

**2010 Spring NABC
Appeals Casebook**



Appeals at the 2010 Spring NABC Reno, Nevada

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 thirty (30) cases were heard. Seventeen (17) 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.

Thirteen (13) 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
2010 Spring NABC
Reno, NV**

THE EXPERT PANEL

Jeff Goldsmith, was born near Schenectady, NY in 1961. 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, was born in Buffalo, NY in 1939 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, was born in London, England in 1958. 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 was born in Ohio in 1960 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, was born in San Antonio in 1932 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	NABC+ ONE
Subject	Unauthorized Information(UI) - Tempo
DIC	Henry Cukoff
Event	Platinum Pairs
Session	First Qualifying
Date	March 12, 2010

BD#	25
VUL	E/W
DLR	North

Dan Jacob	
♠	A 8 6 5
♥	J 7
♦	T 4 2
♣	T 8 7 4

Frederick Nystrom		Spring 2010 Reno, NV	Grace Jecklin	
♠	K J 9 7 4 3		♠	Q T
♥	T 3		♥	Q 9 5 2
♦	9 5		♦	A K 7 6 3
♣	9 5 3		♣	A Q

Nagy Kamel	
♠	2
♥	A K 8 6 4
♦	Q J 8
♣	K J 6 2

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

Final Contract	4♣ doubled by South
Opening Lead	♥ T
Table Result	Down 3, N/S - 500
Director Ruling	3♣ S down 2, N/S - 100
Committee Ruling	4♣ dbld down 3, N/S - 500

(1)	15-17.
(2)	Shows clubs and a higher ranking suit.
(3)	Agreed hesitation.

The Facts: The director was called at the hesitation and after the play of the hand was completed. Both sides agreed to East's break in tempo (BIT). After the ruling was delivered (three rounds later), E/W contended that East had bid in her normal random slow tempo.

A brief player poll had some passes and some 3♠ bids.

The Ruling: The vulnerability (unfavorable) makes pass a logical alternative (Law 73C). The result was changed to 3♣ by South down two, N/S minus 100

The Appeal: E/W appealed the director's decision. East was the only player who did not attend the hearing.

E/W said that hesitations by East are random, and it was just a short break (about five seconds). East must have two clubs so is likely to be 2452 after no raise with no small doubleton in either black suit. The opponents found a 4-4 club fit, so it is unlikely the field will be in 3♣; so defending it will be about 15%. Therefore, 3♠ is clear.

N/S felt that pass is a logical alternative.

The Decision: Some committee members felt strongly that five seconds was not a BIT, but a majority of the committee found that UI was present. When deciding what the UI suggested, the majority judged it was either nothing specific or nothing more than the authorized information from the auction, namely that partner had a doubleton club. If the UI could not demonstrably suggest one action over another then West could bid as he pleased, per law 16B1(a) Therefore, the committee restored the table result of 4♣ doubled by South down three, N/S minus 500 and E/W plus 500.

The Committee: Aaron Silverstein (Chairman), Dick Budd, Ellen Kent, Bruce Rogoff and Jeff Roman.

Commentary:

Goldsmith Was there a break in tempo? East's hand suggests there wasn't, but everyone at the table knew she was thinking about something, so there was. What was it? She can't have more than two clubs, so it wasn't doubling. Therefore, it was bidding 3S. That her hand might not support this interpretation is irrelevant. From West's perspective, East was thinking about bidding 3S. If pass is a LA, 3S is clearly suggested over it, so passing is enforced. Is passing a LA? I think that's a close call. If partner has two clubs, she rates heavily to have three spades. Since she didn't raise with three spades, she probably has either 2452 exactly or bad spades and strong clubs. That suggests that both 3C and 3S are going down, or that if one is making, the other is down two; the expected impurity of East's hand could even cause there to be only 15 tricks. That is a sufficient argument that passing is a LA, so it is required. Good job, directors.

Did the appeal have merit? Close call, but I don't see any reason why the director's ruling ought to have been questioned, and the appealing side brought forth no new information. I'd award an AWMW.

Was West's action awful enough to deserve a PP? No, it was clearly a likely choice, probably even a majority choice. You don't get PPs for picking the majority choice.

Polisner In any of these tempo cases, the first issue to be decided is whether there was a BIT. The described facts are somewhat ambiguous in that originally

E/W agreed that E did break tempo and then recanted that after the ruling was delivered. The facts do not reveal anything about a 5 second pause before passing. At the AC hearing, W represented that it was only a 5 second pause and apparently N/S did not disagree as there is no indication that they did. In my opinion, anything faster than 5 second in a contested auction would be UI. If there is UI, the next issue is what did it suggest. Obviously, it would suggest either a maximum or S support and certainly pass would be a LA in such an event as revealed by the poll. So after the AC found no BIT, the table result must stand

Rigal Good ruling; the authorized information from the tempo break points to bidding – frankly I can't imagine anyone passing that hand...can you? When a pro has a client hesitate and not raise him, the clue is that partner cannot support him (and thus action is contra-indicated). In other words there is UI pointing against bidding or partner would have done so already!

Wildavsky My least favorite AC decision of the tournament. The A/C found that the UI did not demonstrably suggest anything except that partner held a doubleton club. I don't buy it. There are many hands with a doubleton club where partner would not consider bidding, especially hands that were minimum. Given the UI, it should come as no surprise to West that his partner holds a maximum.

Suppose that East held three spades and had decided not to raise. How would this committee have ruled? One possible reason for the hesitation is a third trump. The fact that East didn't have one does not mean that her hesitation did not suggest one. E/W implied that East would always raise with a tripleton spade, but this agreement is not universal and I don't see why we should accept it with no evidence. We must judge what the UI suggests by restricting our consideration to the West hand, just as West had to do at the table. Further, if we accept that East is likely 2=4=5=2 then the hesitation demonstrably suggests a maximum -- East would have no reason for doubt with a minimum. It seems clear to me that a hesitation here makes a 3S bid more likely to be successful. I prefer the TD's ruling to the AC's.

Wolff I agree to the ruling made and the reasoning involved. Perhaps we need to make what could be called, "A Public Service Announcement." Since sometimes we will rule a BIT is a BIT and sometimes we do not, it should be necessary to keep one's tempo as consistent as possible.

APPEAL	NABC+ TWO
Subject	Unauthorized Information(UI)- Tempo
DIC	Terry Lavender
Event	Lebhar IMP Pairs
Session	First Qualifying
Date	March 12, 2010

BD#	4
VUL	Both
DLR	West

Leonard Ernst	
♠	7 5
♥	A K Q T 6 2
♦	K Q 3
♣	A 8

Greg Michaels		Spring 2010 Reno, NV	Jon Wright	
♠	9 8		♠	4
♥	4		♥	9 8 3
♦	9 7 6 4		♦	A 8 5 2
♣	T 9 7 5 3 2		♣	K Q J 6 4

Stephen Hosch	
♠	A K Q J T 6 3 2
♥	J 7 5
♦	J T
♣	

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

Final Contract	6NT by North
Opening Lead	♣ K
Table Result	Made 7, N/S + 1470
Director Ruling	5♣ by S making 6, N/S + 680
Committee Ruling	5♣ by S making 6, N/S + 680

(1) Agreed break in tempo (BIT) prior to the 5♠ bid.
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The Facts: The director was called immediately after the 5♠ bid and again after the play of the hand was completed. Everyone agreed to the BIT

The Ruling: Bidding further was demonstrably suggested by the BIT and pass was a logical alternative. Therefore, the result was adjusted to 5♣ by South making six, N/S plus 680 for both sides. Laws 16B1(a) and 12C.

The Appeal: N/S appealed the director's ruling. All four players attended the hearing. N/S think there is no logical alternative to 5NT. South frequently hesitates due to physical reasons; this may have been one of them. Given his handicaps, he himself cannot tell why he pauses. 5NT promises 2nd round diamond control. North bid 5♥ because they bid first then second round controls, so 5♦ would promise first-round control.

The Decision: Was there an unmistakable hesitation? Yes, South had substantial extra values. He could not bid past 5♠ because he had no diamond control, but clearly he wanted to bid more.

Did that hesitation suggest bidding 5NT over other less successful alternatives? Certainly it did---North cannot imagine that South was thinking of passing 5♥. He had to have been considering bidding more than 5♠, so the hesitation demonstrably suggests bidding over passing.

Is pass a logical alternative? The committee argued for an hour about this. No one on the committee would pass. Would some number of North's peers pass? The directors' poll found three of five who would. Four of the five committee members were convinced that this prima facie evidence was sufficient to conclude that some would pass. If so, there is no alternative; Law 16 requires that the contract be rolled back to 5♠. Law 12 says that in that case, N/S receives the score least favorable to them that was at all probable, and E/W get the most favorable score likely. Since the auction pinpointed a diamond lead, the only possible result was plus 680.

Did the appeal have merit? Certainly. It was a close call, and one of us remained unconvinced.

Was North's action so egregious as to get him a procedural penalty? Definitely not; at least one committee member thought it automatic.

Therefore, the committee's adjustment was the same as the director's.

Dissenting Opinion by John Lusky:

1. N/S testified that their cue bidding style was first round controls first, and that 5♣ showed first round control. North's 5♥ bid confirmed this style.
2. South's slam try despite the absence of a 4♣ or 4♦ cue bid over 3♠ and the absence of a strong jump shift showed a hand with limited high cards but great trumps. Thus, South's sequence (ignoring the hesitation) matched his hand, one with great trumps that couldn't bid slam without a diamond control.
3. North had the diamond control and other undisclosed extras. It was clear for North to bid on over 5♠. Once North bids on, N/S will reach a making slam.
4. If any UI was passed by the hesitation, it was that South had greater trump length than shown. But slam would have been substantially as good if South had had one or two fewer spades, so this UI was irrelevant to North's decision.

5. The committee's decision that pass was a logical alternative was based on the results of director polling. I do not suggest that the directors were other than diligent in their polling. But polling is an imperfect process, as the persons polled do not get to hear all the committee hears about N/S's bidding style, nor do they get a chance to deliberate about inferences that may be available from N/S's bidding. That is what the committee is

there for, and it should not allow itself to be convinced by polling results when the logical alternative analysis as stated above is quite clear.

6. For these reasons, I respectfully dissent from the committee's ruling that pass was a logical alternative.

7. In addition, I note that the evidence that an unmistakable hesitation had occurred that conveyed UI to North was thinner than normal because of the testimony that South's medical issues resulted in random hesitations from time to time. While the committee usually does not pay a lot of attention to this type of testimony because it is self-serving, here there was reason to believe the testimony.

The Committee: Jeff Goldsmith (Chairman), Eugene Kales, John Lusky, Tom Peters and Jim Thurtell.

Commentary:

Goldsmith I was there, of course. This one could go either way, but that most of the polled players passed 5S was convincing. If only one had, that'd be a horse of a different color

Polisner Not knowing the level of the N/S players and assuming that the poll taker did, he/she must have asked a panel of beginners about what to do over 5 S (or at least the passers must have been). An intermediate player would know that S was interested in slam without a D control. N had his bid of 5 NT. The 5 S bid fast or slow showed the same thing. I agree with the dissenter. I think the AC should have gotten more information about the poll before accepting. Shouldn't S determine if N could have a hand without a D control before bidding 5 S? It would take most players more than a normal tempo to figure that N could have something like xx AKQJxxx xx Akx. The BIT did nothing to affect N's 100% action.

Rigal I like the idea that the committee could decide that the players polled had decided based on the wrong information about the N/S system. I think any right-thinking player would say that there was no logical alternative to bidding on, but we do have the problem that when we ask for a poll, we should stick with the decision unless we know they ruled in error. We need to address the problem that the quality of the poll depends on the information - garbage in garbage out. (compare the committee approach in NABC+ 10.)

Wildavsky A well reasoned dissent, but for me the poll results are powerful. True, those polled do not know as much about the NS system as the AC, but here NS were using standard methods, nothing that would come as a surprise to anyone answering a poll.

It's a close case. I like the TD and AC decisions.

Wolff

I feel that the important part of the N/S auction, the one revolving before and after the return to 5♠, was handled in a perfect manner. North had an automatic 5NT bid to show the king of diamonds, (holding the KQ just made it easier and better). Then the continuation to 6NT was called for and done. To me, passing 5♠ by North (with or without a BIT) would be the blackest bridge charge which anyone could receive, since it is not how the high-level game has been played for my whole bridge career of over 65 years.

APPEAL	NABC+ THREE
Subject	Unauthorized Information(UI) - Tempo
DIC	Henry Cukoff
Event	Platinum Pairs
Session	Second Qualifying
Date	March 12, 2010

BD#	25
VUL	E/W
DLR	North

William Wickham	
♠	K T 6
♥	K 6 3
♦	A K Q 5
♣	6 4 2

Perry Johnson		Spring 2010 Reno, NV	Jeff Meckstroth	
♠	A Q J 7 2		♠	9 8 5 3
♥	8 7 5 2		♥	Q 9 4
♦	8 2		♦	J 9
♣	9 7		♣	J T 8 5

Marshall Miles	
♠	4
♥	A J T
♦	T 7 6 4 3
♣	A K Q 3

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

Final Contract	6♦ by North
Opening Lead	Low spade
Table Result	Made 6, N/S + 920
Director Ruling	3NT N made 5, N/S + 460
Committee Ruling	3NT N made 5, N/S + 460

(1)	15-17.
(2)	Slight break in tempo (BIT).

The Facts: The director was called when dummy's hand was exposed and again after the play of the hand was completed.
North and East agreed that the BIT was about 6-7 seconds in length.

The Ruling: The BIT demonstrably suggested bidding on and pass was judged to be a logical alternative. The result was adjusted to 3NT by North making five, N/S plus 460 for both sides. Laws 16B1(a) and (b) and 12C.

The Appeal: N/S appealed the director's decision. West was the only player who did not attend the hearing. North admitted to a slight BIT and agreed with East's statement that the length of the hesitation was six seconds. South said he didn't notice it. South added that, when the answer to Stayman revealed that N/S had at least an 8-card fit in a minor, bidding both minors seemed an appropriate way to try for slam. South said that he decided to bid both minors before he bid 3♦.

East stated that although South has a lot of HCP, there may be no play for a tenth trick in 4NT. Furthermore, bidding past 3NT is what the hesitation suggests and passing is certainly a logical alternative.

The Decision: The hesitation was not protracted but it was sufficient to make UI available. The committee did not doubt South when he said that he did not notice the hesitation, but the legal standard is whether the information was available to him. The committee found that it was

North's hesitation demonstrably suggests that he was considering raising diamonds, since 3♥ and 3♠ are easy bids to make (i.e., neither would likely be preceded by a hesitation).

The directors polled seven players about what they would do over North's 3NT bid.

Three of the players chose to pass. The committee decided that enough of South's peer group would pass in that situation to make pass a logical alternative.

The directors ruled 3NT making five. The committee noted that on a spade to the ace, North can make six on a double squeeze. However, on a spade to the jack, the count is not rectified and the squeeze does not operate. The committee decided that West's play of the jack at trick one was sufficiently likely to justify ruling as the TD did, and adjusted the score to 3NT making five, N/S plus 460 for both sides.

The committee found that the appeal had substantial merit.

The Committee: Michael Huston (Chairman), Fred King, Ed Lazarus, Jacob Morgan and Hendrik Sharples.

Commentary:

Goldsmith If South had already decided to bid both minors, why didn't he do it immediately? His methods allow him to show both minors, show a game force, find out if partner has four pieces in a minor, and show a stiff spade, all below 3NT. He didn't do that. Why not? Either he was planning to drive to slam, which seems optimistic, or he was planning not to bid clubs, which seems odd.

Of course there was a hesitation. Look at North's hand. Clearly passing is a LA. Clearly bidding is suggested by the UI over passing. So passing is required.

What about the adjusted score? If West puts in the SJ (I wouldn't say that's "likely," but more like "at all probable"), North wins and runs 8 minor suit winners.

Each defender has to come down to four cards. If the defenders keep six hearts, it is relatively safe for declarer to exit spade and claim. East's normal lead of the S9 should give enough away that E/W will have a great deal of trouble fooling declarer. All in all, it does not seem likely to me that E/W will take two tricks. It is at all probable, maybe. I'd rule E/W-490, N/S +460, but it's close, and I could be talked into reciprocal 490s.

Does the appeal have merit? If N/S had appealed the adjustment, sure, I'd buy that. They didn't. The screener must have told them they had no chance, so they get an AWMW. Does South's action deserve a PP? Close call. I could go either way on that. Being oblivious is no excuse. Regardless, he should get a stern lecture on his responsibilities. South is a Hall of Famer, after all.

Polisner Once the determination was made that there was a BIT (even though N really had no reason to hesitate with no major suit ace, the BIT does suggest removing 3 NT. The poll reveals that P is a LA, thus the ruling is correct. Under these circumstances, how could this appeal not result in a AWMW?

