky** It seems to me it might be "at all probable" that East would allow South to play 3♣ on some auctions. I won't fault the director or the committee decisions -- I'd say this one is too close to call.
I don't understand, though, why the committee failed to issue a procedural penalty. East had a clear pass over 2♠, the UI strongly suggested the pull, and East offered no reason for his 3♥ call.
- Wolff** A reasonable decision, especially so with the difficult facts involved. In cases such as these all a tournament director or a committee can do is to try and establish equity, and I think this committee did that. Of course, convention disruption (CD) always creates problems, as it did here, so as far as I am concerned, any doubt should go against the CDers. An alternate decision could be plus 50 N/S and minus 110 E/W which would reflect the above thought (protect the field).

APPEAL	NABC+ SIX
Subject	Misinformation (MI)
DIC	Ron Johnston
Event	Vanderbilt Knockout Teams
Session	Round of 16 – Third Quarter
Date	March 12, 2008

BD#	15
VUL	N/S
DLR	South

Fulvio Fantoni	
♠	K 8 6 3 2
♥	T 6 4
♦	5
♣	K T 5 4

Gunnar Hallberg	
♠	Q 5
♥	A K 7
♦	A Q 3
♣	Q 9 7 6 2

Spring 2008 Detroit, MI	
Claudio Nunes	
♠	A 7
♥	Q 9 5
♦	K J 8 7 2
♣	A J 8

Jim Mahaffey	
♠	J T 9 4
♥	J 8 3 2
♦	T 9 6 4
♣	3

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

Final Contract	2♣ by E
Opening Lead	♥5
Table Result	Down 2, E/W -100
Director Ruling	2♣ E down 2, E/W -100
Committee Ruling	-300 for E/W and +100 for N/S

- | | |
|-----|--|
| (1) | 14+ Natural (at least 4 clubs) or 15+ Balanced and may have only 2 clubs. |
| (2) | Alerted and explained as Stayman by East to North and as natural by West to South. |

The Facts: The director was called after the play of the hand. East explained the 2♣ bid to North as Stayman and West explained the 2♣ bid to South as natural. South said that to double a natural 2♣ bid he needed more clubs. He said he could have doubled had the 2♣ bid been for the majors.

The Ruling: The director determined that there was MI but that it was unlikely that the MI led to the decision to double or not. Therefore, in accordance with law 21 B 1, the table result of 2♣ by East, down two, E/W minus 100 was allowed to stand.

The Appeal: N/S reiterated that a double of a natural 2♣ in this situation showed clubs and a double of an artificial 2♣ shows values, so South could not double. With the correct information, he might not have led a heart.

West thought East misbid. He also said 2♥ is only down one. After being questioned, he said 1NT-Dbl-2♣ would be Stayman.

The Decision: There was definitely MI and N/S were damaged by it as a result (law 40 C), so the committee adjusted the score per law 12 C 2.

The committee assessed the likelihood of the various contracts and results that might have been reached had N/S been properly informed. Had South doubled, for example, East might have bid 2♦ or redoubled. The committee judged that minus 300 for E/W met the standard of “the most unfavorable result that was at all probable” for the offending side, while the “most favorable result that was likely” for the non-offending side was plus 100. (Some percentage of Souths would not double, some would play 2♥ and some would go down in 2♦ doubled.)

Therefore, the committee judged to award a split score: plus 100 to the non-offending side (N/S) and minus 300 to the offending side (E/W).

The Committee: Aaron Silverstein (Chair), Gail Greenberg, Mike Kovacich, Michael Rosenberg and Bob White.

Commentary:

Goldsmith What was the actual agreement? No one mentioned this, so I'll assume that "the director determined that there was MI" meant that E/W agreed that 2♣ was Stayman. If they had no agreement, the ruling would have quoted law 75 to rule MI rather than mistaken bid.

East knew that it was likely that his partner thought 2♣ was natural; after all, he passed it. He really ought to have said something before the opening lead, since he knows South was likely to have been misinformed. The laws don't say he must do this, but it would have been a good move on his part and would have given him a better shot at a good score. Of course, not many would think of it.

