

2014 Summer NABC Appeals Casebook



American Contract
Bridge League

Foreward

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 Tournament Directors and to communicate decisions and the process to arrive at those decisions to the membership at large.

A total of twenty-eight (28) cases were heard.

Seventeen (17) cases were from unrestricted (by masterpoints) North American Bridge Championship Events. The names of the players involved are included.

Eleven (11) cases were from all other events. The names of the players involved are included when the event from which the appeal came was a Flight A/X event or was the 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 and any corrections to the cases, the commentary is added, corrections are 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 Review Panels and commentators. Without their considerable contribution of time and effort, this publication would not exist.

ACBL Headquarters
Horn Lake, MS

Abbreviations used in this casebook:

AI	Authorized Information
AWMW	Appeal Without Merit Warning
BIT	Break in Tempo
CoC	Conditions of Contest
LA	Logical Alternative
MI	Misinformation
NOS	Non-Offending Side
OS	Offending Side
PP	Procedural Penalty
TD	Tournament Director
UI	Unauthorized Information

Expert Panel

Jeff Goldsmith is an American bridge player originally from Schenectady, NY, currently residing in California. He graduated from Rensselaer Polytechnic Institute and Caltech and works as 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. Goldsmith is an ACBL Platinum Life Master and serves on the ACBL Competitions & Conventions Committee and ACBL Laws Commission.

Ton Kooijman has been a tournament director in the Netherlands for almost fifty years and has been involved in international bridge for almost thirty. He became the operations director for both the European Bridge League and the World Bridge Federation in the mid 90's. He became a member of the WBF Laws Committee in 1994 and in 1997, he replaced Edgar Kaplan as chairman. His approach as member of the commentating group is to concentrate more on the technical application of the laws. Since he is European, the differences in approach between both continents might draw his attention.

Rui Marques was born in 1962 and grew up in Portugal. He is Chemical Engineer, with a M.Sc. in Applied Mathematics and a Ph.D. in Chemometrics. Married to Connie Goldberg, he currently splits his time between Philadelphia (U.S.A.) and Cascais (Portugal). Having started as a Tournament Director in 1989, he directed his first international championship in 1992. He has been the Assistant Chief TD for the WBF since 2011, Chief TD for the EBL since 2015, Sports Personality of the Year in Portugal in 2016. He also is a Lecturer and Group Leader in the EBL International Tournament Directors Courses. He joined the ACBL Tournament Director Staff in 2017.

Adam Wildavsky was born in Ohio and grew up in Berkeley and Oakland, CA and London, England. A graduate of MIT, he is a retired software engineer and now spends winters in Keystone, CO and much of the rest of the year in New York City. Mr. Wildavsky has won numerous national championships, including the Blue Ribbon Pairs twice, the Reisinger BAM Teams once, and the USBF Open Team Trials twice. He won a bronze medal for the USA in the 2003 Bermuda Bowl and represented Switzerland in the 2012 World Bridge Games. Mr. Wildavsky is a member of the WBF Executive Council, vice-chair of the ACBL National Laws Commission, a member of the WBF Laws Committee, and a former chairman of the ACBL National Appeals Committee. His interest in the Laws is informed by his study of Objectivism, the philosophy of Ayn Rand.

Kit Woolsey is a world-class bridge and backgammon player, analyst, and writer, born in Washington, DC. He graduated from Oberlin College in 1964 and earned a master's degree in mathematics from the University of Illinois at Urbana-Champaign. He is a three-time World Champion and holds more than a dozen NABC titles. His most recent major victory was winning the Cavendish Invitational Pairs in 2011. He was elected to the ACBL Hall of Fame in 2005 and lives in Kensington, CA. He has been one of the Panelists on *The Bridge World* Master Solvers Club since 1984. He also serves on the ACBL Competitions & Convention Committee and the Bridge Integrity Task Force.

Subject of Appeal:	Break in Tempo/Unauthorized Information	Case:	N1
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Event	von Zedtwitz LM Pairs	Event DIC	Chris Patrias
Date	07/18/2014	Session	First Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: Hearts & minor
2: Break in Tempo

Hand Record

Board	14	N	Claudio Nunes	
Dealer	E	♠ 10764 ♥ Q104 ♦ J7 ♣ 10762		
Vul	None			
W	David Walker			E Kevin Wilson
♠ 32 ♥ AJ72 ♦ K943 ♣ KJ8				♠ AKQ95 ♥ 5 ♦ 65 ♣ AQ543
		S Shawn Quinn		
		♠ J8 ♥ K9863 ♦ AQ1082 ♣ 9		

Final Contract	Result of Play	Score	Opening Lead
6♣ by E	Made 6	E/W +920	♦ A

Facts Determined at the Table

The Director was summoned to the table after the 6♣ bid by East. West agreed that he broke tempo before bidding 5♣.

Director Ruling

The Director found that the BIT was anywhere from 15-30 seconds, but although pass was a logical alternative to 6♣, West's BIT did not demonstrably suggest bidding 6♣ because West could have been considering signing off in 4NT or 4♣ instead of some stronger alternative to raising clubs. Accordingly, the BIT did not demonstrably suggest bidding 6♣. Per Law 16B1a, the table result was allowed to stand, 6♣ by East, making six, E/W +920.

Director's Ruling	6♣ by E, Made 6, E/W +920
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The Appeal

North/South appealed the ruling. North, South and East attended the hearing. In screening, North said the break in tempo was 8-12 seconds, South said 30 seconds and East said 15-20 seconds.

East said that he almost bid 6♣ over 3NT and that he was never going to play 5♣ at matchpoints. He further said that he was certain his partner would have intended 4NT as Blackwood, but that he would have passed 3NT if he weren't essentially committed to slam in clubs.

North/South stated that with suits not figuring to break evenly on the auction, East could not have bid 6♣ except for the inference of extra values from the BIT.