Rigal I agree with the decision to roll back to 3NT. I think the committee was incredibly generous to E/W to give them plus 460 since West can be pretty sure there is a decent chance he will never score a spade trick if he does not take his trick at once. A split score seems far more appropriate at plus 460/minus 490.

Wildavsky I agree with the decisions. If N/S agreed that North broke tempo then I see no merit to the appeal.

Wolff Wrong decision, since the non-offenders stand to gain so much by this type of appeal. The accused are stripped of their 6♦ contract, based on a questionable BIT which may or may not have enabled them to get to a lucky (based on the cards held) 6♦ contract which was high percentage and, of course, was made. Please look at the advantage accrued to their opponents wherein if 6♦ would have gone down they would have accepted it happily and when the slam makes they get it ruled back to whatever the most favorable score would be to them. What did they do to deserve anything? To me normal playing luck (NPL) dictated that they live with 6♦ bid and made and if any slight advantage had accrued to the possible offenders that it be dealt with by a procedural penalty which only deducts from their score. I do not think that the BIT involved was anywhere near helpful enough to challenge any score. Sometimes BITs are in the opposite category and do direct that partnership to select the right options. Here, and at the time it was made, there was still much water to flow under the bridge (pun intended) and with that crappy strong NT where 3/5 of the one notrump bidder's hand was all in one suit, still the mix of the two hands, as the bridge puppeteer knows better than anyone, was very favorable.

Marshall's hand, x/AJ10/10xxxx/AKQx opposite a strong NT, although only 14 HCPs, should be almost forcing to a slam once this hand learns that partner (the strong NTer) has 7+ cards in the minors. Certainly not foolproof, but I think percentage. If partner would have held: AKQ/KQx/xxx/Jxxx he would merely sign off in 4NT.

APPEAL	NABC+ FOUR
Subject	Unauthorized Information (UI) - Tempo
DIC	Terry Lavender
Event	Lebhar IMP Pairs
Session	Second Final
Date	March 13, 2010

BD#	12
VUL	N/S
DLR	West

Hal Montgomery	
♠	2
♥	Q 6 4 2
♦	J 8 7 5 4 3 2
♣	4

Neil Kimelman		Spring 2010 Reno, NV	Marielle Brentnall	
♠	J 8 7 6 4 3		♠	Q 9 5
♥	K J 7		♥	T 5 3
♦	K		♦	T 6
♣	K 9 7		♣	Q T 6 3 2

John Bartlett	
♠	A K T
♥	A 9 8
♦	A Q 9
♣	A J 8 5

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

Final Contract	3NT by South
Opening Lead	♠ 4
Table Result	Made 6, N/S + 690
Director Ruling	3NT S made 6, N/S + 690
Committee Ruling	3NT S made 6, N/S + 690

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

The Facts: The director was called after the play of the hand was completed. There was agreement that South broke tempo before passing 2♠.

The Ruling: The director judged that, although the BIT suggests action over inaction, it did not indicate any specific action. Several "A" players were consulted about North's call over 2♠. All felt that pass was not a logical alternative. Therefore, the director allowed the table result of 3NT by South making six, N/S plus 690 to stand.

The Appeal: E/W appealed the director's decision and all four players attended the hearing.

Neither side put forward any facts contrary to those above.

The Decision: While the pass by South of 2♠ was extraordinary, it was unanimous that North had a clear-cut bid. There was no claim by the appellants or reason to think that the huddle made 3♥ more attractive than a scrambling 2NT or 3♦, and in any case South would surely have bid 3NT over either. The committee briefly wondered whether the manner in which South bid 3NT might have swayed North to pass, but no such allegation was made by E/W.

The appellants were informed of the poll results during the screening process but persisted with the appeal. The committee assessed an Appeal Without Merit Warning (AWMW).

The Committee: Mark Feldman (Chairman), Eugene Kales, Ed Lazarus, Bruce Reeve and Bob White.

Commentary:

Goldsmith It seems to me that 3H is an infraction. Partner's hesitation suggests extras, making 3H more attractive than the obvious 3D (or possibly 2NT). But the NOS was not damaged by that infraction. Over 3D, South will bid 3NT and there we are.

Polisner Good ruling and decision including the proper issuance of an AWMW.

Rigal This seems a relatively unusual case to me. I do have some sympathy with E/W, who saw North bid twice. But, if the polled group suggests that there is no logical alternative to action, I think we have to live with this decision.

Wildavsky I agree that this appeal had no merit.

Wolff A good and proper decision, although possibly calling for a small procedural penalty (3 IMPs) against South's undue hesitation and pass and North's 3♥ continuation. It is all very logical for North to bid again, even based on honest tempo (which in this case NOT), but the BIT did give North insurance against his action not working.

APPEAL	NABC+ FIVE
Subject	Misinformation (MI) and Unauthorized Information (UI)
DIC	Gary Zeiger
Event	Silver Ribbon Pairs
Session	First Qualifying
Date	March 14, 2010

BD#	23
VUL	Both
DLR	South

Norman Rubin	
♠	T 6 2
♥	7 5
♦	4
♣	K 9 8 6 5 4 2

Rick Roeder		Spring 2010 Reno, NV	Gary Soules	
♠	Q J 7 5		♠	A K 8 3
♥	Q T 8		♥	K J 4 3
♦	J 5 3		♦	A 8 7
♣	A Q 3		♣	J 7

Jonathan Green	
♠	9 4
♥	A 9 6 2
♦	K Q T 9 6 2
♣	T

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

Final Contract	3♣ by North
Opening Lead	♠ A
Table Result	Down 3, N/S - 300
Director Ruling	3NT W made 4, E/W + 630
Committee Ruling	3NT W made 4, E/W + 630

(1)	Preceded by a break in tempo (BIT).. Alerted and explained as natural and invitational.
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The Facts: The director was called after the play of the hand was completed. South's convention card showed "3♣/1♦ invitational." North's did not. Both convention cards had "weak jump shifts not in competition" checked. All four players agreed there was a BIT before the 3♣ bid. North stated that his BIT was from attempting to remember their agreement for 3♣ and whether a weak 3♣ was reasonable at this vulnerability.

The Ruling: It was determined that N/S had no agreement based on the evidence and Law 21B1(b) applied. In accordance with Laws 21B3 and 12C1(e) an adjusted score was awarded to both sides of 3NT by West making four, E/W plus 630.

The Appeal: N/S appealed the director's decision. All four players attended the hearing. South stated that he misinformed E/W of the meaning of the 3♣ bid. North stated when the bidding was over that he had made a mistake in the bidding – i.e. that the 3♣ bid (which he meant as preemptive) was not part of the N/S agreement. South had his card marked “3♣/1♦ inv.” but North did not. North said he couldn't remember their agreement. North subsequently changed his convention card to agree with South's. N/S felt that, if they were ruled against for misinformation to E/W, a different score should be assigned other than 3NT making four. N/S felt that E/W could have reasonably arrived at 4♠, a much inferior contract.

E/W said that if the 3♣ had been Alerted and explained properly, East would have doubled. West felt that with 4333 distribution and the AQ of clubs that he would have bid 3NT.

The Decision: The committee found that the screening director had fully and properly explained the law to the players. The committee judged that the reason for the appeal was without foundation. The committee considered a result of 3♣ doubled by North down three (N/S – 800). However, in screening it never occurred to West to pass 3♣ doubled, so that result was not considered to be at all probable.

The committee found that the contract of 3NT by E/W was “at all likely” per Law 12c1e(ii). Therefore, the committee adjusted the result for both sides to 3NT W made four, E/W plus 630.

An appeal without merit warning (AWMW) was issued to North and South.

The Committee: Ed Lazarus (Chairman), Abby Heitner, Eugene Kales, Ellen Kent and Jim Thurtell.

Commentary:

Goldsmith Well done

Polisner Was this a misbid or MI? I don't see where the MI (if any) comes into play. The TD correctly rules MI rather than misbid based on N/S being unable to overcome the burden of proving that it was a misbid. The AWMW was warranted.

Rigal Excellent decision all round. It seems as if N/S did not understand that once the infraction had taken place they get the worst of it and their opponents get the best of it. I think the fact that E/W did not mention the possibility of defending should not prevent the committee from considering it on their behalf. After all the auction was one that did not actually occur at the table.

Wildavsky No merit -- good work all around

Wolff It is okay for N/S to go minus 630 since their alert procedure had broken down with improper convention disruption (CD), however it does seem that E/W did not deserve better than what they achieved at the table plus

300. For East not to have made a takeout double is hard to accept and also their plus 300 would be much better than they would have gotten for down at 4♠ (a very possible final contract). To give them plus 630 is not logical, not equitable and not protecting the field (PTF). WE NEED TO CHANGE AT LEAST IN THIS AREA (which would, of course, mean changing the wording of the laws).

APPEAL	NABC+ SIX
Subject	Unauthorized Information (UI)- Tempo
DIC	Henry Cukoff
Event	Rockwell Mixed Pairs
Session	Second Final
Date	March 17, 2010

BD#	23
VUL	Both
DLR	South

Cameron Doner	
♠	T 8 7 2
♥	K 7 5 4 3
♦	
♣	K 7 6 3

Helen Abbott		Spring 2010 Reno, NV	Dan Romm	
♠	J 6 5		♠	A K 9
♥	A Q T		♥	
♦	A 9 5 3		♦	K Q 8 7 6 4 2
♣	Q J T		♣	A 9 2

Bernace De Young	
♠	Q 4 3
♥	J 9 8 6 2
♦	J T
♣	8 5 4

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

Final Contract	7NT by West
Opening Lead	A club
Table Result	Made 7, E/W + 2220
Director Ruling	7NT W made 7, E/W + 2220
Committee Ruling	6♦ W made 7, E/W + 1390

(1)	Exclusion Blackwood, No Alert.
(2)	Agreed break in tempo (BIT) of more than 40 seconds.

The Facts: The director was called at the end of the auction and again after the hand was played to conclusion.

There was more than a 40 second hesitation (N/S said one minute) before West bid 5♠. South mentioned that she thought East made some extraneous gestures while bidding 6♦- this was disputed by East. West said the delay in the 5♠ bid was due to the rarity of the bid and trying to remember the response.

The Ruling: Since the director judged that the BIT did not demonstrably suggest the 7♦ bid, the table result of 7NT by West making seven, E/W plus 2220 was allowed to stand for both pairs. Law 16B1(a).

The Appeal: N/S appealed the director's decision and all four players attended the hearing.

South briefly reiterated the facts mentioned on the appeals form. The area of major dispute involved the hesitation over the 5♠ bid accompanied by a shrug, followed by a 6♦ bid. South stated she heard mumbling, but did not discern what was said. North confirmed the purported 6-10 second hesitation and stated he definitely heard inaudible muttering followed by a shrug prior to the 6♦ bid.

West spoke first. She stated it was all her fault for taking so long to bid. She said though she has been playing Exclusion Blackwood for five years, it never comes up. She said she needed the time to remember how to answer properly, that is, whether the partnership had agreed to use 1430 responses. She additionally said she did not know that the usage of the bid at the five level required an Alert. East spoke saying he was quite concerned his partner had forgotten the bid, and was afraid she would pass. He added he had been playing the bid for six years, so he felt he was more experienced. He first said he gave a slight shrug and then an exhale of air when West bid, but later said it was actually an internal shrug and not a breathing that could be noticed by anyone at the table. He vehemently denied taking any time making the 6♦ bid. West then stated that she thought with the heart ace-queen she felt she could make 6NT as easily as 6♦. When East then bid 7♦, West felt 7NT was clear. When asked when the table director was called, East said after the play of the hand, then after the opening club lead, and then said he didn't remember. North and South were both adamant that the director was called when the bidding cards were on the table, which was confirmed by West.

The Decision: The committee considered both breaks in tempo. The first, prior to the 5♥ bid, was undisputed. The second, coupled by a shrug and exhaling of air was disputed, and one the committee needed to evaluate seriously. In making its determination, the committee needed to decide whether there was a discernible shrug and exhaling of air. The committee felt that East was in doubt over West's bidding correctly, and therefore making the alleged 6-10 second huddle likely. Additionally, it believed that East had given inconsistent testimony, thereby making a noticeable shrug and exhaling of air probable. The committee then referenced Law 16 B1(a): "After a player makes available to his partner extraneous information that may suggest a call or play, as for example by a remark, a question, an unexpected alert or failure to alert, or by an unmistakable hesitation, unwonted speed, special emphasis, tone, gesture, movement or mannerism, the partner may not choose from among logical alternatives one that could demonstrably have been suggested over another by the extraneous information." The committee found that UI was available that demonstrably suggested bidding over 6♦, and that pass was a logical alternative. Since the criteria of Law 16 B1(a) had been met, the committee adjusted the score for both sides to 6♦ making seven.

The Committee: Ellen Kent (Chairman), Tom Peters, Aaron Silverstein, Jim Thurtell and Bob White.

Commentary:

Goldsmith I'd rule 6NT making 7. West has a totally obvious 6NT bid. Partner is void in hearts, and West has the AQ protected from the lead. Furthermore, East's behavior doesn't suggest bidding 6NT. It suggests (OK, demonstrates openly) that he's irritated that his partner didn't know what 5H meant, and that is irrelevant to the final result. 7D, however, was clearly suggested over passing 6NT by the UI from the long huddle over 5H, so it's not allowed.

As an aside, 5H is oddly alertable, but many wouldn't know that, thinking that "all ace-asking bids are not alertable" covers all situations, or maybe that the ask is above 3NT makes it not immediately alertable. In fact, because the ace-ask occurs before opener's rebid, it is alertable.

Is East's 7D bad enough to get a PP? I think it is. If West had alerted 5H, then bid in reasonable (3-4 seconds) tempo, then had corrected 6D to 6NT, East would never do anything but pass; he knows he is off the diamond ace. Therefore, 7D was a blatant abuse of UI. A 1/4 board PP is appropriate. I could even go with a half board, given East's histrionics. I think the hardest decision on this case is the size of the PP.

Polisner One of the worst writeups I have seen making a considered opinion about the AC's decision more difficult. The facts do not mention anything about an alleged BIT or other extraneous information by E before the 6 D bid. In any event, what did it suggest if it did occur? If W had bid 70 over 6 D, we would have a difference issue; however, correctly to 6 NT at Mps seems routine. I agree with the ruling and vehemently oppose the AC's decision.

Rigal I do not see any link between the extraneous information available to West and the 6NT call. Nor does the write-up suggest what information the committee thought WAS inferred from the shrug. That is a pity. I'd let the table result stand – since I can't see a reason to penalize East. My guess is that East was just happy he did not have to play 5♠!

Wildavsky The AC seems to have been more thorough in its fact-finding than the TD. This should not surprise us -- the AC has more time to interview the parties. Given then facts as discovered by the AC the ruling seems clear. I have some sympathy for the 6NT bid. I don't think 6N could be much worse than 6D, but since many players would pass 6D had no UI been available, and the UI demonstrably suggests bidding on, we cannot allow the 6N bid to stand.

Wolff The normal playing luck (NPL) on this hand requires minus 2220 to stand for N/S. I would rule that E/W would get plus 2220 minus a procedural penalty thought necessary by the committee. In this way all masters are served, (N/S, E/W, PTF and please keep in mind that if the king of clubs is in the other hand, then no committee since the down one would have been gobbled up by N/S. "When will we ever learn")!!

APPEAL	NABC+ SEVEN
Subject	Misinformation (MI)
DIC	Henry Cukoff
Event	Rockwell Mixed Pairs
Session	Second Final
Date	March 17, 2010

BD#	20
VUL	Both
DLR	West

Rick Kaye	
♠	K 8
♥	K 5 4
♦	Q 9 7 6 5 3
♣	A 7

Lynda Rosenblatt		Spring 2010 Reno, NV	Marvin Rosenblatt	
♠	T 4		♠	Q J 9 5
♥	9 3 2		♥	A Q J 8 6
♦	K J 4 2		♦	A
♣	K Q 9 3		♣	J T 6

Beverly Gardner	
♠	A 7 6 3 2
♥	T 7
♦	T 8
♣	8 5 4 2

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

Final Contract	4♥ by East
Opening Lead	Not Relevant
Table Result	Down 1, E/W - 100
Director Ruling	4♥ E down 1, E/W - 100
Committee Ruling	4♥ E down 1, E/W - 100

(1)	Transfer to clubs, not Alerted until after West had passed to 2♥ and before North called..
(2)	West was given an opportunity to change her pass over 2♥ and did so by bidding 3♥.

The Facts: The director was called before West's call after the auction had gone 2♥ pass to him and again after the play of the hand. 1♠ was not Alerted by North until after West had passed over 2♥ and before North called in the passout seat.

The director determined that there had been misinformation because of the late Alert. The director reopened the auction and allowed West to change her previous call. She chose to bid 3♥. She had said away from the table that had 1♠ been alerted and explained she would have still bid INT but would have raised 2♥ to 3♥ instead of passing.

West said that the new information increased the value of club honors and her partner's possible spade honors.