I don't see how the MI affected the auction. South's pass shows his hand; he has a minimum for the pass, both in high cards and in major suit defense. Double doesn't look like a realistic option, regardless of the meaning of 2♣. If he had been told the correct information, that 2♣ was Stayman, then he'd never double, as passing shows the balanced hand; doubling shows clubs. I don't understand what everyone is arguing here--- the MI made it more reasonable for South to double, not less so.

MI did, however, affect the opening lead and defense. Either a club or a diamond would have been led with correct information. I don't see a probable defense to nine tricks, but eight seems likely enough, so give reciprocal 150s.

- Polisner** A difficult case to determine what would have happened. I would like to know what, if any, documentation E/W provided to prove West's contention that 2♣ was natural. Of course, without such proof, MI is presumed. I don't think that it is at all probable that East would have sat it out in 2♣ doubled and would either played in 2♦ or 2♥ doubled. Since 2♦ doubled would have been at "all probable," I would have adjudicated the result to that contract for both sides. I am less than sympathetic to N/S's position. North knew that South either had four clubs or 15+ balanced with at least two clubs, which would make a 2♠ bid likely. I could live with plus 100 for N/S and minus 100 for E/W.
- Rigal** This seems a harsh ruling to N/S. I'd think minus 300 was fair for E/W but I'd have to be convinced that it was also not the fair ruling for N/S. Once MI is determined, E/W look likely to play diamonds not hearts.
- Smith** A tough case well handled by the committee. The fact that N/S quietly subsided to 2♣ on those hands convinces me that the MI contributed to their damage. All bases seem to have been covered, and the law was applied properly to the conclusions drawn by the committee.
- Wildavsky** What did the director and appeals committee (AC) decide was the actual E?W agreement, or did they conclude that there was none? We need to know, since it affects the decision.
Let's suppose that "Stayman" was the E/W agreement. I'm not sure it's even at all probable that South would have doubled. He's promised 14 and he has 15 -- that doesn't sound like extra values to me. I'd want to know more about the N/S agreements.
This one is close between the director and AC decisions, both of which were reasonable.
- Wolff** My nose tells me that when West heard his partner bid 2♣, after North had doubled 1NT for penalties, he was hoping that clubs would be as good as any other suit and maybe not even be doubled. This happened, and I think that N/S were not deserving more than plus 100, (obviously North could have doubled 2 clubs since his partner was balanced and he himself had 4 clubs). I further think that with North being minimum for his penalty double he was happy to go plus, which 2♣ would allow him and which either of the red suits may not. Again, convention disruption (CD) (or, in this case just general confusion) makes everything tough, but I would only allow plus 100 N/S.

APPEAL	NABC+ SEVEN
Subject	Misinformation (MI)
DIC	Henry Cukoff
Event	Lebhar IMP Pairs
Session	First Qualifying
Date	March 13, 2008

BD#	10
VUL	Both
DLR	East

Stephen Goldstein	
♠	Q J 6 4
♥	A K 4 3
♦	J 2
♣	J 8 6

Dan Gerstman		Spring 2008 Detroit, MI	Marc Nathan	
♠	K 2		♠	
♥	Q 9 8 7		♥	J T 6 2
♦	Q 9 7		♦	A K T 8 3
♣	A K 4 3		♣	Q 9 5 2

Leslie Paryzer	
♠	A T 9 8 7 5 3
♥	5
♦	6 5 4
♣	T 7

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

Final Contract	4♦ by E
Opening Lead	♥5
Table Result	Made 4, E/W +130
Director Ruling	4♥ E, making 4, E/W +620
Committee Ruling	4♦ E, making 4, E/W +130

The Facts: The director was called after the hand was played. West had asked South the meaning of the 3♥ bid and was told it was nothing special. The agreement is that it shows a fit with spades but asks for the lead of a heart (McCabe). This was discovered at the end of play during a discussion by E/W of how they could reach 4♥ when North said, "Don't you remember? My 3♥ bid was lead directing with a spade fit."

The Ruling: South's explanation was determined to be MI. In accordance with laws 12, 21 and 40, the result was adjusted to 4♥ by East making four, E/W plus 620.