Committee Findings

The Appeals Committee noted the randomness of East's decision to bid 6♣ because mismatched red-suit holdings (for example, West's ace being opposite East's doubleton) would produce down one. Because the BIT did not demonstrably suggest that West was thinking of bidding 4♥ rather than 4♦, there was some sentiment to uphold the ruling. However, taking things in order, the committee felt that passing 5♣ was a logical alternative to bidding on.

Playing in 5♣ making five may be a poor score compared to playing in 3NT making overtricks, but playing in 6♣ making five would be worse. If partner had no ace to cuebid on the way to 5♣, 6♣ was unlikely to be a success and the decision not to pass 3NT was no longer relevant. Committing to bidding 6♣ even if it has no play is forcing yourself to accept a zero in defense of the popular sentiment that playing in five of a minor at matchpoints is often bad. Therefore, the committee agreed with the part of the ruling that held that pass was a logical alternative.

The committee then analyzed each of West's theoretical alternatives to 5♣ in deciding whether the BIT demonstrably suggested bidding 6♣. Since by East's statement that 4NT was not available as a sign off, West's consideration of bidding 4NT (Blackwood) would clearly suggest bidding 6♣. West's consideration of cuebidding an ace, even if it was the "wrong one", would also suggest bidding 6♣ because it would depict extra values and create a momentum to the auction. Even considering bidding 4♠ might suggest bidding 6♣ in an attempt to recover some of the matchpoints available for a likely making 4♠ contract. As a result, the committee disagreed with the part of the ruling that held that the BIT did not demonstrably suggest bidding 6♣ and adjusted the score to 5♣ by East making six, E/W +420.

Committee Decision	5♣ by E, Made 6, E/W +420
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Committee Members

Chair	Ron Gerard
Member	Eugene Kales
Member	Richard Budd
Member	Patty Tucker
Member	Ray Miller

Commentary

Goldsmith: I like the AC's analysis. Once East claimed that 4NT would not be a signoff, then whatever West was thinking about suggests bidding more. This was one of several cases in this book in which the OS buried itself for no good reason.

Kooijman: I agree with the committee decision, not allowing the 6♣ bid. But I like to comment on the procedure followed. The statement "taking things in order passing 5♣ is an LA" is wrong. Such a conclusion is irrelevant and misleading if the 6♣-bid is not suggested by the hesitation. So doing things in order means that the first consideration should be what the hesitation means. And only if the suggestion for the challenged call is clear (demonstrably!) does the search for a logical alternative make sense.

Marques: Good recovery by the AC. It seems that the information about 4NT not being a signoff was not given to the table TD. A poll might have helped here, because some of the pollees would probably ask for the meaning of 4NT, sounding an alarm.

Wildavsky: The TD's process was superficial. I agree with the well-reasoned AC decision. I'd have addressed the "demonstrably suggested" question first, but all roads lead to Rome.

Woolsey: We have been through this before. It is not necessary that a particular action be the action which is specifically demonstrably suggested. If UI suggests that an action which is a logical alternative is likely to be a losing action, then a player is not permitted to take another action. In this case the UI from the slow 5♣ call suggested that 5♣ is not going to be the best contract, so if passing 5♣ is a logical alternative then East is not permitted to bid 6♣. The director apparently did not understand this concept. The committee did.

Subject of Appeal:	Break in Tempo/Unauthorized Information	Case:	N2
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Event	von Zedtwitz LM Pairs	Event DIC	Chris Patrias
Date	07/18/2014	Session	Second Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: Break in Tempo

Hand Record

Board	11	N	Lidang Dong	
Dealer	S	♠ K3		
Vul	None	♥ Q1095		
		♦ 43		
		♣ Q7652		
W	Michael Polowan			E Adam Wildavsky
♠	AQJ109752			♠ 864
♥	J8			♥ K63
♦	8			♦ AQJ6
♣	109			♣ A43
		S	Yu Wei Wu	
		♠ (void)		
		♥ A742		
		♦ K109752		
		♣ KJ8		

Final Contract	Result of Play	Score	Opening Lead
4♠ by W	Made 5	E/W +450	

Facts Determined at the Table

The director was summoned to the table during the auction. North passed almost immediately after the 4♠ bid by West. North agreed that he did not wait an appropriate length of time before passing. West felt that North's haste to pass gave South UI.

Additional Factors Determined Away from the Table

The table director reviewed the circumstances of the auction with three other senior directors and the DIC of the event, as well as two other players of a similar skill level to North/South. Four of the six interviewed would have doubled or bid with the South hand.

Director Ruling

As one third of the poll respondents passed, it was deemed that pass was a logical alternative. Therefore, the director ruled that the table result stood, 4♠ by West, made 5, E/W +450 per Law 16B.

Director's Ruling	4♠ by W, Made 5, E/W +450
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The Appeal

East/West appealed the ruling. Because only East appeared at the hearing, the Appeals Committee ruled based on the testimony of East and the director that it was established at the table that there was a fast pass by North of 4♠, even though West had used the stop card. This constituted UI for South.

Committee Findings

The Appeals Committee found that the fast pass demonstrably suggested that pass would likely be more successful than bidding on. Therefore, the committee needed to determine whether there was any logical alternative to pass. Unfortunately, the committee did not know the skill level of North/South. The committee, however, thought that enough players would seriously consider acting that double was a logical alternative, a finding in accord with the polled panel.

East presented evidence that out of 104 scores, there were approximately 12 scores of plus 590 or plus 690 for East/West and a few 5♦ contracts for North/South.

The committee further determined that if South doubles, North would likely pass. There was no reason to change the actual number of tricks taken. Accordingly, the result was changed to 4♠X by West, making five, E/W +690.

Committee Decision	4♠X by W, Made 5, E/W +690
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Committee Members

Chair	Richard Popper
Member	Bruce Rogoff
Member	Richard Budd
Member	Fred King
Member	David Caprera

Commentary

Goldsmith: Good job by the AC, though quoting Law 12 by stating that passing 4♠X was the worst result at all probable for the NOS, etc. would have been nice.

Passing with the South hand is in the normal range, so a PP isn't in order. The write-up of the director's ruling suggests serious confusion. I suspect the write-up is in error.