N/S had marked "transfers over takeout doubles" on both convention cards.

The director was called back after the hand as the South hand did not match the late Alert information.

The Ruling: The director determined that there was no misinformation that impacted the result as West was given a chance to change her call at an opportune time in accordance with Law 21B1. Therefore, the table result of 4♥ by East down one was allowed to stand for both sides.

The Appeal: E/W appealed the director's decision and all four players attended the hearing.

West felt that the location of her and her partner's honors was improved after being informed of the opponent's agreement.

N/S apologized for their errors.

The Decision: The committee saw no justification for E/W to bid 3♥ and 4♥. In any case 1♠ seems to have been a misbid, since both N/S convention cards were marked identically, so aside from the late Alert there was no irregularity. Therefore, the table result of 4♥ by East down one was allowed to stand for both sides.

While the committee did not feel the appeal had merit, it was informed by the screening director that the players had not been advised during the screening process that their appeal might lack merit, and so had no reason not to continue with the appeal.

[Editor's note: The committee was mistaken regarding the prerequisites for assessing an AWMW. E/W had signed the appeal form which states "I understand that ... a Committee, should it judge this appeal to be substantially without merit, may assess discipline or refer the matter to the Director-in-charge.]

The Committee: Dick Budd (Chairman), Ellen Kent, Ed Lazarus, Tom Peters and Jim Thurtell.

Goldsmith Result stands looks correct. The question is the AWMW. The screening director doubtlessly read L75 to E/W. He probably told them that two identically filled-out convention cards normally met the burden of proof for misbid. They, then, had to judge if the fact of the misbid plus the failure to alert combined suggests that perhaps the agreement wasn't as written. If E/W had argued in their appeal statement that the two errors suggest that the agreement wasn't as stated, or perhaps that N/S had no agreement, then they get no AWMW. If they just appealed (as it seems) on the basis of "maybe we'll get a better score," then they get an AWMW. In other words, it helps that when you appeal, you have a good reason.

Polisner Good.

Rigal Sensible ruling but the AWMW should have been awarded as explained in the write-up.

Wildavsky This appeal had no merit. EW got off easy, in part because the TD was screening his first case.

I've been asked what goes on in screening. The TD establishes the facts of the case in so far as they can be agreed by both parties and explains the applicable laws. Occasionally, for instance if new facts come to light, he changes the ruling and gives the other side the chance to appeal. He does

not judge the merit of the case -- that is not his responsibility. Were he to do so many players would, rightly or wrongly, take it amiss.

Wolff

I think the right ruling, They pay their money, now raising to 3♥, they take their chances..... . keeps the candy store closed.

APPEAL	NABC+ EIGHT
Subject	Unauthorized Information (UI) - Tempo
DIC	Terry Lavender
Event	Vanderbilt KO Teams
Session	Round of 32
Date	March 17, 2010

BD#	23
VUL	Both
DLR	South

Louk Verhees	
♠	7 5 4
♥	Q 8 7 5
♦	A T 8 4 3
♣	7

Dennis Clerkin		Spring 2010 Reno, NV	Harry Tudor	
♠	K Q 9 6		♠	A J 2
♥	A T 9 6 2		♥	K
♦	7		♦	K J 5
♣	T 9 6		♣	A Q J 8 5 2

Jan Jansma	
♠	T 8 3
♥	J 4 3
♦	Q 9 6 2
♣	K 4 3

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

Final Contract	5♣ by East
Opening Lead	♦ 2
Table Result	Made 5, N/S + 600
Director Ruling	3NT E down 1, E/W -100
Committee Ruling	3NT E down 1, E/W -100

(1)	Slow.
(2)	Slow but faster than 2NT
(3)	Keycard for clubs, 4♠ shows 2 keycards without the queen.

The Facts: The director was called when the dummy was faced and again after the play of the hand was completed. A neutral kibitzer stated that the break in tempo (BIT) before bidding 2NT was 15 seconds. East said this was 4 ½ seconds. The BIT before bidding 3NT was thought to be slow by N/S and 8-10 seconds by the aforementioned kibitzer. East thought this break was about 2 ½ seconds.

The Ruling: The director judged that there were BITs and that the BITs demonstrably suggested that pass of 3NT may be less successful than other actions. Five players were polled on the West hand over 3NT - four passed. Therefore pass was determined to be a logical alternative to 4♣. Based on Law 12C, the contract was changed to 3NT by East. The most likely favorable result (and the least favorable at all probable) was determined to be down one on a diamond lead. So, the result was changed to minus 100 E/W and plus 100 N/S.

The Appeal: E/W and the team captain (Bob Jones) appealed the director's ruling. The four players at the table were present at the hearing.

Jones, speaking for his pair, argued that 4♣ was the correct bridge bid and had no logical alternative. He noted that West had already shown four spades and five hearts, so that East could be placed with at most three spades and two hearts. Also, this pair normally opens 1♦ with 4-4 in the minors. Thus, East was marked with at least five clubs and usually no more than three diamonds. Furthermore, East's 3NT bid would be predicated solely on his shape and not on the quality of his minor suit stoppers, so West's singleton diamond was a clear danger signal for notrump opposite East's probable three-card holding of indeterminate strength. 5♣ was more likely to make when 3NT was failing than vice versa. Also, 4♥ might be viable if East had weakish clubs and a strong doubleton heart. Finally, if East had good clubs and well-placed controls, 6♣ would be a good contract. For example, opposite Axx-Kx-Axx-AKxxx, 6♣, which needs only 3-2 clubs, is better than 3NT, which usually needs four spade tricks.

The appellants also disputed the exact length of the huddles, although they agreed that the 2NT bid took longer than the 3NT bid. They claimed that all bidding by both pairs had bogged down by this stage of the match.

North and South both said that East's huddle before 2NT was substantial, and clearly indicated that his 2NT rebid was not classic, so he most likely held long clubs. West's 4♣ bid was more strongly suggested opposite a six-card suit than opposite a more normal five-card suit.

The Decision: First, the committee determined that there had been a noticeable break in tempo before the 2NT bid. N/S and a neutral kibitzer all estimated that the bid took at least 15 seconds, and even E/W acknowledged that 2NT had taken longer than other bids in the auction.

The break in tempo clearly implied that the 2NT bid was defective in some way. While lack of a stopper in an unbid suit was possible, by far the more likely reason was that the bidder was off-shape. The leading possibilities were 2=2=4=5, 3=1=4=5, 3=2=2=6 and 3=1=3=6. The latter two especially suggested that a club contract might be superior, while the former two might also be better for suit play than a classic 3=2=3=5 would be. Therefore, the break in tempo demonstrably suggested bidding 4♣ over 3NT.

Finally, the committee reached the crux of the matter: Was passing 3NT a logical alternative? The appellants' argument in favor of bidding was compelling, but the directors' poll found 4 of 5 players passing. Numerous constructions with "classic" 3=2=3=5 shape revealed no clear-cut "right" answer. The combined hands had at most 28 HCP and (in theory) only an 8-card club fit. For these reasons the committee decided that pass was a logical alternative.

Therefore, the committee changed the contract to 3NT and assigned a result of down one, minus 100 for E/W and plus 100 for N/S.

The potency of the appellants' argument in favor of bidding 4♣ gave their case substantial merit.

Note from the Chairman:

The committee was distressed by the possibility that we were preventing a player from taking the “correct” bridge bid, the one that would score 100 in the Master Solvers Club. However, our judgment of pass as a logical alternative was vindicated by my own poll of at least 10 expert players, all of whom passed 3NT without much of a problem, and most of whom passed just as easily after being presented with appellants’ arguments in favor. A player who opens with a one-bid should not often have a problem over a one-level response. In particular, a 2NT jump rebid should already be part of a planned auction, so it is a bid that should always be made in normal tempo. Failure to do so can compromise the bidder’s side. *If you want your partner to be able to make finely judged calls, you must bid in a consistent tempo so as not to restrict his options.*

The Committee: Bart Bramley (Chairman), Jeff Aker, Dick Budd, Ed Lazarus and Steve Robinson.

Commentary:

Goldsmith Well done, committee

Polisner Excellent ruling and decision, especially the Chairman’s note. With a player of E’s experience, the BIT is inexcusable.

Rigal I agree with the decision and do not feel as distressed as the Chairman at preventing West from finding a master-bid. Partner’s tempo prevents you from being a genius, but that is his problem not yours.

Wildavsky Fine work by the AC. This one was closer to having no merit than to being decided the other way.

Wolff There is little doubt that on this bidding, and after partner's slow 2NT and only slightly faster 3NT, that 4♣ is the right bridge bid, knowing partner has only 2 or 3 spades and 1 or 2 hearts, most of the time being 3 spades and 2 hearts. Playing IMPs, 5♣ can easily be the safest game and obviously 6♣ could be laydown or maybe only just a reasonable percentage contract. And so it turned out. If East had the AJx in diamonds and only a singleton lower heart, 6♣ is virtually laydown with a play for a club grand slam.

The above proves at least to me that Bart Bramley's discussion is right on, but why doesn't he try and do something about changing the law or at least bringing it to everyone's attention of how slothful we really are? It also proves beyond much doubt how ridiculous the polls taken are. Here we are playing the Vanderbilt and yet we take people's opinions on whether we should pass 3NT or bid 4♣. And now when a qualified player bids 4♣ we use the inaccurate, improperly thought out, and possibly biased result of the poll to determine judgment. Just how far do we have to fall before we realize how inappropriate our methods really are. How can a small dose of subjectivity, even with 100% transparency not be the answer? What bad can happen? If our commissioner continues to render improper decisions, we get a new commissioner. Granted being commissioner is a tall order but it is time we all grew up!!

Let's get involved in what can improve our game, by making it known that a certain tempo is required, not just on the hands where it makes a marked difference like this one, but in all hands where only something little or nothing at all is at stake.

APPEAL	NABC+ NINE
Subject	Unauthorized Information (UI)
DIC	Terry Lavender
Event	Vanderbilt KO Teams
Session	Round of 32
Date	March 17, 2010

BD#	24
VUL	None
DLR	West

Louk Verhees	
♠	9 7 6
♥	K Q 9
♦	Q J 6 4
♣	Q T 2

Dennis Clerkin		Spring 2010 Reno, NV	Harry Tudor	
♠	K J 8		♠	A Q T
♥	A 2		♥	J 8 7 5
♦	9 5 2		♦	A K 7
♣	8 7 6 5 3		♣	K 9 4

Jan Jasma	
♠	5 4 3 2
♥	T 6 4 3
♦	T 8 3
♣	A J

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

Final Contract	3NT by East
Opening Lead	♥ 4
Table Result	Down 2, E/W -100
Director Ruling	3NT E down 2, E/W -100
Committee Ruling	3NT E down 2, E/W -100

The Facts: The director was called after the hand had been played and the N/S pair had left the table.

The heart opening lead was won by North with the queen. East said that after thought, North returned the heart king and that South reacted with a gasp. Declarer won in dummy and led a club to the king and South's ace.

South switched to the diamond three, won by declarer who led a club.

South's jack was overtaken by North who switched to a diamond. A heart return would have allowed the contract to make.

The director spoke to several people present at the table. Some said nothing happened and others detected some reaction. The allegiance, if any, of the kibitzers was unknown.

The Ruling: The director determined that there not enough evidence of UI and the table result was allowed to stand for both pairs - 3NT by East down 2, minus 100 E/W and plus 100 N/S.

The Appeal: E/W and the teams captain (Bob Jones) appealed the director's decision. All four players at the table were present at the hearing.

East repeatedly said that he did not care about the ruling on this case only the previous one (NABC+ EIGHT from the same match).

There was no disagreement with the facts as presented above except that East maintained that South reacted and N/S maintained that he didn't.

N/S were using "3rd and 5th" leads versus notrump.

The Decision: The committee determined that it was irrelevant whether there was UI available for North because there was no logical alternative to North's diamond return after winning the club queen. South's lead of a low diamond had implied an honor in the suit. Even if it had not, North held the third defensive entry, so he'd be able to switch back to hearts if declarer unexpectedly won the diamond ten.

The committee judged that the appeal had no merit and assessed an appeal without merit warning (AWMW) against East and West and their team captain.

The Committee: Gail Greenberg (Chairman), Peter Boyd, Mark Feldman, Chris Moll and Howard Weinstein.

Commentary:

Goldsmith Good job, including the AWMW

Polisner Routine.

Rigal This seems like an excellent ruling on the facts presented. Hard to see what E/W could gain here in the particular circumstances of this case.

Wildavsky Open and shut.

Wolff Finally, a simple bridge ruling. This hand shows the intensity generated by the previous hand (same cast of characters present) and merely reinforces my belief in when our process keeps the candy store open (ridiculous award to NS on the previous hand) our moods become rightfully sour for us to intervene and disturb normal playing luck (NPL)

APPEAL	NABC+ TEN
Subject	Misinformation (MI)
DIC	Terry Lavender
Event	Whitehead Women's Pairs
Session	Second Qualifying
Date	March 18,2010

BD#	16
VUL	E/W
DLR	West

Carole Minor	
♠	J 7 4
♥	Q J 9 2
♦	J T
♣	K J 6 5

Tatiana Ponomareva		Spring 2010 Reno, NV	Victoria Gromova	
♠	A T 5		♠	K Q 9
♥	A 8 7 6 4		♥	K 5 3
♦	Q 8 5		♦	A 6
♣	A 7		♣	Q T 8 4 2

Cynthia Balderson	
♠	8 6 3 2
♥	T
♦	K 9 7 4 3 2
♣	9 3

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

Final Contract	4♥ by West
Opening Lead	♠ 4
Table Result	Made 4, E/W + 620
Director Ruling	4♥ W made 4, E/W + 620
Committee Ruling	4♥ W down 1, E/W - 100

(1)	Artificial game force.
(2)	Top of minimum opening (14-15).
(3)	Asking Bid.
(4)	Shortness in spades.

The Facts: The director was called after the play of the hand was completed. At the end of the auction, West attempted to correct the explanation but Dummy (East) was the only player to understand. East and West are Russian and this contributed to the lack of communication. When the director arrived, North claimed that with the correct explanation, she would lead the ♦J. East claimed that 3♠ systemically shows shortness but may only have evidence in Russian to support that claim.

The Ruling: Several players were polled; all led the ♦J with either explanation. All felt that the difference in information made the lead of a spade neither more nor less attractive.

As E/W couldn't provide evidence that shortness is the correct explanation, misexplanation (and MI) is deemed to have occurred. However, when the MI causes no damage to the non-offending side and does not advantage the offending side, as the polling indicates, there is no adjustment. Therefore the table result of 4♥ by West making four, E/W plus 620 was allowed to stand for both sides.

The Appeal: N/S appealed the director's decision, and North and South were the only players present at the hearing.

North stated that she felt that the jack of diamonds was a possibility and was going to be her lead until it was explained that 3♠ showed shortness. Then it seemed to her that a spade lead through dummy would combine safety with the potential for tapping declarer.

The Decision: The committee found that the directors correctly assessed the MI aspect of this case. However, we judged that North was less likely to have led a spade with correct information. The poll result made no sense – a spade lead is clearly more attractive when declarer has shown short spades. Accordingly the committee changed the score for the offending side. In considering the result for the non-offending side, we found that a spade might be inferior but did not meet the standard of a serious error per Law 12c1(b), so we adjusted their score as well.

The committee adjusted the result for both sides to 4♥ by West down one - E/W minus 100 and N/S plus 100.

The Committee: Aaron Silverstein (Chairman), Abby Heitner, Ed Lazarus, Tom Peters and Jeff Roman.

Commentary:

Goldsmith Why is a spade inferior given the explanation? North planned a tapping defense, and her hand makes it look like it ought to work. N/S were clearly damaged. Good job, AC.

West needed to correct the explanation unless she was 100% certain that the explanation was correct, and that she could prove it. If E/W had system notes in Russian that proved it, why didn't the director get a translator? There were plenty of Russian-speaking players at the tournament.

If, in fact, 3S didn't systemically show shortness, then E/W are due a 1/4 board PP for failing to speak up before the opening lead. They are quite sufficiently experienced to know their responsibility here.

Polisner N did nothing to protect herself when it was obvious that W was trying to tell them something which was about 95% likely (in my opinion) to be about her 3 S bid as explained. I agree with the ruling and would only be

slightly inclined to award a split score leaving N/S with the table result and E/W with -100.

Rigal Excellent decision and although I hate to over-rule the poll it was clearly in error; a spade lead is made far more attractive if West is known to be short.

Wildavsky The AC corrected an injustice

Wolff This ruling seems correct since I think CD needs to be penalized out of existence. Playing a fancy system only makes it imperative that both partner's NEVER give a wrong explanation, but if so they will pay the price.