The Appeal: North and South live at opposite ends of the country. For many years they have played occasionally at NABCs for a few days. North is a more experienced player than South and has frequently made suggestions about how certain auctions should be played. Often South listens but does not incorporate the comments into a partnership agreement. South would have recognized a bid of 4♥ as a fit showing jump.

The Decision: The N/S convention cards were clearly unmarked regarding North's 3♥ bid in the auction that took place at this table.

The committee determined that South's explanation of North's 3♥ bid, "nothing special," accurately described the N/S partnership agreement. E/W were damaged by their own judgment, not misinformation. Thus, the table result of 4♦ by East making four, E/W plus 130 was reinstated.

The Committee: Doug Doub (Chair), Ed Lazarus, Chris Moll, Jeff Roman and Jim Thurtell.

Commentary:

Goldsmith N/S are unlikely to have notes that say that 3♥ was not conventional, so law 75D tells us to assume MI. If E/W were damaged by MI, they get redress. Law 12C2 gives them the best result likely, which is reaching 4♥, plus 620. N/S get the worst result at all probable. That's either minus 620 or minus 790. Is it at all probable that North doubles 4♥? Maybe. If N/S are playing sound weak two bids, North's spade holding makes it likely that South has the ♠AK, in which case the tap should beat 4♥. South might even have a key queen, in which case the penalty might be pretty large. If N/S are playing lightish weak twos, however, there won't be a double. At IMP pairs, the downside of a bad double is only 2-4 IMPs (minus 620 is usually lose a few anyway, so the extra 170 has diminished cost). Plus 500 is not out of the question, and that's probably win 9 or more, so this is the perfect time for an aggressive double. Enforcing it seems a little strange at first glance, but is doubling 4♥ at all probable with good IMP odds, with playing in an event which needs extra variance, and with a promising defensive plan? Probably so. If so, it is required by law 12C2.

Were E/W damaged by the MI? East knew that 3♥ wasn't natural, but was it either a psych or some sort of spade raise. From his hand, odds are that it was McCabe. Why not double 3♥? If it goes all pass (yeah, right) then you get four digits. North will, of course, run to 3♠. Now E/W can get to 4♥ without much trouble; over 3♠, East can bid 4♦ and West bids 4♥.

There is some chance that South, upon hearing about spade support, however, will bid 4♠. Still, East was quite a bit to blame for his bad result. But the MI made it a bit harder to reach 4♥; An East could easily think, "if I bid 4♥, partner will think it is a cue bid, so I can't do that." Going a little farther should let him find the double, but I think that not doing so isn't egregious, but it's close. I'd be OK with ruling that East knew and could protect himself, but it's particularly difficult to play a strain that an opponent bids naturally, and because that happened, I'd cut East enough of a break to let him get his normal result. I think it's a close enough call that I wouldn't argue too much with a committee that decided differently.

Regardless of how one assigns E/W's score, N/S has to get minus 620 or minus 790.

- Polisner** The only question to be answered is whether or not the 3♥ bid is a partnership understanding or agreement. The committee determined in the negative. End of story.
- Rigal** The committee was better placed than I to determine what constituted an agreement and what did not. I'd rely on the convention card. If North's card was marked with McCabe, I'd assume it was in play, otherwise not. West's responsibilities were clearly abnegated by passing 4♦.
- Smith** South's explanation that 3♥ was "nothing special" is an accurate description of what she thought it was, but not necessarily an accurate description of the actual N/S agreement.
Just because it was not marked on the convention card does not mean they did not have this agreement. North by his own words thought they had discussed it and formed the agreement. Why should we trust South rather than North when law 75 instructs that the burden of proof is on N/S (the director and committee should presume mistaken explanation instead of mistaken bid in the absence of evidence to the contrary)?
North's remark that he thought an agreement existed is balanced against no notation on the convention card. To me, that is a wash and the committee should presume misexplanation. The law intends to give the benefit of the doubt to the non-offenders in this kind of situation, and I don't think the committee did that here. I prefer the director's ruling to the committee's for that reason.
- Wildavsky** This one was close -- both decisions seem reasonable. The write-up seems to be missing a little something. Based on what I read I'd have strongly considered giving a split ruling, N/S minus 620 and EW plus 130, per Law 72B1.
- Wolff** Combination of things:
1. The insidious convention disruption (CD) by N/S.
2. East not opening the bidding.
3. West making an "in the trenches" decision to pass what normally would be a forcing bid, but being in a terrible position because of North's 3♥ CD. Until we make an effort to eliminate CD by penalizing it out of existence, we are hurting our game. Bridge could not be played on this hand once North bid 3♥ which was not properly explained. We need to wake up, smell the coffee and try and correct a sad wrong, which has grown out of control. A proper ruling to me would be to give E/W an average result and give N/S the equivalent of a zero (minus some number of IMPs since it is an IMP Pairs) for their CD.