Kooijman: I am flabbergasted. Five (at least four of them senior) TD's decide that pass by South is an LA and allow the result to stand. This cannot be serious. Send them to a beginners' course in directing. Taking things in order (see my comment in 1), the first question is what the fast pass in North suggests? Answer: he has no hand making him interested at all in continuing the bidding. So the suggestion for South to pass is proven. Then we need a poll, which tells that NOT passing in South is a LA. This would have led to adjusting the score.

The AC got different data from East. Among more than 100 scores in around 90 South apparently passed. This means that in a poll with ten pollees all of them might pass and then the conclusion would have been that no LA exists. So the committee came too easy to its conclusion to adjust the score in my opinion.

The ACBL uses weighted scores nowadays. The adjusted score (if given) then would become a mix of 4♠X and 5♦, using the frequencies if they exist.

Marques: Rare case, with a "reverse" BIT (a fast call, instead of a slow one). Judging from the write-up, the TD got it clearly wrong. South cannot take the action demonstrably suggested by the BIT (pass) if there are other LAs. Therefore, it's not about Pass being a LA to other calls, but about other calls (in this case Double) being logical alternatives to Pass. Another good recovery by the AC.

Wildavsky: I was East. I still agree with the AC ruling, no surprise.

It would be more difficult to adjust the result today now that the ACBL has eliminated both Stop Cards and Skip Bid warnings. Players are still required to pause for 10 seconds after a skip bid, but this comes as a surprise to many, in particular our foreign visitors.

Woolsey: Once again, the director was confused. The question isn't whether passing is a logical alternative. The question is whether double is a logical alternative, since passing is the action which is suggested by the UI. Since the poll clearly showed that double is a logical alternative, South is not permitted to pass since that is the action suggested by the UI. The committee corrected things properly.

Subject of Appeal:	Tempo	Case:	N3
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Event	von Zedtwitz LM Pairs	Event DIC	Chris Patrias
Date	07/20/2014	Session	First Final

Auction

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

Explanation of Special Calls and Points of Contention

Hand Record

Board	8	N	Giorgio Duboin	
Dealer	W	♠ AK42 ♥ J75 ♦ K854 ♣ Q7		
Vul	None			
W	Robert Cliffe			E Eric Leong
♠ 75 ♥ A42 ♦ AJ9 ♣ A10432				♠ Q1063 ♥ Q109 ♦ Q102 ♣ K95
		S	Zia Mahmood	
		♠ J98 ♥ K863 ♦ 763 ♣ J86		

Final Contract	Result of Play	Score	Opening Lead
1NT by E	Made 3	E/W +150	♥ 3

Facts Determined at the Table

The play to the first trick went ♥3, 2, J, (hesitation) Q. The play of the hand continued:

Trick 2: ♠9, 6, 2, Q
 Trick 3: ♥5, 9, K, A
 Trick 4: ♠3, 7, K, 8
 Trick 5: ♦2, 3, J, K
 Trick 6: ♠A, 3, 8, 5
 Trick 7: ♠K, 6, 9, 7

Declarer at this point claimed the remainder of the tricks, exposing his hand. North, upon seeing the ♥10, summoned the director, stating the hesitation at trick 1 influenced his later play. There was no reason for a break in tempo with the actual East holding, and without the break, he would have switched to a spade at Trick 3 instead of returning a heart.

Director Ruling

It was agreed by the players that East broke tempo before playing the ♥Q at trick one. There was no demonstrable bridge reason for the break, which he could have known might work to his advantage. Therefore, the result was adjusted to 1NT by East, making two, E/W +120, per Laws 73F & 12C1E.

Director's Ruling	1NT by E, Made 2, E/W +120
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The Appeal

E/W appealed the ruling, and they, along with South, attended the committee. East stated that even if the spade switch was made at trick 3, he would have risen with the Queen, leading to nine tricks. Also, following such a switch, unless the opponents were careful in the play of the hand, North could be end played, again resulting in nine tricks.

South explained that he signaled his partner to continue hearts on trick two, following the hesitation. He believed that his partner held either the 10 or 9 based upon the play. He would not have asked for a continuation if he thought East could have held Q109.

Committee Findings

The committee ruled there was clearly no bridge reason for hesitating with Q109, so therefore an innocent opponent did take a false inference based upon the hesitation. They found it was both likely and at all probable that declarer would guess spades incorrectly and that the defense would get the play of the hand correct from that point. Accordingly, the committee upheld the table director's ruling.

Committee Decision	1NT by E, Made 2, E/W +120
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Committee Members

Chair	Aaron Silverstein
Member	Ed Lazarus
Member	Eugene Kales
Member	Craig Allen
Member	Chris Moll

Commentary

Goldsmith: I don't buy it. What was North playing East to have held in hearts, Q9x or Q10x? Why would East hesitate with either of those holdings? Maybe Zia might consider ducking with Q10x, but N/S know that this East would never think of it. North might have concluded that declarer had KQx and wasn't sure with which card to win. But that holding suggests a spade switch even more than the actual one. I'd rule result stands.

Kooijman: Brr. The heaviest AWMW possible and in addition, a score penalty for this shameless East player. How dare you to appeal this TD-decision?

Marques: Knowing how North/South lead against NT would be useful here. Anyway, there is no reason to think with QT9. However, is there any reason to think with Qxx, QTx, Q9x? From North's point of view, when East breaks tempo and plays the Queen, with Ace in dummy and partner leading the smallest heart out, East seems to have at least three hearts to the Queen. Why the thinking? From South's perspective, also, North has probably three or four hearts to the Jack, so East has two or three to the Queen. Why the thinking? My conclusion is that East demonstrably has no bridge reason to think in any case, and both North and South should know that. Therefore, the BIT does not convey any misleading information. In my opinion, the table result should stand.