APPEAL	NABC+ ELEVEN
Subject	Misinformation (MI) and Unauthorized Information (UI)
DIC	Henry Cukoff
Event	Silodor Open Pairs
Session	First Qualifying
Date	March 18, 2010

BD#	14
VUL	None
DLR	East

Lloyd Arvedon	
♠	A 7 6
♥	6 5
♦	K J 9 7 4
♣	A T 2

Jaroslaw Piasecki		Spring 2010 Reno, NV	Grazyna Brewiak	
♠	T 9 5 4 2		♠	K J 8
♥	A J 7		♥	Q T
♦	5 3 2		♦	Q T 8
♣	K 8		♣	Q J 9 4 3

Walter Schafer, Jr	
♠	Q 3
♥	K 9 8 4 3 2
♦	A 6
♣	7 6 5

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

Final Contract	3♠ doubled by West
Opening Lead	♥ 6
Table Result	Down 1, E/W - 100
Director Ruling	3♠ dbld W down 1, E/W -100
Committee Ruling	5♦ S down 4, N/S -200

(1)	10-15 with 5+ clubs and no 4-card major.
(2)	Non-forcing, not Alerted.
(3)	Alerted as showing bad diamonds or 3♥ bid.

The Facts: The director was called after the play of the hand. 2NT was Alerted by South as indicated above. North had intended it as natural and did not remember whether good/bad was on after non-opening bids. South believed it had been discussed and that North had forgotten. East said she wouldn't have bid 3♠ over an unAlerted 2NT. South said that if East passed, he would have bid 3♦. East said she forgot to Alert 2♠ since everyone in her area plays it as non-forcing.

The Ruling: Given North's hand and statement, it was determined that N/S had no agreement and that E/W had been given a mistaken explanation (Law 75). As per Law 12C1(e), the auction was projected to continue Pass-3♦-Pass-Pass-Pass, down 2. Therefore, that result was assigned to both sides. Upon further investigation, E/W was unable to document that 2♠ was non-forcing. Assuming, as per Law 75, that 2♠ showed a good hand, 3♠ by East was judged more than likely, and the table result was restored.

The Appeal: E/W appealed, and all four players attended the hearing. East said, that if 2NT were natural, she would not have bid 3♠, because her hand was so bad. She also said, "sorry, I forgot to Alert 2♠. I knew it was Alertable." West said he might have made 3♠ doubled if he knew 2NT was natural. In the endgame, he needed to guess the ♠AQ, and the MI made it more likely he'd go wrong. N/S disagreed with the finding of no agreement, though they were a first-time partnership and thought that East would bid 3♠ even with the correct information. South said that even if 2♠ had been Alerted, 2NT would still have been Good/Bad. North thought Good/Bad 2NT did not apply if we were not the opening side.

The Decision: This decision was close, with many issues:

1. Was failing to Alert 2♠ an infraction? Yes. It seems pretty clear that 2♠ was non-forcing by agreement. East and West seemed on the same wavelength, and West's hand suggests strongly that he knew 2♠ was non-forcing.
2. Did the failure to Alert 2♠ damage the other side? No, the misunderstanding about 2NT would almost certainly have happened anyway.
3. Was the explanation of 2NT an infraction? Yes. N/S is a first time partnership without clear agreement when Good/Bad 2NT applies. North thought it was not on here; South was certain it was. This is not uncommon with that convention. Law 75 instructs us to rule misinformation without clear evidence to the contrary, and here there wasn't any; in fact, there is clear evidence that North and South disagreed about their understanding.
4. Did the misinformation about 2NT damage the other side? Very close call. It is the case that bidding 3♠ is more attractive with the wrong information than it is with correct information. How much more likely? The committee, after long deliberation, decided it was at least 30% more likely. By the chair's reading of the Laws, that constitutes damage.
5. Did the damage from the MI lead directly to the non-offending side's bad result? Yes. N/S would have gone minus if East had passed 2NT.
6. Was the UI from the mistaken explanation relevant? No. North's actions were either obvious or unsuccessful thereafter.

(Decision continued)

7. Did the MI affect the play? 3♠ doubled making is likely to be the best result E/W can manage, so if they should make it, then that's the end. No, it did not. The play went as follows

T1: ♥6-Q-K-A

T2: ♣x-2-Q-x

T3: ♣x-x-K-A

T4: ♥5-T-x-x

T5: ♣J-x-♦x-x

T6: ♣9-♥x-♦x-♠6

T7: ♦x-x-A-x

T8: ♦x-♠x-x-x

T9: ♠x-x-J-Q

West claimed down one.

By Trick 9, West knew North had ?xx xx KJ9xx A10x. If he had either the ♠Q or the ♠A, he clearly had a natural 2NT, not a Good/Bad 2NT, so the MI was no longer relevant.

8. If East had passed 2NT, what were the likely and at all probable results? South says he would have bid 3♦, which seems reasonable. North will now bid 3♠. East will double. South will probably pass, but he might bid 3NT. North will thereafter either drive to 5♦ or play 3NT. It is possible N/S will end up in 4♥ or 6♦, but by far the most likely results are 3NT and 5♦. 3NT is down two. 5♦ is down four. Will anyone double? It's possible, but after long deliberation, we judged that no single doubled contract reaches the standard of at all probable. A different committee might judge differently.

9. Given all that, what's the ruling? Law 12 says that N/S gets the most unfavorable result that was at all probable. We judged that result is 5♦ down four for minus 200. E/W gets the most favorable result that was likely. That result is also 5♦ down four, plus 200 for E/W.

10. Did this appeal have merit? Yes. In fact, if either side had appealed, it would have had merit. This was a close case with several factors including irregularities from each side, so AWMWs are not in the ballpark.

The Committee: Jeff Goldsmith (Chairman), Jeff Aker, Mark Feldman, Fred King and Bruce Reeve.

Commentary:

Goldsmith This was one of the most complicated cases I've ever seen, with infractions by each side. The key question is whether the MI from the misexplanation of 2NT damaged E/W. Probably it didn't, but it was likely enough that it did that we judged it sufficient. The laws are not particularly clear on what constitutes "damage," so we had to determine what the standard ought to be. I don't know for certain where the line should be drawn, but if damage is likely (1 time in 3), I think that's sufficient. If damage is at all probable (1 time in 6), it's probably not sufficient. I asked the committee to come up with a percentage chance

that the MI caused damage. It was a very challenging assignment, and I think they both took it seriously and worked hard at obtaining the reasonable answer of 30%. I judged that a 30% chance of damage ought to allow an adjusted score. That call is certainly open to question. I'd like to see the next edition of the laws address this issue.

Polisner A very complicated and difficult case which could have gone either way. My compliments to the AC which conducted a very thorough analysis of all of the issues and came up with a well-reasoned decision.

Rigal A reasonable, if challengingly long, write-up. But all the major issues were sensibly considered and it is hard to argue with anything contained here.

Wildavsky A well reasoned decision in a complex case.

Wolff Since 2 spades by West was not alerted, then the interpretation of 2NT was subject to different meanings. The MOST unfavorable result to a transgressor is indeed sometimes too harsh a penalty and should be modified by an intelligent committee (or TD). With the inviolate nature of some of our ahtungs it is no wonder that some of our rulings seem surreal. On this hand to rule down 4 is closer to sadistic than it is to right.

APPEAL	NABC+ TWELVE
Subject	Unauthorized Information (UI) - Tempo
DIC	Henry Cukoff
Event	Silodor Open Pairs
Session	Second Final
Date	March 19, 2010

BD#	14
VUL	None
DLR	East

Stephen Goldstein	
♠	A J 3
♥	Q
♦	Q T 9 6 2
♣	K Q T 9

J. Shah		Spring 2010 Reno, NV	G. Venkatesh	
♠	T 8 5		♠	Q 9 7 6 4 2
♥	8 6		♥	A T 5
♦	8 7 5 4 3		♦	K
♣	6 3 2		♣	8 7 5

Gary Brown	
♠	K
♥	K J 9 7 4 3 2
♦	A J
♣	A J 4

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

Final Contract	6♣ by South
Opening Lead	♠ 5
Table Result	Made 6, N/S +920
Director Ruling	5♣ S made 6, N/S +420
Committee Ruling	5♣ S made 6, N/S +420 1/4 Board penalty to N/S

(1)	Strong artificial and forcing.
(2)	Alerted showing diamonds and a game force.
(3)	RKC for hearts and a 20 second break in tempo (BIT)
(4)	0 or 3 controls and a 15 second BIT.
(5)	4 minute BIT alleged by East who was watching clock.

The Facts: As above there were numerous breaks in tempo during the auction. While the length of each may have been disputed, there was no dispute as to their presence.

The Ruling: The director judged that the BITs leading up to 5♣ demonstrably suggested bidding on and that passing 5♣ was a logical alternative. The contract was changed to 5♣ by South and the result of making six assigned to both sides (plus 420 N/S and minus 420 E/W).

The Appeal: N/S appealed the director's decision and all players except East attended the hearing.

North and South both agreed that substantial time was taken on three bids. Though they both felt it was not quite as long as written on the form, it was admitted that the 4♠ bid was approximately 20 seconds, the 4NT approximately 10-15 seconds, and the 5♣ bid 1-2 minutes. South did a majority of the talking, and had notes to provide to the committee. South stated that according to the notes, 4♠ was kickback for hearts, and 4NT showed zero or three heart key cards. He did say he wasn't sure if it was Blackwood or for hearts. North said he meant it as a cue bid. During the long huddle over 4♦, East asked North to please hurry, at which point South stated he said, "Hurry up. You're giving me only three minutes to play this hand." North said he meant the 5♣ bid to be 'pick your slam,' but said he probably could have come up with a better bid to avoid confusion. South stated he bid 6♣ because he felt his partner was 5/5 in the minors, and he had a good hand in support of the minor, even though he answered his interpretation of the kickback bid for hearts. The committee asked both North and South what the minimum point count could be for the 2♣ positive bid, and both parties said 8 plus high card points.

The Decision: The committee found the three breaks in tempo were undisputed, and regardless of their length they were all considered well within the scope of breaking tempo as mentioned in Law 16 B1(a): "After a player makes available to his partner extraneous information that may suggest a call or play, as for example by a remark, a question, an unexpected alert or failure to alert, or by an unmistakable hesitation, unwonted speed, special emphasis, tone, gesture, movement or mannerism, the partner may not choose from among logical alternatives one that could demonstrably have been suggested over another by the extraneous information." As the breaks in tempo were clearly established, unauthorized information was available to South. The committee decided that South's bidding over 5♣ was an abuse of the unauthorized information, and assessed N/S an appeal without merit warning (AWMW) and a ¼ board procedural penalty (PP).

The Committee: Ellen Kent (Chairman), Tom Peters, Bruce Reeve, Jeff Roman and Jim Thurtell.

Commentary:

Goldsmith f 4S was key card for hearts, 5C asked for the HQ. I agree that 6C was an abuse of UI; South knew from North's tempo that they weren't solidly on the same page. But passing 5C is impossible. South has a 100% normal 5H bid. That gives North a serious problem. He might pass, bid 6D, or bid 5NT or 6NT. It's a tough decision what North will do; I'd've liked to ask him out of the blue what he would have done and why.

Which of those actions is likely? Surely 6NT and 6D are likely; partner has preferred diamonds. I think passing and bidding 5NT are at all probable, with pass's being on the borderline. So I'd rule that E/W are -920 in 6D, and N/S is +480 in 5H, though I could get talked into +490.

The appeal surely has merit; N/S are due a better score than 420. The PP is also well-deserved. You can't refuse to answer Blackwood because partner took forever to bid it.

- Polisner** I'm confused. Yes there was UI available to S. However, in this auction, 5 C must be forcing after he has key carded for Hs. When you use RKC and possibly get a 5 H or 5 S response, 5 C cannot be an offer to play and therefore must be forcing - whatever else it might be, it must be forcing. I would have thought that the BIT would suggest passing as it was more likely to have been a consideration of passing 4 NT at matchpoints. I would have kept the table result and the PP is off the chart for this hand.
- Rigal** A very difficult auction. It appears that the tempo pointed South to do something unusual. I'm not convinced that 5♣ is to play as opposed to asking for the trump queen, but it seems like there was UI and South did something odd. Don't like the PP as opposed to leaving N/S with no slam,
- Wildavsky** If 4S were in fact RKCB for H then 5C would have asked for the trump queen and passing would not have been logical. North intended 4S as a cue bid, though, in which case 5C would have been a choice of contracts. South testified that he was unsure as to the meaning of 4S. The TD and AC both judged that the UI demonstrably suggested bidding over passing. A lot depends on the testimony -- I won't try to second guess here
- Wolff** We need to educate when UI comes into play. Here these long breaks after partner makes bids which are hard to remember only makes bridge a more difficult game to play (for all) but almost an impossible one to enjoy. If a partnership plays a fancy system or convention and goes off course, a severe penalty should serve as reason to them to know their system or try something simple instead.

APPEAL	NABC+ THIRTEEN
Subject	Unauthorized Information (UI) - Tempo
DIC	Henry Cukoff
Event	Silodor Open Pairs
Session	First Final
Date	March 19, 2010

BD#	14
VUL	None
DLR	East

Suresh Agarwal	
♠	Q
♥	8 7 6 4 2
♦	J T
♣	9 5 4 3 2

William Cole		Spring 2010 Reno, NV	Jeff Roman	
♠	T 9 6 5 4		♠	J 8 2
♥	K 5 3		♥	A 9
♦	9 7		♦	Q 8 4 2
♣	Q T 6		♣	A K J 7

Curtis Bare	
♠	A K 7 3
♥	Q J T
♦	A K 6 5 3
♣	8

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

Final Contract	3♥ by South
Opening Lead	♠ 4
Table Result	Made 3, N/S +140
Director Ruling	2♠ Dbl'd E down 1, E/W -100
Committee Ruling	3♥ S made 3, N/S +140

(1)	15-17.
(2)	Equal strength.
(3)	Transfer to spades, Announced.
(4)	Break in tempo (BIT)

The Facts: The director was called initially after the 3♣ bid and again after the play of the hand was completed.

All players agreed that there was a BIT by South prior to his second double.

The Ruling: The BIT was judged to demonstrably suggest that bidding (by North) would be more successful than passing, which was judged to be a logical alternative to bidding. Therefore, the contract was changed to 2♠ doubled by East down one (E/W minus 100 and N/S plus 100).

The Appeal: N/S appealed the director's decision. West was the only player who did not attend the hearing.

North argued that by doubling 2♥ with such scant values that it is clear from his hand that he was always planning on completing the description of his shape by bidding 3♣. South was concerned that the 3♥ contract could have been defeated with a club lead, and that E/W were getting a two-way shot at a good result.

The director read the applicable rules to the appellants, and the committee informed them that although Deep Finesse was able to defeat 3♥, leading a spade was not the sort of serious defensive error (per law 12c1b) that a committee would take into consideration.

The Decision: The committee asked the director for the results of director polling. Not surprisingly, it had been difficult to find players who believed doubling 2♥ with the North hand was the right action. An informal poll of two players from the Red Ribbon Pairs had both passing the second double. The director had recorded neither their masterpoint totals nor their thoughts about the double of 2♥. A subsequent formal poll of players with 1500 to 2500 masterpoints found six of six bidding on with the North hand. One of those players would have doubled 2♥.

The committee agreed that there was a hesitation, and that bidding on was made more attractive by that hesitation. However, we did not feel that any player who doubled 2♥ with such scant values would give passing even a momentary consideration, and thus ruled that passing was not a logical alternative.

Thus the table result was allowed to stand.

The Committee: Hendrik Sharples (Chairman), Abby Heitner, Ed Lazarus, John Lusky and Victor King.

Commentary:

Goldsmith I hate ruling that the unsuccessful action is not a LA, but passing 2Sx is unthinkable to me. The spade lead issue was irrelevant. There was a table result in 3H; why did anyone even bring up the issue that 3H could have been defeated?

Polisner I agree that passing the double after having doubled 2 H for penalty was not a LA. As to the "poll", how difficult is it to tell the players polled that whether or not they would have doubled 2 H is irrelevant and ask them to presume that they were asked to substitute for N at the critical point. What is an "informal poll"? I find it difficult to believe that a proper poll of 10 peers would have more than 1 player passing. However, if a proper poll had a significant number seriously considered passing and more than 1 actually did pass, I would feel compelled to uphold the TD's ruling.

Rigal I approve of the committee decision but not its offering sympathy to N/S. For what, pray? Almost forced to act – yeah right! I'd offer sympathy while giving a procedural penalty and/or an appeal without merit warning but not in any other circumstances.

Wildavsky The AC's ruling seems unexceptional. Given the results of the "informal" poll, though, I could see another committee ruling differently. I like the TD's ruling in that it gave the benefit of the doubt to the NOS in a close case.