APPEAL	NABC+ EIGHT
Subject	Unauthorized Information (UI)
DIC	Millard Nachtwey
Event	Whitehead Women's Pairs
Session	First Final
Date	March 14, 2008

BD#	22
VUL	E/W
DLR	East

Jennifer Ballantyne	
♠	A J T 7
♥	Q J 7
♦	A J T
♣	T 9 2

Ljudmila Kamenova		Spring 2008 Detroit, MI	Diana Schuld	
♠	K 9		♠	Q 4 3
♥	6 4 2		♥	8 5 3
♦	K Q 9 8 3 2		♦	7
♣	Q J		♣	A K 8 7 5 3

Angela Fenton	
♠	8 6 5 2
♥	A K T 9
♦	6 5 4
♣	6 4

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

Final Contract	2♦ doubled by W
Opening Lead	♥
Table Result	Down 1, E/W -200
Director Ruling	2♦ dbld W, down 1, E/W -200
Committee Ruling	2♦ W, down 1, E/W -100

(1)	North asked questions about 2♦, which was not Alerted. Some hesitation but not more than ten seconds.
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The Facts: The director was called after the play of the hand. The director determined that there was no unmistakable break in tempo or inappropriate hesitation.

The Ruling: There was no unmistakable hesitation; however, even if it was determined that there was one, authorized information gave South inferences she needed. The table result of 2♦ doubled by West, down 1, E/W minus 200 was allowed to stand.

The Appeal: E/W thought that pass was a clear choice with the South hand and that not many players would balance with 3-2 in the minors. N/S did not appear.

The Decision: In the preview of the case, all five members of the hearing committee passed with the South hand. The committee judged that, in accordance with law 16 A, the questions by North made UI available to South even if there was no unmistakable hesitation. The committee judged that pass was a logical alternative (LA) and that the questioning demonstrably suggested the call taken by South (double). The committee awarded an adjusted score of 2♦, not doubled, down one, E/W –100.

The Committee: Aaron Silverstein (Chair), Jacob Morgan, Barry Rigal, Jeff Roman and Michael White.

Commentary:

Goldsmith I want to know what the "questions" were. If it went "please explain 2♦," "natural, weak," ten-second pause, pass, then there's no UI. If everyone at the table knew North had a problem, then there is UI. Given that North didn't, in fact, have a problem, without more evidence that there was UI, I'd rule that there isn't. Add in that the director thought there was no UI--- from here, I'll guess that there wasn't. The only clue that there might have been is the light double, but with both majors, favorable vulnerability, partner's being marked with some high cards, partner's being able to bid either major at the two-level, and matchpoint conditions, that doesn't seem all that far-fetched.

If one judges that there was UI, then does it demonstrably suggest reopening? That's a complicated question, but upon reflection, I think the answer is yes.

If a committee disagrees with my findings on the UI, then they must adjust---pass is clearly a LA.

Polisner I don't object to the decision, but I would have liked to know exactly what questions were asked by North.

Rigal I was on the committee for this decision, and the initial view that the south cards were a clear-cut pass meant that unless it could be determined that there was no hesitation or BIT by North, there was going to be a score adjustment. We determined that North's behavior in the circumstances constituted UI to South; I'm happy with that decision.

Smith The directors should have polled some players before making this ruling. Clearly the committee corrected an erroneous ruling here.