Wildavsky: I agree that there was no reason for East to hesitate with his actual holding, but I don't think East would likely hesitate with any other holding either. The only one where it would not cost a heart trick would be QTx, and the gain from ducking there is not clear, especially when the defenders might have a profitable switch. Since on the auction hearts must be 4-3 it can never profit East to duck, and it might cost.

I would not have adjusted the score but would consider a procedural penalty for East's hesitation without a problem.

Woolsey: This ruling bothers me for several reasons.

1) While obviously East shouldn't have thought before winning the queen of hearts, do we really believe that this has anything to do with the 9? Yes, there might be some positions where it would be right to duck with Q102 (when RHO has a doubleton), but since RHO made a takeout double of 1♣ that clearly isn't the case.

2) Why did East play slowly? It couldn't be that he was doing so with the intent of deceiving the opponents about the 9 of hearts. That is way too deep for anybody. Much more likely was that he was just re-calibrating that suddenly he had 3 heart tricks instead of the 2 he had been counting on.

3) If East had played in normal tempo, I think North has an automatic heart return anyway. Why shouldn't his partner have the 9 of hearts? That looks a lot more promising than playing for this exact spade holding and declarer going wrong.

4) If North had returned a spade, declarer's percentage play is to go up queen. North made a takeout double. He certainly wouldn't have done so with KJxx, Jxx, Kxxx, Qx, so he is marked with the ace of spades. Even with AJxx the double is marginal, and if he doesn't have the king of diamonds then he definitely has AK of spades.

5) The laws clearly state that a player draws inferences from his opponents' mannerisms at his own risk. That is what North did here. He shouldn't get redress because he got it wrong.

Subject of Appeal:	Misinformation	Case:	N4
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Event	von Zedtwitz LM Pairs	Event DIC	Chris Patrias
Date	07/20/2014	Session	Second Final


Auction

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

Explanation of Special Calls and Points of Contention

1: Explained as majors

Hand Record

Board	21	N	Kenneth Eichenbaum	
Dealer	N	♠ 9842		
		♥ 43		
Vul	N/S	♦ J109542		
		♣ 5		
W	Zia Mahmood			E
♠ K				Giorgio Duboin
♥ KQ109				♠ 763
♦ 873				♥ J8752
♣ AQ972				♦ 6
				♣ K1084
		S	Bryan Howard	
		♠ AQJ105		
		♥ A6		
		♦ AKQ		
		♣ J63		

Final Contract	Result of Play	Score	Opening Lead
4♥X by E	Made 4	E/W +590	♦ A

Facts Determined at the Table

During the auction, West's double had been alerted and explained as showing the majors. Before the opening lead, West explained to N/S that the double actually only showed a two suited hand. N/S accepted the explanation, and play continued. It was not until well after the play was over that South called the director.

Director Ruling

As neither defender had called at the time of the corrected explanation, the director ruled that the table result stood, based upon Law 10B.

Director's Ruling	4♥X by E, Made 4, E/W +590
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The Appeal

South appealed the director's ruling, and appeared before the committee. He argued that, with the correct information, he would have bid 4♠ instead of doubling.

Committee Findings

The committee agreed that, with the proper explanation of the double as showing a two suited hand, the bid of 4♠ was much more attractive than doubling. They also concluded that West would likely raise to 5♥ after this, as in his mind he had not shown hearts with his earlier call. The likely auction from this point would have South double, as it was

deemed unlikely that North would raise to 5♠ or suddenly decide to bid his diamonds at the six level. Therefore, the committee ruled the final result as 5♥X by East, down 1, N/S +100.

Committee Decision	5♥X by E, Down 1, N/S +100
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Committee Members

Chair	Aaron Silverstein
Member	Ed Lazarus
Member	Chris Moll
Member	Craig Allen
Member	Eugene Kales

Commentary

Goldsmith: I agree with the MI ruling, but I think the AC needed to consider more carefully which adjusted score to give. I suspect it's at least at all probable that North will bid 5♠ and East will carry on to 6♥. I don't think it's at all probable that South would make 5♠, though it's possible and would have to be considered in 2017 and later. I like N/S +100 and E/W -300 better than the actual ruling, though I could easily buy a better result for N/S.

Kooijman: Yes, it is possible to ignore a request for a ruling if it is not in time. But we only do so if, had the request been in time, it would have solved the irregularity. This is not the case here, since South would not have been allowed to change his last call. So the TD made a mistake (L21B3).

Though the decision by the AC was much better, I only consider it to be the right one if the frequency table shows that an overwhelming majority of EW pairs indeed bid to 5♥.

Marques: The correct procedure is for South to call the TD immediately, but it would be too late to allow South's change of call, anyway. Applying 10B (allowing a "waiver" of a rectification) in this situation, as the TD did, does not seem to be the right approach, IMHO. Regarding the AC decision, under the 2007 Laws, it's a perfectly reasonable decision although I'm not so sure that in this case the "most favorable result likely" for the non-offending side and the "most unfavorable at all probable" for the offending side boil down to the same result to both sides. Did the committee analyze what was at all probable in this case (namely, 6♥X-2)?

Wildavsky: I prefer the AC's ruling to the TD's. South did not lose any rights by failing to summon the TD after the misinformation came to light - the TD would have granted North the opportunity to change his call, unlikely, and then instructed that play continue.

As an aside, the redouble should be explained in the bidding diagram. I presume that North intended it as some kind of negative.

Woolsey: While in principle the director should be called once the irregularity has been discovered, I don't believe that N/S lose any of their rights by waiting. Quite possibly there was some time issues, and they felt that maybe there would be no need to bother. Consequently, I do not understand the rationale for the director's ruling.

The committee corrected this error. However, I'm not so sure about the adjudication. While 10 tricks were made in hearts at the table, declarer can be held to 9 tricks if the defense can get a club ruff. I don't know the meaning of the redouble, or if the same bid would have been made in the partnership with the correct information. If there is different information, the defense might have had reason to go right. This should have been looked into.