Wolff As far as I can see we should immediately stop the polling system. Even if one time it happens to ring true, there will be many who do not believe it. The time has come the walrus said to do away with that idiocy

APPEAL	NABC+ FOURTEEN
Subject	Unauthorized Information (UI) and Misinformation (MI)
DIC	Henry Cukoff
Event	Silodor Open Pairs
Session	First Final
Date	March 19,2010

BD#	16
VUL	E/W
DLR	West

G. Venkatesh	
♠	J 9 7 4
♥	6
♦	Q 9 7 6 5 3
♣	Q 4

Gloria Silverman Bart		Spring 2010 Reno, NV	Les Bart	
♠	T 5		♠	6 2
♥	A K Q J		♥	9 8 7 2
♦	8 4 2		♦	A K
♣	A K J 7		♣	9 8 6 3 2

Jyotindra Shah	
♠	A K Q 8 3
♥	T 5 4 3
♦	J T
♣	T 5

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

Final Contract	4♠ doubled by South
Opening Lead	♣ A
Table Result	Down 2, N/S -300
Director Ruling	4♥ W making 5, E/W +650
Committee Ruling	4♥ W making 5, E/W +650

(1)	North reached to the bid box, pulled back, then passed.
(2)	South reached to the bid box, pulled back, then passed.
(3)	Shows no defense to 4♥, not Alerted.

The Facts: The director was called after the auction and again after the play was completed.

The facts are as described above. E/W said that the MI did not result in damage.

The Ruling: The MI did not result in damage. However, UI was available to North before North's double, which was deemed to be demonstrably suggested by the UI. Pass in place of a double was determined to be a logical alternative. Therefore the contract was changed to 4♥ by West and the result of making five assigned to both pairs (E/W plus 650 and N/S minus 650).

The Appeal: N/S appealed the director's decision. North, East and West attended the hearing.

North agreed that the double of 4♥ was not Alerted by South and conventionally showed no defense to 4♥. E/W acknowledged that they were not damaged by the failure to Alert. There was the "reaching for the box" by South (and to some extent by North over 3♥). However, North said that the double was almost required from the bidding and the vulnerability (favorable for N/S), and, subsequently, it was normal for South to bid 4♠ on the way to a possible 5♦. Upon questioning by the committee, it was determined that N/S were an experienced and successful international partnership.

E/W stated that the "reaching" by South over 4♥ made it easier for North to double to show no defense. They added that there was a brief hesitation by South that may have indicated some uncertainty as to what to do over 3♣ before South's 3♦ bid.

The Decision: The committee determined that bridge players should know not to reach for the bidding box until they are sure of the bid they want to make. An experienced pair such as N/S should certainly know this. While the committee had sympathy for North's double, it agreed with the director that pass was a logical alternative. Therefore, it ruled as the director had and adjusted the result for both sides to 4♥ by West making five.

The committee found that the appeal had substantial merit.

The Committee: Jeff Roman (Chairman, Tom Peters (Scribe), Bruce Reeve, Jim Thurtell and Bob White.

Commentary:

Goldsmith Ruling solid. Finding of merit questionable

Polisner Whether the AC thought that players should know better about "reaching" is irrelevant unless it was considering imposing a PP against N/S. The issue is one of UI which existed due to the "reaching". Good ruling and decision.

Rigal I believe this to be a very tough call. I can understand where the committee was coming from. I wish that a group of players could have been found who supported its view. I really don't know what I would have done so I can't complain too violently about any decision.

Wildavsky I see no merit to this appeal. North said his double was "almost" required. If his system did not absolutely demand a double, though, then the laws required him to pass.

Wolff More on the stupidities we allow by not railing against them

APPEAL	NABC+ FIFTEEN
Subject	Unauthorized Information (UI) - Tempo
DIC	Steve Bates
Event	Jacoby Open Swiss Teams
Session	Second Qualifying
Date	March 20, 2010

BD#	23
VUL	Both
DLR	South

Dan Jacob	
♠	Q 8 7
♥	A 6 5
♦	8 7 4 3
♣	8 4 2

Mark Feldman		Spring 2010 Reno, NV		Michael Rosenberg	
♠	A K 9 3	♠	J 4 2		
♥	K J 3 2	♥	Q T 9		
♦		♦	J 9 5		
♣	K Q T 9 6	♣	A 7 5 3		

Nagy Kamel	
♠	T 6 5
♥	8 7 4
♦	A K Q T 6 2
♣	J

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

Final Contract	5♣ by East
Opening Lead	♦ A
Table Result	Made 5, E/W +600
Director Ruling	4♣ E made 5, E/W +150
Committee Ruling	4♣ E made 5, E/W +150

(1) An agreed significant pause. (break in tempo – BIT).
--

The Facts: The director was called after the play of the hand was concluded. Both E/W and N/S agreed to the BIT.

The Ruling: Six of E/W's peers were polled. Two passed quickly over 4♣. They both felt that the BIT made 5♣ more likely and that East should bid 5♣ over the second double to show the actual values. One commented that without the BIT 5♣ rated to be successful 90% of the time. Another thought the likelihood was 60%. One would bid 5♣ but could see passing and another could see either passing or 5♣.

The director concluded that the UI demonstrably suggested the 5♣ bid and that pass was a logical alternative.

The contract was changed to 4♣ by East making five – E/W plus 150 and N/S minus 150.

The Appeal: E/W appealed the director's decision and all four players were present at the hearing.

East said he was considering passing 3♦ doubled, since if West held a strong 4-4-1-4 hand a larger and more likely plus might be available on defense. If East's strength were in diamonds, then a 5♣ bid by West is less likely to be successful. West judged that with his strong hand, including five good clubs, a diamond void and heart honors behind the opening bidder, that raising to 5♣ was a standout action.

N/S argued that 5♣ could easily fail by at least one trick and that West should not be allowed to bid 5♣ after the suggestive BIT.

The Decision: Given the agreed BIT, the committee had two questions to answer. First, did the BIT demonstrably suggest that West bid 5♣? It seemed likely that East was thinking about bidding 4♣ or 5♣, but it is also possible that East was considering pass, 3NT or three of a major (with 2-3-4-4, perhaps). Note that if East was considering either pass or 3NT, he would not have a poor hand. In practice, players do not hesitate for a lengthy amount of time with poor hands. Thus, the committee determined that East's BIT demonstrably suggested that West bid 5♣.

Next, the committee had to decide whether pass was a logical alternative to 5♣. West has an excellent hand, especially on the auction. If East has five small clubs and either major suit queen, 5♣ would be a favorite to make. Since East would bid only 4♣ with these "unbiddable" values, most successful IMP players would go for the vulnerable game with a 5♣ bid.

However, it is certainly possible that 5♣ would be too high. East is likely to have only four clubs and he need not hold any useful high cards. West has already bid strongly and East had two chances to make a positive bid. The committee decided that at least a significant minority of West's peers would seriously consider passing 4♣ and that some would pass. Thus pass is a logical alternative to West's chosen 5♣ bid.

Since the BIT demonstrably suggested that West bid 5♣ and pass is a logical alternative, West was not allowed to bid 5♣. The committee adjusted the contract to 4♣ and the result to making 5 – E/W plus 150 and N/S minus 150.

The appeal was found to have merit.

The Committee: Doug Doub (Chairman), Ed Lazarus, Jacob Morgan, Mike Passell and Hendrik Sharples.

Commentary:

Goldsmith OK. Yes, a hesitation then pass usually shows extras. (See Cases 1 and 4.)

Polisner Correct ruling and decision. I would have thought that two prominent members of the Appeals Committee would not have brought this appeal and would have issued an AWMW.

Rigal I think the committee was right but did not have to work so hard or exercise their consciences before adjusting. Good players just have to bite

the bullet here. I do sympathize with West but unless he believed that the tempo did not point towards a 5♣ call he was supposed to pass here.

Wildavsky A close call. I have no quarrel with the decisions. I could see this one going the other way easily enough.

Wolff Best done hand of the group, if for only one reason. The reason is that star power did not adversely influence the decision. Congratulations to the TD and the committee.

APPEAL	NABC+ SIXTEEN
Subject	Unauthorized Information (UI) - Tempo
DIC	Steve Bates
Event	Jacoby Open Swiss Teams
Session	Second Qualifying
Date	March 20, 2010

BD#	3
VUL	E/W
DLR	South

Waldemar Frukacz	
♠	8 6 5 4
♥	7 5 2
♦	Q J 7 6
♣	6 3

Venkatrao Koneru		Spring 2010 Reno, NV	Ira Chorush	
♠	K 2		♠	A 9 7
♥	9 4 3		♥	K J T 8 6
♦	K 9 3		♦	A 8 4
♣	A J 5 4 2		♣	8 7

Piotr Walczak	
♠	Q J T 3
♥	A Q
♦	T 5 2
♣	K Q T 9

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

Final Contract	4♠ doubled by South
Opening Lead	♥ 9
Table Result	Down 2, N/S - 300
Director Ruling	E/W 4♥ E down 1, E/W -100 N/S 4♠ dbld S down 2, N/S -300
Committee Ruling	4♠ dbld S down 2, N/S -300

(1) N/S Alleged a BIT by West over 1NT – E/W denied that there was a BIT.

The Facts: The director was called after West's 4♥ bid and again after the play of the hand was completed. The facts are as above.

The Ruling: After polling several players, it was the opinion that East has a clear pass after a 15-17 NT – Pass - 2♣ with the NT bidder behind him at unfavorable vulnerability. Therefore it was probable that there was a BIT that demonstrably suggested the 2♥ bid. The result for E/W was adjusted to 4♥ by East down one, E/W minus 100, per Laws 16B1(a) and 12C1(b).

However, South's 14 point opener and free bid of 4♠ after partner failed to act over 4♥ constituted a "wild or gambling action" that took away relief of any adjustment – Law 12C1. Therefore, the table result for N/S was allowed to stand.

The Appeal: Both N/S and E/W appealed the director's decision. North, East and West attended the hearing.

E/W use Cappelletti over 1NT. They asserted that there was no hesitation by West, let alone one of 15 seconds. There is no bid that West could consider directly over 1NT. Further West stated that there was a significant pause before the 4♥ call, but that is irrelevant to these proceedings. While East agreed that the 2♥ overcall was not solid bridge, he gave examples of other top pairs who would strain to direct a lead against 3NT.

N/S appealed the director's decision that the South action of 4♠ was a "wild or gambling action." The provided no justification beyond that they didn't know the rule. South is new to ACBL but a long time player in Poland. In addition, North stated that West paused for approximately 15 seconds over 1NT but bid instantly over 2♥.

The committee learned that the director did not consider the West hand in determining whether a BIT occurred.

The Decision:

N/S appeal: No rationale was given for the South action at the table other than the South player was not aware of the laws regarding wild actions. As South has a sub-minimum notrump opener with three plus defensive tricks, bidding 4♠ was deemed a wild or gambling action per Law 12C1(b). Therefore, the table result stood for N/S. Since Law 12C1(b) is not a Zonal regulation but a matter of law, South's unfamiliarity with ACBL Zonal rules is irrelevant. Therefore, an appeal without merit warning was assessed to the N/S pair and their team captain.

E/W appeal: The director focused on the East hand for determining whether there were logical alternatives to the 2♥ bid. While the committee agreed that there are logical alternatives to 2♥ (e.g. pass), first we must consider whether an "unmistakable hesitation occurred. As N/S and E/W were in disagreement over the facts, the committee looked to the West hand to determine if a BIT was at all likely. As West has no alternative to pass and no reason to even consider any other action, the committee judged it likely that no BIT occurred. Therefore, the table result was restored for E/W.

The Committee: Aaron Silverstein (Chairman), Tom Carmichael (Scribe), Michael Kamil, Nick L'Ecuyer and Joel Wooldridge.

Commentary:

Goldsmith Great job by the AC.

Polisner Excellent work by the AC. If the writeup is accurate that the TD went down the LA road to decide that since E had a LA, i.e., pass, the 2 H bid must have been the result of UI, this Director needs to be trained and not be considered for any high-level tournament. Of course determination of an unmistakable BIT is the first step in the process. A poll is normally used to see what the player in possession of UI would bid without any UI. The Director jumped over steps one and two and created all this unnecessary work for the AC.

- Rigal** E/W was seriously damaged by the failure in procedure of the director ruling but the committee corrected the position. Fortunately so; N/S are experienced enough to know the laws and procedures, and 'ignorantia facti no se excusit' as English Law would have it. Ignorance of the law is no excuse.
- Wildavsky** The AC's reasoning seems sound to me. I would have liked to see an explanation as to why the TD judged that an unmistakable BIT had occurred
- Wolff** Not a difficult decision and sounds like sour grapes from NS. East's bid saved EW from a terrible score.

APPEAL	NABC+ SEVENTEEN
Subject	Unauthorized Information (UI) - Tempo
DIC	Steve Bates
Event	Jacoby Open Swiss Teams
Session	Second Final
Date	March 21, 2010

BD#	19
VUL	E/W
DLR	South

Tarek Sadek	
♠	A J 3
♥	A 7 4 2
♦	T 9 7
♣	Q 6 5

Richard DeMartino		Spring 2010 Reno, NV	John Stiefel	
♠	7		♠	T 8 5
♥	Q T		♥	K 9 8 6 5 3
♦	A 8 5 4 3		♦	6 2
♣	J T 4 3 2		♣	9 8

Walid Elahmady	
♠	K Q 9 6 4 2
♥	J
♦	K Q J
♣	A K 7

West	North	East	South
			1♠
Pass	1NT ¹	Pass	2♣ ²
Pass	2♦ ³	Pass	2♥ ⁴
Pass	3♠ ⁵	Pass	4♣ ⁶
Pass	4♥ ⁷	Pass	4♠ ⁸
Pass	5♣	Pass	5♦
Pass	6♠	Pass	Pass
Pass			

Final Contract	6♠ by South
Opening Lead	♣ A
Table Result	Made 6, N/S + 980
Director Ruling	4♠ S made 6, N/S +480
Committee Ruling	4♠ S made 6, N/S +480

(1)	Semi-Forcing – up to 11HCP.
(2)	4+C any strength or 3+C 14+ HCP (balanced 12 or 13 counts pass)
(3)	Relay to 2♥.
(4)	Forced. – opener has no other options.
(5)	10-11 HCP with a flat hand, 3 spades, and a preference for notrump.
(6)	Slam try. American style cuebid -- shows the ♣A.
(7)	♥A, denies ♦A, does not promise extra values.
(8)	Agreed break in tempo (BIT).

The Facts: The director was called at the BIT and again after the play of the hand was completed. There was an original stipulation that there was an unmistakable hesitation before the 4♠ bid.

The Ruling: The director determined that the BIT demonstrably suggested bidding on and that pass over 4♠ was a logical alternative per Law 16B1(a). In accordance with Law 12C1(e), the director judged that for the offending side, "the most unfavorable result at all probable" and for the non-offending side, "the most favorable result that was likely" were the same - 4♠ by South making six. Therefore, N/S was assigned plus 480 and E/W minus 480.

The Appeal: N/S appealed the director's decision and North, East and West attended the hearing.

The committee learned that 2♣ could be a good hand, but not a good hand with five clubs.

North acknowledged there was a considerable break in tempo prior to South's 4♠ call and addressed only the issue of logical alternative.

The Decision: Given that there was a break in tempo that clearly suggested bidding, the issue that the committee considered was whether there was a logical alternative to bidding on over the hesitant 4♠ call. The committee recognized that North's three top honors plus the ♠J were all good cards. However, North's evaluation of his hand must take into consideration that South's 2♣ bid is technically non-forcing.

An in-tempo 4♠ call could suggest that the diamond suit might be a problem and that the five-level is dangerous. South's slow 4♠ bid suggests that this is likely not the case. This provides North with reason to ignore the three diamond losers in his own hand and consider only the good cards in his other suits.

Taking these points into consideration, the committee judged that pass was a logical alternative to bidding onwards; i.e. that some significant number of North's peer group would choose to pass. Accordingly, the committee ruled as the director had.

Clearly, the appeal had substantial merit.

The Committee: Michael Huston (Chairman), David Gold, Chris Moll, Hendrik Sharples and Bruce Reeve.

Commentary:

Goldsmith Passing 4S is certainly an option. The slow 4S bid obviously suggests bidding over passing. Therefore, pass is required. N/S should know that, and therefore an AMWM ought to be considered. Here, not only is bidding over 4S reasonable, I think it's probably the majority action, so reluctantly, I'd not give an AMWM

Polisner Where is the merit in this appeal - let alone "substantial merit". If I was asked for a prototype hand to explain Law 16 B1(a), I might use this hand. In fact, I think I would have voted for a PP.

Rigal

Not convinced by the merit – but the decision was right.
KQ10xxx/K/Qxx/AKJ is surely possible here – though maybe with that hand there would be no 4♣ bid? Still; if North has suggested three working cards, he can't have what he actually holds or he would not bid 4♠? So North is playing South to have misbid.