Wildavsky I don't understand why the director ruled the way he did in either part of his decision. Certainly the question made UI available, and that UI demonstrably suggested acting. Perhaps the director extrapolated from NABC+ case one, which had appeared in the daily bulletin by the time this case came up. Such extrapolation is not justified here, but this is something committees ought to keep in mind. In close cases we should consider the message our decision will send.

How is this case different from case 1?

The main difference is that here the UI clearly suggested acting. One sign of this is that action chosen at the table led to a theoretically better outcome -- in NABC+ case one the action chosen would have led to a worse outcome had the opponents not acted. This is not a definitive argument -- we don't decide such cases based on the actual lie of the cards. The lie of the cards, though, can be instructive since it is an instance at least as likely as any other.

Another difference is that the call chosen here was more flexible, catering to both offense and defense, either of which could have been suggested by the UI.

Wolff I agree with the committee decision. Having said that, I wonder why the reasoning on this hand wasn't the same as it was on NABC+ case number one where it is obvious because of the bidding that North had somewhere between 11 and 15 HCP's. Perhaps the reasoning of the NABC+ case number one committee is not what we should use as a basis for our decision, but rather upon what this committee based their decision, whether either a BIT or something just as telltale had happened.

APPEAL	NABC+ NINE
Subject	Misinformation (MI)
DIC	Steve Bates
Event	Jacoby Swiss Teams
Session	First Qualifying
Date	March 15, 2008

BD#	30
VUL	None
DLR	East

Craig Huston	
♠	J 8 7 4 3
♥	Q T
♦	J 7 6 5 3
♣	3

Jeff Smith		Spring 2008 Detroit, MI	David Sabourin	
♠	A Q 9		♠	K 6 2
♥	K J 9 8 6		♥	A 5 4 3
♦	9		♦	8 4
♣	A K 8 2		♣	Q J 5 4

Ed Freeman	
♠	T 5
♥	7 2
♦	A K Q T 2
♣	T 9 7 6

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

Final Contract	1♥ by S
Opening Lead	♥6
Table Result	Down 6, N/S -300
Director Ruling	6♥ W making 6, E/W +980
Committee Ruling	4♥ W making 6, E/W +480

(1)	Polish Club (10-12 balanced, 12+ club length or strong artificial).
(2)	Not Alerted but agreement is either spades or both minors.

The Facts: The director was called at the end of the auction. The correct meaning of the 1♥ call was disclosed. The director offered East the opportunity to change his call based on the correct information. East declined. West, away from the table, told the director that he [*passed because he, Editor*] expected a reopening double and possibly a redouble by South.

The Ruling: The director judged that E/W were damaged by the failure to Alert at the proper time. The director considered that a possible auction of: 1♣ - 1♥ - 2♥ - P
3♥- P - 4NT - P
5♦ - P - 6♥

Therefore, in accordance with laws 21, 40 C and 12 C 2, the score was adjusted to 6♥ by West making six, E/W plus 980.

The Appeal: Only N/S were present. East, West and South were at the table before North. It was established that E/W were playing Polish Club or a variant thereof, which the appeals committee (AC) established with the help of the director does NOT require a pre-Alert. South decided that this meant his side would be playing their defense to a strong or artificial club but did not tell his partner.

The Decision: On the above the AC established that we were dealing with a misexplanation not a misbid. South had been derelict in his duty in not discussing his methods before the match started.

It was also determined that West had no reason other than to pass and await developments; East had had a second bite at the cherry when he established the true state of affairs. The AC determined that there was a strong case for a reopening double to cater for the near-certainty that West had a penalty double of hearts; but that East had not stopped playing bridge when he failed to make that call.

Once this was established, the AC had to reopen the auction to see what might happen had there been proper and timely Alerts. West would surely have bid 2♥ (assumed natural and forcing although many Polish partnerships play 2♥ non-forcing - since E/W were not present it seemed unreasonable to assume this pair would treat 2♥ as non-forcing).

The auction would go 1C (1♥) 2♥ Pass**
3♥ Pass ??

West, facing what we know is a possible minimum HCP of 10, would not drive to slam, and any cue-bidding auction would see East signing off at every turn. To presume E/W would misbid via Blackwood so as to guess to reach a slam off a key-card and the trump queen was being unduly charitable to the non-offenders.