Subject of Appeal:	Misinformation	Case:	N5
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Event	von Zedtwitz LM Pairs	Event DIC	Chris Patrias
Date	07/20/2014	Session	Second Final


Auction

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

Explanation of Special Calls and Points of Contention

1: Transfer to ♥, No Alert

Hand Record

Board		17	N	Kenneth Eichenbaum		
Dealer		N	♠ 8654 ♥ A8653 ♦ A52 ♣ 6			
Vul		None				
W	John Rayner				E	Michael Roche
♠ AK109 ♥ 109 ♦ 76 ♣ KQ974		♠ Q3 ♥ KQ742 ♦ K1043 ♣ 108				
			S	Bryan Howard		
			♠ J72 ♥ J ♦ QJ98 ♣ AJ532			

Final Contract	Result of Play	Score	Opening Lead
3♦X by S	Down 3	E/W +500	♦ 7

Facts Determined at the Table

During the auction, East's 2♦ bid had not been alerted. Their agreement was that this showed a transfer to hearts. South called the director after the opening lead.

Director Ruling

While the failure to alert is misinformation per Law 21B1b, the director ruled that the damage to N/S was not related to the misinformation and was self-inflicted. The table result stood.

Director's Ruling	3♦X by S, Down 3, E/W +500
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The Appeal

South appealed the ruling and was the sole attendee. He argued that, based upon the auction through 2♠, he knew that E/W had an eight-card fit in spades and a seven-card fit in hearts. It was therefore safe for him to bid 3♣, since N/S must have at least one eight card minor suit fit, as his partner must hold six cards in the minors.

Committee Findings

South made an aggressive pre-balance, and was done in by the fact that E/W were set to play in a six card fit. E/W did not guarantee seven heart cards between them on the auction that South thought had occurred. He took a

calculated risk and got unlucky. Accordingly, the committee agreed with the table director that the damage was self-inflicted, and not connected to the misinformation from the failure to Alert. The TD ruling was confirmed.

Committee Decision	3♦X by S, Down 3, E/W +500
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Committee Members

Chair	Aaron Silverstein
Member	Chris Moll
Member	Eugene Kales
Member	Craig Allen
Member	Ed Lazarus

Commentary

Goldsmith: If East's sequence promised 2-5 in the majors with about 11 HCP, that makes South's choice to bid 3♣ a lot less attractive than if East had promised 3+ spades and maybe only a shapely 8-count. It's reasonable to argue that South's choice was a serious error anyway, and that N/S should keep their result, but I think E/W's score should be adjusted.

Kooijman: I agree with the ruling.

Marques: South argued that East/West had an 8-card spade fit and a 7-card heart fit and that was the reason he pre-balanced. The auction does not support either assumption. South took a wild risk and was properly hammered. Good decision, but I see no merit in this appeal.

Wildavsky: At first I thought these rulings reasonable, but Kit and Jeff have convinced me otherwise. I allowed myself to be misled by South's statement. According to the write-up he said that he knew that E/W had an eight-card fit in spades and a seven-card fit in hearts. In fact, even with correct information he could know neither with certainty. But the misinformation changed the odds. 3♣ is substantially more attractive with the information he received than with the correct information he was entitled to. The E/W score certainly ought to have been adjusted, since they should not be allowed to profit from providing misinformation, and given that I do not judge 3♣ the kind of "serious error" contemplated by Law 12 I would also adjust the N/S score.

Woolsey: What is everybody talking about? South had MI. That MI clearly suggested that his partner had a doubleton spade, since from South's point of view the 2♦ call was a cue-bid in support of spades and therefore showed spade support. With the correct information, South would think East had the doubleton spade he actually has, making it more likely that his partner has 3 spades. Thus, the 3♣ call becomes far less attractive with the correct information. While one might or might not like the call (personally I like it on the MI), allowing the table result to stand is a clear miscarriage of justice. This was an awful ruling.

Subject of Appeal:	Tempo, Unauthorized Information	Case:	N6
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Event	Truscott Senior Swiss Teams	Event DIC	Tom Marsh
Date	07/21/2014	Session	Second Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: 4+ card forcing raise
2: Extras, unknown shortness
3: Asking about shortness
4: Unknown void
5: Break in Tempo, Sign off
6: Undiscussed

Hand Record

Board		11	N	Marlene Konik		
Dealer		S	♠ 86 ♥ KQ10764 ♦ Q43 ♣ 52			
Vul		None				
W	Bruce Tuttle				E	Bob Munson
♠	AQJ43				♠	K10952
♥	(void)				♥	A53
♦	AK1092				♦	J5
♣	J87				♣	K103
			S	Jack Bierig		
			♠ 7 ♥ J982 ♦ 876 ♣ AQ964			

Final Contract	Result of Play	Score	Opening Lead
6♠ by E	Made 6	E/W +980	♥ K

Facts Determined at the Table

South called the director following the 5♦ bid. He stated that there had been a break in tempo before East bid 4♠, to which the opponents agreed. The director instructed the auction to continue and advised N/S to call him back at the end of play if they felt they had been damaged. At the end of play, N/S summoned the director back, as they believed that the BIT had suggested the continuation over 4♠.

Additional Factors Determined Away from the Table

Two players and one director were given the West hand, and the auction through 4♠. One passed, one bid, and one felt it was a judgment call either way. An additional poll indicated that all asked did not feel the BIT demonstrably suggested any particular action, with all of the respondents feeling that they would have taken further action over 4♠ at the table.

Director Ruling

While the first poll indicated that pass was indeed a logical alternative, the second poll indicated that the BIT did not demonstrably suggest one action over another. The threshold established in Law 16B1a being not met, the table result was confirmed: 6♠ by East, making 6, E/W +980.

Director's Ruling	6♠ by E, Made 6, E/W +980
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The Appeal

N/S appealed the ruling, and all four players attended the committee. N/S argued that there was a significant hesitation by East prior to his 4♠ bid (to which East acquiesced before the table director), which demonstrably suggested that continuing the auction would be more advantageous than passing.

West believed that his hand, opposite a game forcing raise, merited exploring to slam. The BIT had not influenced his decision to bid past his partner's signoff.