Wildavsky

This was as close a case as I've seen in a while. South's was a "bad" hesitation – he could have and should have planned his auction before bidding 4C. North, however, seems to have a near-perfect hand. He won't like it if South has a heart void, but even there he will usually have five level safety. EW will know to underlead in diamonds when it's right, so 10 tricks rate to be the limit opposite

KQTxxx

Void

Qxx

AKJx

Would South bid 4C with that? I don't think he should, but it's close. The legal question is whether Pass is a logical alternative. Law 16 tells us:

A logical alternative action is one that, among the class of players in question and using the methods of the partnership, would be given serious consideration by a significant proportion of such players, of whom it is judged some might select it.

With the luxury of time and the Internet at my disposal I did something the AC could not. I polled 50 experts. 26 responded by my deadline, as follows:

Bid - Not close 13 50%

Bid - Close 6 23%

Bid - Unspecified 4 15%

Pass - Not close 1 4%

Pass - Close 2 8%

Full poll results: http://bit.ly/poll_for_reno_case_17

The laws, intentionally, do not give any numerical thresholds. Here it seems that a significant proportion of those polled considered passing, and some did pass, so I judge that Pass was a LA.

If North, in committee, made a cogent argument that convinced me that at the table he had considered a range of South hands and concluded that the chances of 12 tricks were overwhelmingly more likely than those of 10, and that further bidding would result in reaching slam when it was right, than I might consider letting the score stand

Wolff

A slam dunk ruling and one which should be filed with the recorder for future reference. Again I would hate this decision to be influenced by

some group of unqualified pollsters being asked and getting answers which were unthought out by questionably qualified players. Also when a pair is playing an individual system, not known by many, how can players not knowing that system (probably including the TD and the future committee) answer accurately what should or should not be done. The only logical answer is when a pair is playing their own home brew or close they must be very discrete to not have anything resembling or close to a BIT.

APPEAL	Non NABC+ One
Subject	Unauthorized Information (UI) - Tempo
DIC	Nancy Boyd
Event	Education Foundation Pairs
Session	Only Evening
Date	March 11, 2010

BD#	9
VUL	E/W
DLR	North

1,090 Masterpoints	
♠	K 6 4
♥	7 6
♦	A K 4
♣	K T 8 7 2

472 Masterpoints		Spring 2010 Reno, NV	3,339 Masterpoints	
♠	Q J 8 5 3		♠	A T
♥	Q 8 4		♥	A K J T 9 5 2
♦	8 6 5 3		♦	9 7 2
♣	Q		♣	4

2,440 Masterpoints	
♠	T 9 2
♥	3
♦	Q J T
♣	A J 9 6 5 3

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

Final Contract	5♣ doubled by South
Opening Lead	♥K
Table Result	Down 2, N/S - 300
Director Ruling	5♣ S down 2, N/S - 100
Panel Ruling	5♣ doubled down 2, N/S -300

(1)	Stop card used.
(2)	No pause before 5♣ bid.
(3)	Break in tempo (BIT) agreed – 15 seconds maximum.

The Facts: The director was called at the end of the auction and again after the play of the hand was completed. The facts are as above.

The Ruling: It was determined that:

1. There was a BIT by West before the pass over 5♣.
2. The BIT demonstrably suggested the double by East.
3. Pass by East is a logical alternative.

Therefore, the contract was changed to 5♣ by South (no double) and the result to down two, N/S minus 100 and E/W + 100.

The Appeal: E/W appealed and East and West were the only players to attend the review.

E/W said that South did not hesitate (as required) before bidding 5♣. West considered his call before passing to 5♣ but neither East nor West thought that West's BIT was long; 5-10 or 10-12 seconds.

The Decision: Since South did not pause any of the required 10 seconds, West was entitled to some amount of time. Therefore, the panel judged that there was no BIT and no infraction. The table contract of 5♣ doubled by South was restored with the result of down two – N/S minus 300 and E/W plus 300.

The Panel: Susan Doe (Reviewer), John Gram, Matt Koltnow and Gary Zeiger.

Commentary:

Rigal When I saw that the table result had been restored I wondered if the panel were going to argue that there was no LA to the double...not an absurd argument in an NABC event, but this would not hold water in the current circumstances. I'm pleased with the grounds for restoring the call, though this is the first time I've ever seen this argument used. In fact I did not know it was a valid argument – but I like it

Polisner With a 15-second BIT, and then passing, it is reasonably clear that he had high cards, but was not willing to bid or double. I disagree with the Panel as after a 10-second pause required - an additional 5 seconds pause is a BIT and did suggest that double by E would be more profitable than selling out in JC. I agree with the ruling maintaining the table result. Pass is a LA for E.

Wildavsky South was largely responsible for this problem, but I don't like the ruling. The TD at the table found there as a BIT. Why did the panel overrule him? The TD had two advantages over the panel. He was on hand immediately, not after a delay, and he was able to hear both side's versions of the facts. If there were any doubt three things persuade me that there was a BIT. One is the EW testimony itself, where they said West might have hesitated for as long as 12 seconds. That would constitute a BIT even were West required to wait for 10 seconds. The second is the West hand. West certainly should have considered acting -- most players would bid 5H with his hand, and few would be able to pass without betraying some misgivings. The third is the East hand. It's one on which few players would take another call.

I would find a PP against NS in order, since South violated proper procedure.

Wolff

I agree with the West of the Pecos committee ruling, since South did not respect East's stop card, West can take longer with his possible BIT. -300 NS in 5 clubs doubled!

APPEAL	Non NABC+ Two
Subject	Unauthorized Information (UI) - Tempo
DIC	Charles MacCracken
Event	Senior Swiss Teams
Session	Second of Two
Date	March 14, 2010

BD#	20
VUL	Both
DLR	West

5,400 Masterpoints	
♠	A K Q 8 6
♥	J T 4 2
♦	8 4 2
♣	9

4,000 Masterpoints		Spring 2010 Reno, NV	5,200 Masterpoints	
♠	7		♠	J 9 2
♥	K 9 8		♥	5 3
♦	J T 7 6		♦	A K 9
♣	K Q 7 6 3		♣	J T 5 4 2

5,500 Masterpoints	
♠	T 5 4 3
♥	A Q 7 6
♦	Q 5 3
♣	A 8

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

Final Contract	4♠ by North
Opening Lead	♦ A
Table Result	Made 4, N/S + 620
Director Ruling	4♠ N made 4, N/S + 620
Panel Ruling	4♠ W down 1, E/W - 100

(1)	Slow
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The Facts: The director was called immediately after North's double and again after the play of the hand was completed.

It was agreed that there were breaks in tempo (BIT) – slow passes by South.

The Ruling: Since North knew that South would not open light in fourth seat and that N/S had half the deck's high cards, it was judged that pass was not a logical alternative. Therefore, there was no violation of Law 16 and the table result was allowed to stand.

The Appeal: E/W appealed the director's decision and all four players attended the review.

E/W felt, after South passed, two freely made bids at the two and three levels (2♠ and 3♥), that North could not take a third call on a hand that did not open.

North knew that South would not open light in 4th seat and had to have either a major suit fit or long diamonds or defense to 4♣.

The Decision: Three players with about 5,500 masterpoints were given North's hand. Two passed and did not feel that North had another call. The third bid 4♦ but felt that pass was a logical alternative.

The panel, therefore decided that pass was a logical alternative and changed the contract to 4♣ by West with a result of down one for both sides – E/W minus 100 and N/S + 100.

The Panel: Peter Marcus (Reviewer), Nancy Boyd, Susan Doe and Candace Kuschner.

Commentary:

Rigal In a non-NABC case I'm convinced that the poll taken should be followed. Yes, South was 'marked' with relatively short spades (how could he not bid 3S with his actual hand?) so North knew two spade winners rated to stand up. But North had shown his extras twice and the third time was bidding on his partner's tempo. As usual, we have to encourage the others to be honest, and if N/S have to be sacrificed on the altar of good examples, so be it.

Polisner Although I prefer a poll of more than 3 players, but with the results of the poll, as well as my own opinion, makes Pass a LA and the decision correct.

Wildavsky Nice work by the panel. Rather than accepting an abstract argument as to whether a pass would have been logical, the TD ought to have done as the panel did and posed the hand as a problem to a few players.
As regards the panel's poll, I would always like to see the exact questions asked. Here it seems as though the panel asked whether Pass was a Logical Alternative. That is a question for the Panel to determine themselves. I prefer to ask just two questions

A. "What call would you make?"

B. "It is clear cut?" or "Is it close?"

Wolff A decent ruling, but with a downside. Because of the BIT EW will inevitably be able to choose whatever result worked out best for them, either 4 clubs doubled or not doubled or whatever North cheated his way into bidding. It is OK, even right to rule it back to 4 clubs not doubled, but EW should never be given the best of a number of options. In match points especially so since PTF (protect the field) comes into play.

APPEAL	Non NABC+ Three
Subject	Unauthorized Information (UI) - Tempo
DIC	Candace Kushner
Event	Flight A/X Swiss Teams
Session	First of Two
Date	March 14, 2010

BD#	17
VUL	None
DLR	North

Kevin Bathurst	
♠	
♥	Q T 2
♦	A K 8 6 4
♣	A 9 7 5 2

Bob Todd		Spring 2010 Reno, NV	Doug Fisher	
♠	J 8 5 3		♠	A K Q 7 6
♥	9		♥	K 8 7 5 4
♦	7 3		♦	J 5
♣	K Q J 6 4 3		♣	8
		Dan Zagorin		
		♠	T 9 4 2	
		♥	A J 6 3	
		♦	Q T 9 2	
		♣	T	

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

Final Contract	5♠ doubled by East
Opening Lead	♦ 9
Table Result	Down 3, E/W - 500
Director Ruling	5♦ Redoubled N made 5, N/S + 800
Panel Ruling	5♦ Redoubled N made 5, N/S + 800

(1)	Fit showing jump, spade support and good clubs.
(2)	Alleged break in tempo (BIT) – disputed.

The Facts: The director was called immediately after West bid 5♠ and again after the play of the hand was completed. There were several disputed allegations of tempo breaks. N/S contended that East's 4♠ bid was immediate and that his next two calls (double and pass) were slow. West felt East thought about two seconds before doubling 5♦, while North thought the BIT was at least 10 seconds.

The Ruling: The director judged that East's double of 5♦ was most unlikely to have been made in tempo and disallowed the 5♠ bid. Also West had an earlier opportunity to pull the double. In accordance with Law 16 and Law 12 the contract was changed to 5♦ redoubled by North and the result of making five assigned to both sides (N/S plus 800 and E/W – 800).

The Appeal: E/W appealed the director's decision and North, East and West attended the review. E/W disputed the allegations of slow tempo. East agreed that his 4♠ bid was made immediately but said there was no BIT before he doubled. West estimated that East took two seconds to double. West also said he was reluctant to pass East's double, but did so, but believed the redouble by North and did not feel he could sit for it with such good clubs and little defense. North estimated the BIT before the double was 10 seconds.

The Decision: Three players with 5,000 to 5,200 masterpoints were polled. All three passed the redouble. One noted that, if he were going to pull, he would have done so immediately, not after the redouble, showing more confidence in the opponents than partner.

Since the table director concluded that there was a BIT before East's double, and no facts disputed this, just E/W's disagreement, the committee felt a BIT occurred and that pass was a logical alternative. Therefore, the panel agreed with the director's adjustment and left it intact.

The appeal was judged to have merit.

The Panel: Peter Marcus (Reviewer), Nancy Boyd, Susan Doe and Terry Lavender.

Commentary:

Rigal Only the issue of the redouble, and whom to trust, gives this a semblance of merit. As far as I can see, E/W brought nothing new to the table with their appeal... guillotine!

Polisner I am troubled by the TD's conclusion that the double of 5D was "unlikely to have been made in tempo". I am also troubled by the Panel's conclusion that they found no facts to "dispute that there was not a BIT". This is a classic case of he said-she said about the alleged BIT. Why didn't S express an opinion about the issue? The law requires an "unmistakable" BIT and not a divine assumption. I am also troubled about the "if W was going to pull, he would have so on the previous round". In a highly contested auction, N's redouble speaks volumes as to his confidence about the contract. Based on the lack of convincing evidence of a BIT, I would have maintained the table result.

Wildavsky Looks right to me.

Wolff AT least to me, North's greedy redouble (under the circumstances and with the BIT) took the ethical shackles off of EW and I would allow EW to seek to get out of the redoubled contract, especially when the redouble created new evidence to be considered. UNDER THE CIRCUMSTANCES A TRULY AWFUL DECISION AND ONE WHICH SHOWS INEXPERIENCE ON THE PART OF THE PANEL!

APPEAL	Non NABC+ Four
Subject	Misinformation (MI)
DIC	Roger Putnam
Event	Daylight Stratified Open Pairs
Session	First of Two
Date	March 17, 2010

BD#	21
VUL	N/S
DLR	North

2,600 Masterpoints	
♠	J 9 4
♥	A K J
♦	A J T 7
♣	A 9 6

11,700 Masterpoints		Spring 2010 Reno, NV	827 Masterpoints	
♠	K Q 7		♠	A 8 6 3
♥	7 2		♥	8
♦	6 5		♦	K Q 4 2
♣	J 7 5 4 3 2		♣	K Q T 8

800 Masterpoints	
♠	T 5 2
♥	Q T 9 6 5 4 3
♦	9 8 3
♣	

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

Final Contract	3♥ by South
Opening Lead	♠ K
Table Result	Made 3, N/S +140
Director Ruling	3♥ S made 3, N/S +140
Panel Ruling	3♥ S made 3, N/S +140

(1)	No immediate Alert.
(2)	In response to question, North said 2♥ was natural and game forcing. Upon seeing that she had opened 1♦, she corrected the explanation immediately to 5spades, 4 hearts and 5-9 HCP, which is the actual agreement.

The Facts: The director was called after the play of the hand had been completed. The corrected information given by North was the actual partnership agreement.

The Ruling: Except for the failure to Alert the 2♥ bid, which caused no damage, there was no MI. Therefore the table result was allowed to stand.

The Appeal: E/W appealed the director's decision and all four players attended the review. After North bid, East asked the meaning of the 2♥ bid and was told it was natural and game-forcing, North then corrected herself and said it was mini-reverse Flannery showing five spades and four hearts with 5-9 HCP. This was the first board of the game and North said that she was working with the ACBL scoring device. She forgot she had opened 1♦ thinking she had opened 1♠, so 2♥ was natural, two over one. Before East called, North realized her mistake and corrected her explanation. The convention was clearly printed on both North's and South's convention card.

The Decision: The panel determined that no incorrect information was given to E/W other than the original "natural, game-forcing" explanation, which was corrected immediately. South had forgotten their agreement (he only plays it with this partner) and North's explanation is consistent with her 3♥ bid (if she had realized, before she bid, what 2♥ was, she would have bid 2♠, their 5-3 fit, or 3♠ not 3♥, their 4-3 fit). While unfortunate, N/S committed no rules infraction; therefore, no adjustment is warranted. The appeal was judged to have merit.

The Panel: Peter Marcus (Reviewer), Susan Doe, Tom Marsh and Jean Molnar.

Commentary:

Rigal: Since none of us believe in Convention Disruption, we all have to live with this, happily enough, don't we? Did South do anything wrong by forgetting her convention? I don't think so. Are N/S supposed to be penalized for their accident – hardly. Everyone gets lucky once in a while, and this was their day. Yes E/W are hard done by – but life isn't fair.

Polisner: This is not a MI case and should have been treated as a UI case. Without the explanation(s) provided by N, S should assume that N was making a game try opposite a WJS. With a 7th Heart and a useful void, the contract should be 4 H down 1. I would have also supported a PP against S.

Wildavsky Both the TD and the Panel unaccountably missed the UI aspect of the case. South, who intended to show a WJS, had unauthorized information that suggested passing over bidding. She was required to bid if it would have been a logical alternative. Bidding seems logical enough to me -- 4H would be almost cold opposite as little as

xx

Axx

AKQx

xxxx

North would correct to 4S and South might try 5H. EW would score at least 200, more likely 500 or 700. I'd adjust to NS +500/EW-500, but it makes little difference. +200 would surely be a top for E/W.

Wolff: When CD is committed (in addition to not responding to what North thought South's bid to be) it cannot be left unpunished since it is a Typhoid Mary infection which will only spread if left unchecked. Whatever else this committee does it MUST penalize NS for this blatant CD.

APPEAL	Non NABC+ Five
Subject	Misinformation (MI) and Unauthorized Information (UI) - Tempo
DIC	Roger Putnam
Event	Daylight Stratified Pairs
Session	First of Two
Date	March 17, 2010

BD#	21
VUL	N/S
DLR	North

1,800 Masterpoints	
♠	J 9 4
♥	A K J
♦	A J T 7
♣	A 9 6

1,500 Masterpoints		Spring 2010 Reno, NV	2,000 Masterpoints	
♠	K Q 7		♠	A 8 6 3
♥	7 2		♥	8
♦	6 5		♦	K Q 4 2
♣	J 7 5 4 3 2		♣	K Q T 8

2,200 Masterpoints	
♠	T 5 2
♥	Q T 9 6 5 4 3
♦	9 8 3
♣	

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

Final Contract	4♣ doubled by West
Opening Lead	♥ A
Table Result	Made 4, E/W + 510
Director Ruling	4♣ W made 4, E/W + 130
Panel Ruling	4♣ doubled W made 4, E/W +510

(1)	Alerted = weak 0-5 HCP.
(2)	Hesitation, agreed by all the players.
(3)	Before bidding, North asked West if East's second double could be penalty and was told, "Yes."