The possibility of a split ruling, to give N/S minus 980 and E/W plus 480 and average the results was not seriously considered.

The committee adjusted the result to 4♥ by West making six, for both sides, E/W plus 480 and N/S minus 480.

** (In real life North would never pass if he remembered the methods -- bouncing to 4♠ would make the E/W task far more difficult.

The Committee: Barry Rigal (Chair), Tom Carmichael, Fred King, Mike Kovacich and Chris Moll.

Commentary:

Goldsmith The committee's ruling seems right on target. To judge that reaching 6♥ is at all probable seems like a major stretch to me. Nice work.

Polisner Certainly the MI caused damage and the decision to alter the director's adjustment is a decision that getting to 6♥ was not at all likely.

- Rigal** I'm not sure how much it was appropriate to penalize N/S here. A split ruling giving them the slam, but not awarding it to E/W would certainly have been possible.
- Smith** I won't second guess the committee's judgment on the likelihood of E/W arriving in slam. I am glad that the committee did not seriously consider a split score and average it since that would have been an illegal ruling. Had the committee decided to award a split score, there is no reason in law that the result would have to be averaged (law 86B). Averaging is necessary in knockout play, but not at any other form of scoring (Swiss teams included).
And by the way, the fact that North might have made an obstructive bid had he remembered his methods is irrelevant, and I hope the committee did not allow itself to be influenced by that. E/W are entitled to know what South's bid meant even while North continued to forget. North is allowed information from the legal auction but nothing else, and the possibility of a 2♥ bid on his right would not necessarily wake him up to what was happening.
- Wildavsky** The director ruling was reasonable, and the committee ruling improved upon it. The "In real life" comment at the end of the write-up is not relevant. E/W are entitled to know the actual N/S agreement whether or not North knows it himself.
- Wolff** Convention disruption (CD) again! I tend to agree with the committee that 480 is much fairer than 980. Again if this committee, tournament director and all in the bridge world continue to be happy with what CD brings, far be it from me to disallow this travesty. I realize I am wasting my breath as no one seems to be the slightest bit interested in correcting anything, even as horrible as CD has always been.

APPEAL	NABC+ TEN
Subject	Unauthorized Information (UI)
DIC	Steve Bates
Event	Jacoby Open Swiss Teams
Session	First Qualifying
Date	March 15, 2008

BD#	28
VUL	N/S
DLR	West

Dariusz Kowalski	
♠	T 7 3
♥	T 9 2
♦	7 5 4 3
♣	T 7 6

Billy Cohen		Spring 2008 Detroit, MI	Ron Smith	
♠	A J		♠	K 9 5
♥	Q 6 4 3		♥	A K 7 5
♦	Q T 8 6		♦	A K J
♣	K Q 9		♣	A 8 3
		Konrad Araszuiwicz		
		♠	Q 8 6 4 2	
		♥	J 8	
		♦	9 2	
		♣	J 5 4 2	

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

Final Contract	7NT by E
Opening Lead	♦9
Table Result	Made 7, E/W +1520
Director Ruling	6♥ E, made 7, E/W +1010
Committee Ruling	7NT W, made 7, E/W +1520

(1)	Asks about raise.
(2)	Four-card support and a maximum.
(3)	5♦ + 1 key card, 6♣ = ♣K, 6♦ = ♦K.
(4)	Break in tempo (BIT) of 2-3 minutes.

The Facts: The director was called after the 7NT bid and again after conclusion of the play. The director determined the facts as presented above.

The Ruling: The director determined that there was a B IT that demonstrably suggested the call taken over the (less successful) logical alternative (LA) call of pass. Therefore, in accordance with laws 16A, 73 and 12 C 2, the director adjusted the score to 6♥ by East, making seven, E/W plus 1010.

The Appeal: All players except West attended the hearing.