Committee Findings

It appeared to the committee that this particular pair always asked about shortness, whether it was appropriate or not, and as such, the asking sequence in of itself did not convey any desire to bid beyond game. Therefore, the BIT did demonstrably suggest bidding over passing. Since passing was a logical alternative, the committee ruled that West could not choose bidding (which was suggested by the hesitation) over passing. Therefore, the committee assigned the results of 4♠ by East, making 6, E/W +480.

Committee Decision	4♠ by E, Made 6, E/W +480
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Committee Members

Chair	Jim Thurtell
Member	Craig Allen
Member	Ron Gerard

Commentary

Goldsmith: The AC got it right. Of course, a slow 4♠ suggests bidding over passing. I have no idea what the polled players/directors were thinking.

It's reasonable to rule that N/S get to keep their bad result. Not leading a club seems criminal. North can be pretty confident that West is void of hearts and has no club control.

I'm OK without a PP for abuse of UI, because bidding on is reasonable, but I'd give one, because West didn't say, "I think it's so clear to bid on that even though the BIT suggested passing over acting, that I judged that passing wasn't a LA." Misjudgments don't get PPs, but not considering one's responsibilities does.

Kooijman: In my world 3♦ makes the auction game forcing after which the hesitation points in only one direction, a mild interest in slam. But why did the committee decide so easily that there was a LA? The poll made by the director seems to say something different. I would have preferred a further investigation.

Marques: I wonder if the initial poll was somehow flawed. East has made a game forcing bid in spades, asks for shortness, and stops in game. "What does a hesitation suggest"? I think that the answer is clear enough and it's odd how the poll came out. Did the pollees know that asking for shortness was automatic and didn't promise any extras? I'm with the AC on this one.

Wildavsky: I prefer the AC's ruling to the TDs. A slow 4♠ self-evidently indicates possible interest in slam.

Woolsey: I don't understand the logic of the committee. If the pair "always" asks about the void, that means that the decision to not ask was very unusual. It would be normal that this decision would have taken some time, since it was a deviation from the norm. Consequently, I do not see the connection about the UI suggesting bidding over passing. If East had any slam interest at all, he would have just routinely asked. This time the director had it right and the committee didn't follow the logic.

Incidentally, I think that West is clearly worth a move anyway. If partner has no interest in where the void is, that means partner has scattered values in all the suits so the location of the void won't matter. Opposite that sort of hand, the West hand will mesh very well.

Subject of Appeal:	Misinformation	Case:	N7
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Event	Wernher Open Pairs	Event DIC	Candace Kuschner
Date	07/22/2014	Session	First Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: 12-16 HCP
2: Explained ♦ or Major/Minor
3: Values

Hand Record

Board	13	N	Greg Trautman	
Dealer	N	♠ 86543 ♥ KJ743 ♦ J ♣ J7		
Vul	Both			
W	Ping Ho			E
♠ KJ9 ♥ 962 ♦ K9863 ♣ 65				♠ Q1072 ♥ Q8 ♦ AQ52 ♣ K104
		S	Ron Woodard	
		♠ A ♥ A105 ♦ 1074 ♣ AQ9832		

Final Contract	Result of Play	Score	Opening Lead
2♣X by S	Made 5	N/S +780	♣ 6

Facts Determined at the Table

South's 2♣ bid was explained as either diamonds or a major-minor two suited hand. The actual agreement was a single suited minor or a major-minor two suited hand. The director was called after the conclusion of play, with West stating he would have passed instead of doubling, if given the correct information about the bid, as he would have expected North to bid at least 2♦.

Director Ruling

The reasoning that West would have passed did not seem to apply, as under either explanation of the 2♣ bid, there should be the same expectation that North would bid, which is the reason West gave for wanting to change his call. As there did not seem to be a direct link between the infraction and any damage on the board, per Law 12, the table result was ruled to stand.

Director's Ruling	2♣X by S, Made 5, N/S +780
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The Appeal

E/W appealed the ruling and attended the committee. They play together only at NABCs, and under their system, the double of an artificial 2♣ bid is card showing. Over a natural (or possibly natural) 2♣, double is Stayman. West stated that he would have bid 2♦ if he had known the 2♣ bid could show just clubs.

Committee Findings

Based upon the system agreements presented by E/W, the committee decided that the double was indeed based upon the misinformation provided by N/S. Accordingly, they examined where the auction would likely end if correct information had been provided.

Proceeding from West's assertion that he would bid 2♦, North (believing his partner to hold a major-minor two suiter) would likely bid 2♥. East would compete to 3♦, and South (in possession of UI) would raise his partner's natural bid. Per Law 12C, the offending side was not allowed to bid to game, and thus a final contract of 3♥ was imposed. The committee found that the least favorable result at all probable for N/S was eleven tricks, and therefore ruled the final result to be 3♥ by North, making 5, N/S +200.

Committee Decision	3♥ by N, Made 5, N/S +200
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Committee Members

Chair	Richard Popper
Scribe	Scott Stearns
Member	Ed Lazarus
Member	Ray Miller
Member	Mark Bartusek

Commentary

Goldsmith: I'd have to see system notes from E/W that said they played double of a totally artificial 2♣ showed cards, but Stayman over an artificial 2♣ that might have clubs to believe E/W's argument. I'm especially skeptical, because E/W didn't make this argument at the table but claimed that West would have passed rather than doubled, not bid 2♦. And if double is Stayman, 2♦ is natural, not a transfer? But over a 2♣ that cannot show clubs, 2♦ isn't natural? (If it were, why didn't West choose it?) Could be, but I want pretty clear evidence. Without strong evidence to back up E/W's claims, I'd rule as the director did.

The AC needs to judge which results are likely and which are at all probable; it is very likely that this will yield a split score.

Kooijman: Why didn't the TD determine what the committee established: that West would have bid 2♦ with the right information? We are supposed to be (even more) friendly to the non-offenders.