The Facts: The director was called after East hesitated and then doubled 3♥ and was recalled after the play of the hand was completed. E/W played East's second double as competitive, not penalty, as explained by West. The issue of the hesitation was not brought up by any player until the appeal was screened.

The Ruling: The director judged that the double of 4♣ was based on the MI that the double was penalty oriented (Law 40). The issue of the hesitation was not addressed. The contract was changed to 4♣ by West with the result of making four assigned to both sides (E/W plus 130 and N/S minus 130).

The Appeal: E/W appealed the director's decision and all the players except South attended the review.

West explained East's second double as "could be penalty" in response to a question from North after West's 4♣ bid. In fact E/W play the double as cooperative. West felt she had no defense, a long weak club suit and could not sit for even a penalty double as she probably only had one to one and a half defensive tricks and East took no action over 1♦ initially.

North realized his double was "speculative" but hoped his partner had a defensive trick. The acknowledged hesitation before East's second double, for which the director was called was not mentioned or documented on the appeals form until the end of screening. Both sides agreed to this break in tempo (BIT).

The Decision: The panel first considered whether there was a logical alternative to West's bid of 4♣ after BIT before East's second double. Three players with 1,500 – 2,000 masterpoints were polled. All three bid 4♣ and did not believe West could pass the double in light of East's original pass over 1♦. So, passing, even after an agreed BIT, did not seem to be a logical alternative.

Next the panel considered North's final double. Two of the polled players passed 4♣ with the North hand. One bid 4♥ but would not double. All three players polled agreed that North had no legitimate expectation of setting 4♣ with two of his four defensive tricks in hearts (unlikely that both the ace and king of hearts would cash) and no expectation of South having a defensive trick.

Based on the polling, the panel decided that pass of the double of 3♥ was not a logical alternative. Since the polled players felt that the double of 4♣ was "wild and gambling," the MI was judged not to damage N/S, and, therefore, Law 23B3 does not apply. The panel restored the table result of 4♣ doubled by West making four for both sides.

The Panel: Peter Marcus (Reviewer), Susan Doe, Bernie Gorkin and Candace Kuschner.

Commentary:

Rigal An excellent ruling. North admitted he found a random double and he does not get to take it back just because he does not like the result. North KNEW the double was not penalty from his own hand... guillotine!

Polisner If I understand the facts, the only evidence that E/W were playing the second double was not for penalties "as explained by W". That "evidence" is insufficient to overcome the presumption that it was MI. Without the information about the BIT, the TD's ruling was correct.

Since it was established that there was a BIT, and 2 of the 3 peers passed 4C, the contract would have been 3 Hx. In my opinion, that is the end of the story unless N's action was "wild or gambling". The standard for this level of bridge is very low. This final double is far better than that standard. Final result should be N/S + 730

Wildavsky If EW's infraction could have contributed to their good result then their score should be adjusted, per Law 12B1. That said, I am not convinced that it did, so I have no quarrel with the Panel's decision. The TD seems to have been too generous to NS.

Wolff The normal playing luck (NPL) will agree with the final decision of 4 clubs doubled -510 NS.

APPEAL	Non NABC+ Six
Subject	Misinformation (MI)
DIC	Matt Koltnow
Event	Compact Knockout (First Bracket)
Session	First Session – First Match
Date	March 17, 2010

BD#	19
VUL	E/W
DLR	South

Dano De Falco	
♠	K 8 6 5
♥	K 9 5 4 3 2
♦	
♣	A 5 3

Ed Wojewoda		Spring 2010 Reno, NV	Fared Assemi	
♠	A T 3		♠	9 7
♥	A Q		♥	J T 8 6
♦	A 6 5 3		♦	K 9 8 7
♣	Q J T 9		♣	K 8 7

Patricia Cayne	
♠	Q J 4 2
♥	7
♦	Q J T 4 2
♣	6 4 2

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

Final Contract	3NT by West
Opening Lead	Not reported
Table Result	Made 3, E/W + 600
Director Ruling	3NT W made 3 + 600
Panel Ruling	3NT W made 3 + 600

(1)	Alerted a s Lebensohl (relay to 3♣.
(2)	Forced.

The Facts: The director was called at the end of the auction by South. North and East engaged in a heated discussion. North wants to explain his objection at the table. North away from the table stated that E/W must play 3♣. Table is instructed to continue and complete play. The argument continued at the conclusion of play further delaying the continuation of play on the next board.

The Ruling: In accordance with Laws 73C, 16B1A and B and 16B3 the table result was allowed to stand.

The Appeal: N/S appealed the director's decision. No player was present and the case was reported to the panel by the table director. The panel had convened to discuss another appeal but was informed that this appeal was urgent. N/S was not present and the E/W team was already playing their second match as winners of match one.

This appeal was from the first match of a compact knockout. The table atmosphere was contentious and significantly delayed the match. As such, all other second round matches had started when this match ended and N/S said they wanted to appeal. There was no time for a full hearing. 2NT was Alerted as Lebensohl, which was incorrect for the E/W methods on this auction.

The Decision: Some members of the panel felt 3♣ could not be natural (with five clubs and a 1NT opener West would bid 3♣ over 2♥ not double), so East's 3NT was not based on the UI of the Lebensohl Alert. Other members apparently disagreed (learned after the panel met) but their views were not understood, so the panel allowed the table result to stand.

After the decision was delivered, North discussed how West could easily have 5 clubs and, if so, would not bid 3♣ but still double in case East had strong hearts. This position seemed reasonable and possibly persuasive and in agreement with at least one panel member's views, which the panel did not understand or address. This situation was very unfortunate. A confluence of events: nature of the event, long delay at the table due to inappropriate behavior, late notice of desire to appeal, the panel having no time for full investigation of both side's arguments and the committee not fully expressing itself led to "shotgun justice." At best, it was hurried and incomplete and left players, at least North, without a sense of fairness. At worst, an incorrect result was confirmed.

The Panel: Peter Marcus (Reviewer), Candace Kushner, Tom Marsh and Jean Molnar.

Commentary:

Rigal For players of this level the meaning of 2NT is or should be clear. Facing a take-out double the East hand rates to be 'do something intelligent, pass being a legal option'. The failure to act over 2H makes the Lebensohl interpretation impossible. E/W are a good enough pair to know this. So East was in possession of UI. What should a 3C call mean over the 'scrambling' 2NT bid? It should mean an unsuitable hand for playing 2NT – let's say a 4-2-3-4 pattern with two small hearts. Now East has to guess whether to pass (might partner be 4-2-2-5? – I've had someone do that against me!) correct to 3D or advance either via 3H or 3NT. Some would pass – so the contract must be restored to 3C. Seems open and shut to me

Polisner Although this case is under the subject of MI, it is solely a UI case and poorly ruled upon and even more poorly decided by the Panel. There is no doubt that W's double was for TO and could easily contain 5 Cs (switch a small D for a small C).

How the majority of the Panel could not understand this when raised by a Member of the Panel is incomprehensible unless that Member was

speaking a language unfamiliar to the majority. The ACBL needs to write a letter of apology to N/S team and, at a minimum, refund their entry fee. Don't we owe it to the players to have better quality Panels?

Wildavsky An unjust ruling. It might not have helped, but the Panel ought to have approached the case "By the numbers." Was there UI? Yes. Did it demonstrably suggest bidding? Yes. Was Pass a LA? I'd say the answer is yes -- it's not clear to me whether this was the question the panel addressed. If they had any doubt they ought to have conducted a poll. If this had been done while the match was in progress it would not even have delayed matters.

I do not understand the logistical problems. If the match was running late the TD ought to have removed boards from play. Starting the second match with no clear result from the first match seems strange and perhaps unlawful, since the laws grant every player the right to appeal. Holding the belated Panel without NS present was also curious.

Wolff West's treating 2NT as Lebensohl is strange indeed, but East must treat partner's 3 club bid as running from 2NT and pass. Again the good thing is that this milder form of CD is also punished rather severely at that.

APPEAL	Non NABC+ Seven
Subject	Misinformation (MI) and Unauthorized Information (UI)
DIC	Nancy Boyd
Event	Yuba City Stratified Open Pairs
Session	First of Two
Date	March 17, 2010

BD#	3
VUL	E/W
DLR	South

3,500 Masterpoints	
♠	T 8 5 2
♥	Q 3
♦	A Q 3
♣	J 9 7 3

5,200 Masterpoints		Spring 2010 Reno, NV	5,500 Masterpoints	
♠	A Q 9 6 4		♠	K J 7 3
♥	T 9		♥	A K 8
♦	5		♦	J 8 4
♣	K T 8 5 2		♣	A 8 4

6,500 Masterpoints	
♠	
♥	J 7 6 5 4 2
♦	K T 9 7 6 2
♣	Q

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

Final Contract	3NT by East
Opening Lead	♦ T
Table Result	Down 2, E/W - 200
Director Ruling	3NT E down 2, E/W - 200
Panel Ruling	3NT E down 2, E/W - 200

(1)	Alerted as showing spades and a minor, which is the partnership agreement.
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The Facts: The director was called when dummy was faced and after the play was completed.

N/S's agreement above is documented on each player's convention card.

The Ruling: North has no UI. South has UI but it did not suggest a particular action. There was no MI.

Therefore, the table result was allowed to stand (Law 75C).

The Appeal: E/W appealed the director's decision and all four players attended the review.

West was told that South had spades and a minor. She did not want to "give away" her spade holding, so just bid 3NT. She had no response to a question about concern for the opponents having long diamonds and East not having, potentially, a diamond stopper. N/S play suction in NABC+ events where 2♠ shows hearts and diamonds. They play Cappelletti where 2♠ shows spades and a minor in General Chart (GC) events. They each had both convention cards, but the GC card was their visible card in each player's convention card holder. South had forgotten but North Alerted correctly. In screening West felt South had played an illegal convention (suction) and would not listen to, or read, an explanation of the difference between a mistaken bid and a mistaken explanation.

The Decision: Since North properly explained N/S's agreement for the event in which they were playing, there was no MI. Further, the panel felt that West's 3NT bid was inexplicable. Three players with between 5,000 and 5,500 masterpoints were given West's hand and none bid 3NT. Two felt that it was bad bridge. One player passed, one doubled and one bid 3♣. The panel allowed the table result to stand. E/W had a difficult interaction with the table director, so the committee at the reviewer's urging, did not assess an appeal without merit warning (AWMW), even though all members agreed the appeal had no merit.

The Panel: Peter Marcus (Reviewer), Bernie Gorkin, Candace Kushner and Jean Molnar.

Commentary:

Rigal Something with a little boiling oil in it seems appropriate for East and West. Again the N/S accident rated to get them into -1100 territory; they got lucky and that's an end of it...except for the AWM.

Polisner It is correct that there was no MI as the presumption is overcome by N/S's convention card. The issue of UI, as the TD ruled, did not affect N. However, I question that TD's conclusion that the UI gained from N did not suggest a particular action. My guess is that if the auction had proceeded behind screens, (assuming that the screen was misplaced and S and E were screen mates), a poll would reveal that at this vulnerability and a 6-6 hand, that S would take another bid. In light of the actual auction, and the previous message he has sent about Ss, it is much less likely that S would not think about bidding. So, if a significant number of peers would bid over 4 Ss, I would award E/W + 100 as it seems impossible for them to get into Spades + 650. If nobody would bid over 3NT with no UI, then the decision is correct.

Wildavsky I agree that this appeal had no merit

Wolff

When CD strikes, BRIDGE ALWAYS STOPS! Consequently, too many unseemly things happen and we should restore the status quo, EW Average NS Zero and an admonition about learning one's system.

APPEAL	Non NABC+ Eight
Subject	Change of Call
DIC	Roger Putnam
Event	Daylight Stratified Pairs
Session	Second of Two
Date	March 17, 2010

BD#	25
VUL	E/W
DLR	North

800 Masterpoints	
♠	T 9
♥	K Q 8 2
♦	A 9
♣	A K J 9 5

1,727 Masterpoints		Spring 2010 Reno, NV	85 Masterpoints	
♠	A Q J 4 3		♠	8 5
♥	J 9 5		♥	6 4 3
♦	T 7 6 3		♦	K 8 5
♣	6		♣	Q T 7 4 2

1,087 Masterpoints	
♠	K 7 6 2
♥	A T 7
♦	Q J 4 2
♣	8 3

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

Final Contract	2NT by South
Opening Lead	♦ 6
Table Result	Made 3, N/S + 150
Director Ruling	2NT S made 3, N/S + 150
Panel Ruling	2NT S made 3, N/S + 150

(1)	Attempted to change the pass to 3NT.
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The Facts: The director was called when North, at his third turn to call, put a pass card on the table and then withdrew it. North said he made the wrong bid and placed the 3NT card on the table.

The Ruling: In accordance with Law 25, the director ruled that pass was an intentional call and, since East did not accept the 3NT bid, the change of call was disallowed and a pass was imposed.

The Appeal: N/S appealed the director's decision and all four players attended the review.

North said he pulled out the pass card, put it on the table (or very near the table) and then immediately pulled it back and put the 3NT card out. He said it was inadvertent that he passed and called it a mechanical error. He also said this problem would not occur without bidding boxes (i.e. he would have changed his verbal bid without pause for thought). He said the ACBL was incorrectly interpreting Law 25's use of "unintended" and should allow such clear mistakes to be corrected so as not to skew the field.

The Decision: ACBL regulations and the law are clear. The pass card was placed on the table and then changed to 3NT; the pass was ruled intentional (not inadvertent) and the 3NT was not accepted by East.

North wanted the panel to change or ignore ACBL policy, which the panel refused to do. Therefore, the director's decision was upheld.

Despite being told the law and ACBL policy on mechanical errors relating to changes of call, particularly involving the two different parts of the bidding box, North was adamant in wanting to pursue the appeal to a hearing. Therefore, the panel issued an appeal without merit warning (AWMW).

The Panel: Peter Marcus (Reviewer), Bernie Gorkin, Candace Kushner and Jean Molnar.

Commentary:

Rigal Nicely handled by panel and TD. On the facts as stated this was clear-cut.

Polisner Law 25 B is clear and pursuing an appeal after being explained the law deserves the AWMW

Wildavsky Looks right to me. I would like to see the ACBL's policy quoted verbatim when making a ruling like this.

Wolff I realize that the ACBL and this committee were following its own rules, but I think that the rules should be changed so that if either a mental error or a mechanical mistake occur (too small a difference in their interpretation) and it would be easily correctable with no UI given, then in the interest of bridge it should be allowed. NO HARM, NO FOUL!

APPEAL	Non NABC+ Nine
Subject	Misinformation (MI)
DIC	Nancy Boyd
Event	Yuba City Stratified Pairs
Session	Second of Two
Date	March 17, 2010

BD#	16
VUL	E/W
DLR	West

28,000 Masterpoints	
♠	T
♥	K 9 7
♦	A K 7 6
♣	K J 8 7 3

1,250 Masterpoints		Spring 2010 Reno, NV	2,500 Masterpoints	
♠	A J 9 8 4 3		♠	K 7
♥	A 8 4 3		♥	2
♦			♦	Q J T 9 8 5
♣	A 9 2		♣	Q T 6 4

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

West	North	East	South
1♠	Dbl	3♦ ⁽¹⁾	3♥
4♠	Pass	Pass	5♥
Dbl	Pass	Pass	Pass

Final Contract	5♥ doubled by South
Opening Lead	♠ A
Table Result	Down 4, N/S – 800
Director Ruling	4♠ W down 1, E/W - 100
Panel Ruling	E/W: 4♠ W down 1, E/W – 100 N/S: 5♥dbld S down 4, N/S - 800

(1) Explained as invitational in spades.

The Facts: The director was called after the play of the hand had been completed. Inspection of the E/W convention cards revealed that the agreement is that 3♦ bid is weak and natural (showing long diamonds).

The Ruling: Although the directors unanimously felt that the 5♥ bid was ill-advised, a majority felt that, given the correct information, it would be even less attractive. Therefore, in accordance with Laws 21B3 and 12, the contract was adjusted to 4♠ by West with a result of down one assigned to both sides (E/W -100 and N/S +100).

The Appeal: E/W appealed the director's decision and all four players attended the review.

E/W felt the 5♥ bid was impossible, taking two bids at the three and five levels, after just a double by North. East said he could accept a ruling of minus 100 at 4♠ for his side and minus 800 for N/S because West had misexplained their agreement and they did not deserve a top for that. South said she felt that E/W had a nine-card spade fit from the misexplanation so they could make 4♠ vulnerable. North was unsure whether West said that 3♦ showed three or four spades.