East had a prime 22 count, including the jack of his partner's first bid suit, and he knew that his side had all the aces and kings. His partner's 3♥ bid had shown a maximum, and E/W's opening style is fairly sound. East could have bid 5♠ rather than 5NT to ask for the heart queen, but he wanted his partner to focus on his diamond length and all around strength toward bidding seven. East judged that 6NT was virtually certain to succeed, while 6♥ could go down if trumps were 4-1 or 5-0. In bidding only 6NT, East was "taking the low road." That is, he bid only a small slam, rather than the slam that his partner's BIT suggested.

N/S did not like the fact that West hesitated for two minutes and later bid 7NT. They thought that there might be hands where 6♥ would make but 6NT would not. However, when they attempted to construct one, they could not.

It was agreed that the 6♥ bid took about two minutes and the 6NT bid was made in tempo.

The Decision: East's logic, his bids and his hand all indicated that he intended to drive to 6NT, while inviting seven. Further, it is difficult to see how the 6NT bid was demonstrably suggested by West's BIT. Thus the committee allowed East's 6NT bid. Since East's bids were made in tempo, West did not possess any UI and was free to bid as he judged best. The table result of 7NT by West, making seven, E/W plus 1520 was reinstated.

The Committee: Doug Doub (Chair), Jeff Aker, Jacob Morgan, Bob White and Michael White.

Commentary:

Goldsmith The committee corrected a very poor tournament director ruling.

Polisner Well reasoned decision.

Rigal Looking at the East cards you can see that there were no LAs to the try for a grand slam, and it is certainly arguable that the tempo did not suggest that action (although it might suggest 'Not-Pass' over 'Pass'). It is easy in such positions to shoot the hesitator or his partner but I like both the initial tournament director ruling and the committee adjustment.

Smith I think the committee got this one right. Once East is allowed to bid 6NT (and I think he should be), then West is free to do whatever he wants since he is not in possession of any UI.

Wildavsky A thorough job by the committee.

Wolff Finally no convention disruption (CD), so bridge can be played. I agree with the committee's decision for the reasons given. I am not a fan of the ever so slow 6♥ bid, but to each his own. Bridge would be so much better off if the following was severely reduced (done away with would be much better):

1. CD.
2. Misbids are judged and administered differently than misinformation (the ability to psych, the lame excuse for not, can easily be determined as opposed to the 99+% of the time it being a forget under the guise of a misbid).
3. Extra long studies in sensitive auctions and then a conservative choice.
4. The ACBL to allow judging cases using law 12C3 instead of just 12C2.

FINAL COMMENTS

Wildavsky Appeals Committees (ACs) heard 10 cases in St. Louis, a welcome decline from the 18 in San Francisco. The decline was due only in part to the difference in table counts. The AC ruled as the tournament director (TD) did in three cases (2, 3, and 4) and in my judgment significantly improved on the TD's ruling in three cases (8, 9, and 10.) I found four cases (1, 5, 6, and 7) too close to call.

TD panels heard four cases, down from 15 in San Francisco. On case 1 their ruling was identical to the TD's, on case 2 they ruled substantially as the TD did, and, in cases 3 and 4, I judged they significantly improved the TD's ruling.

I was delighted to see that neither the ACs nor the panels clearly worsened a TD's ruling. AC and panel rulings have been improving steadily since their respective nadirs in the fall of 2006 and spring of 2007. While I was in Detroit I was concerned that the AC might have decided case NABC+ One incorrectly, but after much subsequent discussion and analysis I concluded that their decision was reasonable.

According to my figures, over the past seven years ACs have improved TD rulings in an average of 18% of cases, panels in an average of 10%. I look forward to improvements in both percentages. As we saw in Detroit, I'm also hoping for fewer appeals per table, due to the better TD rulings and more consistent AC and panel decisions we've seen over the past few years.

As usual I thought several cases deserved an appeal without merit warning (AWMW) that was not assessed. I've noted before that these are judgments of the appeal, not the appellants, and ought to be assessed any time the AC or panel members can't say to themselves, "This appeal had substantial merit."

Data and trend analysis for appeals dating back to 2001 can be found on my web site at:
<http://tameware.com/adam/bridge/laws>.

I've recently tried to add relevant data such as table counts, to use better metrics, and to improve the overall presentation. I welcome suggestions for further improvement.