Two remarks about the committee statements: the "least favorable" phrase is outdated since 2017 and the remark that N/S are not allowed to bid game is outdated since I've been playing bridge (1958). The statement should have been: the committee is not sure that N/S would have bid 4♥ (pre2017). Nowadays, a weighted score would be considered.

Marques: At the table West wanted to pass instead of doubling, with the good information of the system. There is no way that I would accept an assertion, sometime later, that he would bid 2♦ instead. I agree with the table TD, and I think that the AC went way off-road here. Also, the write-up of the AC's reasoning seems clumsy: "... the OS was not allowed to bid their game..."!?

Wildavsky: I prefer the AC's ruling to the TD's. A player should not have to explain how and why he was damaged in the middle of a session. His main goal ought to be to finish the round on time.

Woolsey: The directors should consult some experts before making rulings which involve bridge knowledge. With the correct explanation there is no danger of a club 1-suiter, and it is much less likely that everybody will pass if West doubles. If it could be just clubs, there is a big danger that South has a club 1-suiter.

I guess the committee's adjudication is as good as anything. At least the committee overturned the awful director ruling.

Subject of Appeal:	Tempo, Unauthorized Information	Case:	N8
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Event	Wernher Open Pairs	Event DIC	Candace Kuschner
Date	07/22/2016	Session	Second Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: Disputed Break in Tempo

Hand Record

Board	16	N	Susan Furchtenicht	
Dealer	W	♠ 42 ♥ AK1085 ♦ J54 ♣ 984		
Vul	E/W			
W	Larry Ascher			E Diana Tenery
♠ 105 ♥ Q9432 ♦ Q97 ♣ QJ5				♠ QJ97 (void) ♥ 1083 ♦ AK7632 ♣
		S	John Lyddon	
		♠ AK863 ♥ J76 ♦ AK62 ♣ 10		

Final Contract	Result of Play	Score	Opening Lead
3♠ by S	Made 3	N/S +140	♣ J

Facts Determined at the Table

West called the director following South's 3♦ call, saying that North had broken tempo prior to his third pass. N/S disputed the assertion. The director instructed for the auction and play to continue, and to call him back if E/W felt they were damaged by the result. Once play completed, E/W summoned the director again.

Director Ruling

While the hesitation was disputed by the players at the table, upon examination of the North hand, the directing staff believed that a BIT had likely occurred. Accordingly, as Pass was deemed to be a logical alternative, the score was changed to 3♣ by West, making three, E/W +110, per Laws 16B3 and 12C1e.

Director's Ruling	3♣ by W, Made 3, E/W +110
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The Appeal

N/S appealed the ruling, and all of the players attended the committee. South was adamant that his partner had not hesitated. He explained that his partner did not Double West's 1♥ bid because she was not strong enough to Double at the one level. South agreed that Double by North would have shown hearts and would not have been responsive. He claimed that her hand did not justify bidding at any time, and that it did not even merit the thought of bidding despite his strong actions during the auction.

E/W maintained that there was a marked hesitation at North's third turn to bid. They believed South had done full justice to his values by the Double and bid of his own suit following two passes by North during the first two rounds of the auction.

Committee Findings

The committee agreed with the director that a break in tempo was very likely to have occurred. In light of that, South's 3♦ bid was likely suggested by the UI, and Pass was a very likely alternative. Therefore, the Director's ruling was confirmed.

Committee Decision	3♣ by W, Made 3, E/W +110
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Committee Members

Chair	Gail Greenberg
Member	David Caprera
Member	Joann Sprung
Member	Fred King
Member	Tom Peters

Commentary

Goldsmith: Good job, AC, though in many disputed BIT cases, I like to admit that we don't know for certain that there was a BIT, but since the evidence suggests that there was one, we are going to guess that there was and rule accordingly. That tends to reduce ruffled feathers a little, as the OS can feel that they just happened to run into an unlucky situation. On the other hand, if the AC was pretty certain that there was a BIT, forgoing that is fine.

Kooijman: Good ruling. No other way to decide about tempo with both sides not agreeing than becoming a hesitating North yourself.

Marques: I like the approach used. In this type of situation, with a dispute on whether there was a BIT or not, a judgment needs to be made, and it will often hinge on small intangibles that point in the (hopefully) right direction. Here, North could have shown hearts by doubling 1♥ (she didn't), and after that, she found herself with some values. It's way more likely than not that there was a BIT. Also, South did most of the talking for the pair (judging from the write-up), which is at least strange. I would have liked to hear North's explanations to the AC regarding the auction. I think that the TD's and the AC's decision was the best one.

Wildavsky: I agree with the TD and AC rulings, for the reasons they stated. I also agree that the appeal had merit, due to the factual question at issue.

Woolsey: As is so often the case when there is a dispute about a hesitation, the cards speak. North's cards say that he had something to think about. South's cards say that his bid was based on the UI. Perfect ruling.

Subject of Appeal:	Tempo, Unauthorized Information	Case:	N9
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Event	Wernher Open Pairs	Event DIC	Candace Kuschner
Date	07/22/2016	Session	Second Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: 4+ ♦, Unbalanced, 11+ HCP
2: Break in Tempo

Hand Record

Board	10	N	Chuck Said	
Dealer	E	♠ Q1083 ♥ Q1098 ♦ (void) ♣ Q8642		
Vul	Both			
W	John Fout			E Stephanie Russo
♠ 964 ♥ J3 ♦ Q964 ♣ J1053				♠ AJ ♥ 52 ♦ A108532 ♣ AK7
		S	Elaine Said	
		♠ K752 ♥ AK764 ♦ KJ7 ♣ 9		

Final Contract	Result of Play	Score	Opening Lead
5♦X by E	Down 2	N/S +500	♥ K

Facts Determined at the Table

North called the director after West displayed his hand as Dummy. Everyone at the table agreed that there had been a long hesitation by East prior to her Double.

Additional Factors Determined Away from the Table

Five players from team events were polled as to what action they would take with the West hand following the Double. Four of the five said they would pass.