The Decision: Four players with 110-300 masterpoints were given South's hand. Two bid 3♥ initially whether 3♦ was a spade raise or a weak diamond bid. The other two passed if it was a spade raise. However, having bid 3♦ initially, all four passed 4♠ regardless of the meaning of 3♦. Therefore, the panel felt that 5♥ was not based on the misinformation. There was some sentiment for a procedural penalty against E/W for MI, but the panel decided (2-1) to restore the table result to N/S and the director's adjustment (4♠ down one) to E/W.

The Panel: Peter Marcus (Reviewer), Candace Kushner, Tom Marsh and Bill Michael.

Commentary:

Rigal I really like the split ruling. N/S would not have saved without the wrong explanation so E/W must get the appropriate result in 4S...are we assuming a trump lead by the way? South's action was wild and gambling under any circumstances – isn't North supposed to know whether he has a spade void or not? Hence restore the table action and definitely no PP.

Polisner The standard of the quality of bridge required after being the victim of MI is very low. In a case like this, where N/S are at favorable, S having a reasonable belief, based on the MI, that N's void is Spades, with a reasonable likelihood that N/S possess a 9 card H fit, and S's singleton C, it is a poor decision to give N/S - 800. The TD's ruling of 4 S by W -100 for both sides is correct and even the thought of a PP is ridiculous.

Wildavsky 5H was not in my judgment a "serious error unrelated to the infraction" per law 12C1(b). Certainly the MI made it more attractive. The polling procedure seems flawed. First of all we are interested only in the opinion of those who would bid 3H over 3D, given that 3D showed a spade raise. Second we must discount the judgment of the players who would bid 3H when their RHO showed diamonds, but not when he showed spades -- that makes no sense at all. A more useful way to poll here would be to start by giving those polled the same information as the player at the table. Only afterwards should we ask which actions it makes more and less attractive. Perhaps that is the procedure that was followed -- we have no way of knowing. Only if the polls are taken in writing can information be given to

TDs, Panels, and ACs with the full context necessary to make the results useful in rendering a decision.

Here I prefer the TD's ruling to the Panel's.

Wolff

A truly magnificent ruling:

A. NS keep their thoroughly deserved -800

B. Because of the CD EW lose their +800, but are left with a few match points -100 in 4 Spades.

When committees (or TD's at the table) hear violations by players the combined matchpoints in pair events should not often add up to the total for that hand, but instead be less, all the way down to even minus match points on that board. This hand is a poster child for that caveat.

APPEAL	Non NABC+ Ten
Subject	Unauthorized Information (UI) - Tempo
DIC	Dianne Barton-Paine
Event	Daylight Stratified Pairs
Session	First of Two
Date	March 18, 2010

BD#	24
VUL	None
DLR	West

25,087 Masterpoints	
♠	J T
♥	K Q J 8 7 2
♦	A J
♣	A J 2

1,582 Masterpoints		Spring 2010 Reno, NV	3,137 Masterpoints	
♠	A 7 5 3 2		♠	K Q 6 4
♥			♥	A 6 5 4
♦	K 5 2		♦	8 4
♣	Q T 7 6 3		♣	8 5 4

1,975 Masterpoints	
♠	9 8
♥	T 9 3
♦	Q T 9 7 6 3
♣	K 9

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

Final Contract	3♠ by East
Opening Lead	♥ T
Table Result	Down 2, E/W - 100
Director Ruling	3♥ N making 4, N/S + 170
Panel Ruling	3♠ E down 2, E/W - 100

(1)	Alleged break in tempo (BIT) – not agreed.
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The Facts: The director was called immediately after West bid 3♠ and again after the play of hand was completed.

The BIT was alleged by N/S and disputed by E/W.

The Ruling: The director judged that West bid her hand when she bid 2♥ and that, if East couldn't bid over 3♥, that pass by West was a logical alternative. From the auction and East's hand, the director judged that a BIT was likely to have occurred.

The contract was adjusted to 3♥ by North with a result of making four assigned to both sides (N/S plus 170 and E/W minus 170).

The Appeal: The hand was played on the 8th round and the table director delivered the ruling immediately before round 13. After the session, E/W appealed the director's decision. The N/S pair was not interviewed East stated that while North considered his third call, he had placed his folded up hand on the table. When North bid 3♥, he took several seconds to pick up and open his hand and then several seconds to pick up the pass card. When North was interviewed, he said that East did not take several seconds to pick up his hand and that East took 5-10 seconds with his hand open. North also questions the polling procedure used by ACBL.

The Decision: Six players in the A/B+ category were polled. All six took action with the West hand over the 3♥ bid. The panel judged that there probably was a brief BIT (less than 10 seconds). West, however, couldn't be sure whether a BIT suggests a 3♠ bid or a double. The Panel believed there was a significant break in tempo. However, under Law 16 B1(a) the break must 'demonstrably suggest' an action and there must be logical alternatives. Since the hesitator may be considering a double, which would not suggest a pull, and there is no logical alternative according to our consultants, Law 16 was not violated. The key factor for the panel was that all players polled would take action. Therefore, pass was not found to be a logical alternative and the table result was restored for both pairs.

The Panel: John Gram (Reviewer), Susan Doe, Peter Marcus and Tom Marsh.

Commentary:

Rigal The point in the poll about the winning action not being suggested is a reasonable one. Maybe if West had doubled to cover both bases that would not have been acceptable. By the way WHAT was East doing in this auction? I'd like to penalize him if not West.

Polisner I am stunned that all 6 of the peers polled "took action" with the W hand over 3 H. Perhaps 5 out of 6 doubled for - 630. Any player who was only capable of taking 7 tricks in Spades should not be trying to declare in any event. I distrust the poll and would have decided as the TD ruled.

Wildavsky I prefer the TD's ruling, but given the poll results I can live with the Panel's. I'd prefer their stated rationale to be crisper. They should decide whether the UI could demonstrably suggest bidding before moving on to LAs. If it could not, there is no need to consider LAs. Given the East hand we can see that he was considering bidding -- I can't imagine why he passed. It seems likely to me that West could tell that that was likely what concerned his partner. For one thing, players who are considering doubling usually do double.

I would like to see more than six players polled before we rule that there is no LA to an action. Firmer guidelines on polling might prove helpful.

Wolff

Whether or not on the poll taken no one passed with the West hand in this competitive decision East should not be allowed to get away with such a serious bridge crime. At least a small PP should be given EW for West to be allowed to compete. East's action was an insurance policy to West to go on and bid and nothing bad will happen. Exactly the wrong message to send!!

APPEAL	Non NABC+ Eleven
Subject	Unauthorized information (UI) - Tempo
DIC	Millard Nachtwey
Event	Red Ribbon Pairs
Session	Second Final
Date	March 19, 2010

BD#	7
VUL	Both
DLR	South

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

1,900 Masterpoints		Spring 2010 Reno, NV	1,600 Masterpoints	
♠	2		♠	K 6
♥	5 4		♥	A K 9 6 3
♦	A K 9 5 4 3		♦	J 8 6 2
♣	J 8 7 5		♣	3 2

290 Masterpoints	
♠	Q 9 8 7
♥	Q J 8 7 2
♦	Q
♣	A K T

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

Final Contract	4♠ by North
Opening Lead	♥ A
Table Result	Made 4, N/S + 620
Director Ruling	4♦ doubled W made 4, E/W + 710
Panel Ruling	4♠ N made 4, N/S + 620

(1) Break in Tempo (BIT) – N/S = 30 seconds; E/W = 90 seconds.
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The Facts: The director was called immediately after the 4♠ bid and again after the play of the hand had been completed. N/S stated that they had system notes to verify that bidding over the double of 4♦ is suggested. However, they could not produce those notes.

The Ruling: The director judged that the BIT demonstrably suggested bidding and that pass is a logical alternative [Law 16B1(a) and (b)]. Therefore, the contract was changed to 4♦ doubled by West with a result of making four assigned to both pairs (N/S minus 710 and E/W plus 710). Law 12C1(e).

The Appeal: N/S appealed the director's decision. All four players attended a screening at which N/S, immediately after the session, showed the system notes to the screening director at an Internet site. The notes said that the double in this sequence "expects partner to bid." The screening director restored the table result of 4♠ by North making four for both sides. At this point, E/W said they would like to appeal. The North hand was given to three players (2 with just over 2,000 points and one with 1,100 points). With the system information, all bid 4♠. E/W were upset that N/S would be allowed to bid after a lengthy BIT. South said his hesitation was to decide whether he was good enough to bid again or make a double to force partner to bid at the four (or five) level. He finally decided he was and doubled. South also stated that pass would not be forcing but partner would make an appropriate call. Partner bidding 4♠ was not suggested by the BIT as their notes verify.

The Decision: The panel decided that pass was not a logical alternative in accordance with the N/S system notes which were presented within an appropriate time period. Therefore, the panel restored the table result as the screening director had done.

The Panel: Tom Marsh (Reviewer), John Gram and Bill Michael.

Commentary:

Rigal What director and E/W pair would have thought a double of 4D was to play? I'd be ashamed to call a TD over this, but I would not be the most embarrassed person involved at the end of this case. (In my 'kinder, gentler' persona I won't spell out who SHOULD be the most embarrassed person.) Well done the panel

Polisner Assuming that the notes on the Internet could not have been modified between the play and the screening (I am always a skeptic), the TD was correct in his ruling and the Panel was correct in changing it.

Wildavsky Both the TD and the Panel seem to have ruled correctly, given the information they had available to them.

Wolff A reasonable decision based on system notes online. The ACBL needs to clarify our status as to what doubles are supposed to mean in different situations otherwise an unethical pair will be able to double slowly and claim that his partner is supposed to decide what to do.

APPEAL	Non NABC+ Twelve
Subject	Disputed Claim
DIC	Matt Smith
Event	North American Pairs – Flight B
Session	First Qualifying
Date	March 20, 2010

BD#	19
VUL	E/W
DLR	South

897 Masterpoints	
♠	K 9 7
♥	Q
♦	A 7 4
♣	A Q 8 6 5 2

1,128 Masterpoints		Spring 2010 Reno, NV	1,829 Masterpoints	
♠	A J 2		♠	Q T 6 5 3
♥	8 7 3		♥	K J 6 5
♦	J T 9 8 5		♦	
♣	J 3		♣	K T 9 4

1,147 Masterpoints	
♠	8 4
♥	A T 9 4 2
♦	K Q 6 3 2
♣	7

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

Final Contract	3♣ doubled by North
Opening Lead	♠ 3
Table Result	Made 3, N/S +470
Director Ruling	3♣ doubled N made 3, N/S +470
Panel Ruling	3♣ doubled N made 3, N/S +470

(1) Rosenkranz = a high spade honor.

The Facts: The director was called after trick 8 when declarer claimed. Declarer stated, “You get your high clubs.”
After a pause, declarer said, “Then my diamonds are high.”

Facts continued.

The remaining cards were:

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

The Ruling: The director judged that declarer's statement did not constitute a line of play. The director judged that declare never intended to lead trump and that diamonds would be played first. Therefore, the director ruled that E/W gets two of last five tricks and N/S gets three, resulting in declarer making three. Law 70D3.

The Appeal: E/W appealed the director's decision and all four players attended the review.

The appellants felt that the words declarer used constituted a statement of a line of play, and declarer should be forced to lead a club at trick nine, which would allow East to score all five of the last tricks. Declare originally simply conceded the high trump. He admitted that he had miscounted trump and forgotten about the trump ten. He said he was pointing out that the diamonds were good and were what he was planning on playing without leading clubs. Four players with around 1,000 points were consulted. They were given the 5-card ending and were told that they were declarer in 3♣ doubled. They were asked to play the hand out. All four immediately led diamonds. They were asked whether they thought leading a club was rational. All four said, "No."

The Decision: The panel did not believe the statements made by declarer indicated a line of play. Had play actually continued it is certain, or very nearly so, that diamonds would have been led, which would enable declarer to score three tricks. The polling suggested that it would be irrational for declarer to lead a trump at trick nine. Therefore, the panel ruled as the director had that leading a trump is not an alternative normal line of play and that is judged to be careless or inferior. The panel considered whether the appeal had merit. Since the claim was poorly worded and if taken at face value would have resulted in 3♣ down three, it was judged that the appeal had sufficient merit to avoid an appeal without merit warning (AWMW).

The Panel: Bill Michael (Reviewer), Susan Doe and Harry Falk.

Commentary:

- Rigal** I'd be ashamed to have called the TD and then to have appealed it. An AWM seems only just, to teach E/W about the spirit in which the game should be played.
- Polisner** I agree with the ruling and the Decision; however, I want to point out that the word "irrational" has been removed from the footnote to Law 70. What should have been stated is that the polling indicated that all peers polled would have led Ds
- Wildavsky** The Panel procedure looks wrong to me. Certainly leading a club would be irrational, but the panel knew that without asking. The question is what would be rational for a player who thought there was one high trump out. Myself I'd play a trump. If I planned to play diamonds I'd say so. Actually, though, that's not the question. Law 70 no longer uses the term "rational". It reads:
The Director shall not accept from claimer any successful line of play not embraced in the original clarification statement if there is an alternative normal* line of play that would be less successful.
* For the purposes of Laws 70 and 71, "normal" includes play that would be careless or inferior for the class of player involved.
I disagree with the TD and Panel rulings. It could have been worse -- at least the Panel found merit!
- Wolff** This hand is about a too common malady these days at tournament bridge, "MUCH ADO, ABOUT SHEER GREED"! There should be a stated limit on what pair's can do who are seeking a good result at any cost to the game.

APPEAL	Non NABC+ Thirteen
Subject	Disputed Claim
DIC	Matt Smith
Event	North American Pairs – Flight C
Session	First Qualifying
Date	March 20, 2010

BD#	22
VUL	E/W
DLR	East

287 Masterpoints	
♠	K J 9 5 2
♥	8 7
♦	A Q
♣	Q J 5 4

365 Masterpoints		Spring 2010 Reno, NV	77 Masterpoints	
♠	A 8 7 6		♠	T 4 3
♥	J 6 4		♥	A Q 5 2
♦	8 6 2		♦	J 7 3
♣	K T 3		♣	9 7 2

274 Masterpoints	
♠	Q
♥	K T 9 3
♦	K T 9 5 4
♣	A 8 6

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

Final Contract	3NT by North
Opening Lead	♣ 9
Table Result	Down 1, N/S - 50
Director Ruling	3NT N down 1, N/S - 50
Panel Ruling	3NT N down 1, N/S - 50

(1)	Alerted, artificial and forcing promising a 4 card major.
(2)	Four spades and 10+ points forcing one round.

The Facts: The director was called at trick twelve with East on lead when North, declarer, claimed.

♠ K
♥
♦
♣ J

♠ 8
♥ J
♦
♣

♠ 4
♥ 5
♦
♣

♠
♥ K T
♦
♣

Facts continued.

Declarer made no statement as to the line of play. E/W objected, saying that on a heart lead declarer has a guess. North stated that East's hesitation at trick 10 in finding a discard marked East with at least one spade, so finessing can never be right.

The Ruling: In accordance with Law 70D1, the director judged that playing the heart ten is a careless or inferior alternative normal line of play and that playing for the drop or finessing are both consistent with the claim statement (or lack thereof). Therefore, one trick was awarded to E/W, which resulted in the contract failing by one trick.

The Appeal: N/S appealed the director's decision and all four players attended the review.

N/S stated that the claim was accompanied by the words, "Whatever you lead, either dummy's hand or my hand will be good." With this statement it doesn't make sense to finesse. Declarer could not state the distribution of the E/W hands. East said she asked where the jack of hearts was after the claim.

The Decision: Failing to state what action declarer would take if a heart was led does not give directors enough basis to overlook Law 70E1. There is insufficient evidence that declarer knew the position of the heart suit. Therefore, the panel ruled as the director had. The appellants had 270 points each and sincerely believed that it would be irrational to play the heart ten instead of the king. These factors convinced the panel to find that the appeal had merit.

The Panel: Bill Michael (Reviewer), Patty Holmes and Jean Molnar.

Commentary:

Rigal I think the TD and panel got this right; if declarer were in control he would never have claimed without stating why he was getting hearts right. Since it is the last case we'll let the panel off their failure to award the AWM

Polisner Correct ruling and decision.

Wildavsky Down only one? What will declarer pitch from his hand at trick 12?
Just kidding. I agree with the rulings. Neither NS's relative inexperience nor their apparent sincerity gives this appeal merit. Most of those who receive an AWMW are sincere -- the warning does not, and should not, imply otherwise!

Wolff At least to me, although again greed is present with EW's intentions, when declarer claims she is not allowed to finesse and whatever happens, happens. Upon receiving the heart play it would be inconceivable to me after claiming without explanation for North to consider finessing the heart. If the committee hated how North handled this situation then still give North the right heart play but then penalize them (PP) for whatever they hated North for.