Director Ruling

As the poll established that Pass was a logical alternative, per Laws 16B3 and 12C1e, the result was changed to 4♥X by South, making 4, N/S +790.

Director's Ruling	4♥X by S, Made 4, N/S +790
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The Appeal

West appealed the director's ruling, and he and North attended the committee. West explained their systemic 1♦ opening showed four or more diamonds with an unbalanced hand. His 2♦ response promised anywhere from 4 HCP to a limit raise. He bid 5♦ because he knew his partner's hand was unbalanced, he had no defense, and based upon the auction he believed 4♥ was likely to make, so the sacrifice was a sound bridge decision.

North stated that he believed the pause before the Double conveyed doubt, and this unauthorized information suggested pulling the Double. He believed that Pass was a logical alternative with the West hand.

Committee Findings

The committee determined that the long hesitation suggested doubt and that pass was indeed a logical alternative. However, it also decided that the hesitation did not suggest that bidding on to 5♦ would be the winning action. There was nothing in West's hand to indicate 4♥ was going to make, nor was there any reason to believe that the UI suggested 5♦ was the right action. Therefore, it was determined that West's action was a legal gamble that happened to work. Accordingly, the committee restored the table result – 5♦X by East, down 2, N/S +500.

Committee Decision	5♦X by E, Down 2, N/S +500
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Committee Members

Chair	Richard Popper
Scribe	Craig Allen
Member	Ron Gerard
Member	Ray Miller
Member	Ellen Kent

Commentary

Goldsmith: The AC lost its collective mind. This was an AWMW and a 1/4 board PP. Drat, the ACs had been doing so well so far! Did they really come to this conclusion without any dissenters?

Kooijman: A ridiculous decision by the committee, inventing its own set of bridge laws. Not even one dissenting member! All its statements are rubbish.

A lecture seems necessary again: East suggested in an unauthorized way that she was not sure that the double would work. Pass by West thereafter was proven to be a LA. Decision: 4♥X made with a reasonable weight for 11 tricks.

The TD had good reason not to accept this illegal decision, protecting the committee against its own blunder. Even after 6 years they all deserve an ADWMW (D for decision).

Marques: It would be useful to know the questions asked during the poll. Were the pollees asked about what the hesitation suggested? That would have been useful here. My take on this: Pass is a logical alternative. The hesitation before doubling expresses doubt. How does it not suggest bidding on to 5♦? West cannot take the action demonstrably suggested by the BIT. Did I miss something? I think that the committee erred on this one.

Wildavsky: I heartily disagree with the AC's decision. Their reasoning seems specious to me. A slow penalty double cannot suggest anything other than doubt as to the wisdom of defending, and the TD's poll confirmed that. I hate to see an AC overturn an entirely correct TD ruling. In fact, I see no merit to this appeal.

Woolsey: This is as classic a slow double - pull as one will ever find. While it is true that West cannot know whether passing or bidding 5♦ is the winning action, there is no question that the UI suggests bidding 5♦ is more likely to be successful than if there were no UI. A different committee would have properly ruled that this was a frivolous appeal. The committee lost their collective minds.

Subject of Appeal:	Misinformation	Case:	N10
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Event	Truscott Senior Swiss Teams	Event DIC	Tom Marsh
Date	07/22/2014	Session	Second Final


Auction

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

Explanation of Special Calls and Points of Contention

1: No Alert

Hand Record

Board	13	N	William Wickham	
Dealer	N	♠ QJ108762		
Vul	Both	♥ 7		
		♦ J		
		♣ Q965		
W	Elaine Landow		E	Craig Robinson
♠ A9			♠ K	
♥ AQ52			♥ KJ64	
♦ 72			♦ Q854	
♣ J10874			♣ AK32	
		S	Jeff Miller	
		♠ 543		
		♥ 10983		
		♦ AK10963		
		♣ (void)		

Final Contract	Result of Play	Score	Opening Lead
4♠X by N	Made 4	N/S +790	♣ K

Facts Determined at the Table

After the opening lead was faced and dummy tabled, East asked South if they played McCabe, to which South replied affirmatively. East called the director as South qualified his confirmation with "over Weak Twos". South stated he had made a tactical bid hoping to get a club ruff. The director instructed the players to continue play and returned to the table after play of the hand was over.

East questioned South's bid, and West objected to North's rebid of spades. Away from table, North stated he expected 4♣ to promise spade tolerance, but not necessarily to show clubs. His spade rebid was made knowing his partner could safely correct to 5♣. N/S is an established partnership of over 30 years' experience together.

Director Ruling

Upon consultation with the Director in Charge and another senior director, it was determined that the 4♣ bid after the Double constituted a partnership understanding per Law 40A1a. As such, there was misinformation based upon the failure to alert the 4♣ call, per Law 40A1b. E/W were damaged as East's Double was based on the MI. Per Laws 21B1, 21B3 and 40B4, the director adjusted the result to 4♠ by North, making 4, N/S +620.

Director's Ruling	4♠ by N, Made 4, N/S +620
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The Appeal

Both pairs appealed the director's ruling, and North and East attended the hearing. East argued that he believed the failure to Alert the artificial 4♣ call made it impossible for E/W to find the sacrifice in 5♣ on their cards.

North argued that he had assumed his partner's call to be natural, forcing, and suggestive of a spade fit. It was on the basis of that presumed fit that he went on to 4♣.

Committee Findings

The Committee judged that West damaged her side's potential for playing in 5♣ when she did not double 4♣. However even if she had, and in fact the partnership was then aware of their club fit, it still would have been quite likely that E/W would not have elected to sacrifice. E/W had 27 high card points between their hands, which included the ace and king of spades. A double of 4♣ would still be suggested.

North said after the fact that his partner probably intended his 4♣ bid as lead directing, even though they had no such special agreement. If doubled in 4♣, he had an easy retreat to 4♠. When questioned as to how established was their partnership, it was admitted that they play regularly together but that their only agreement is that the 4♣ bid was forcing. Believing this to be so, the committee agreed that even had they been more informed about the ambiguous 4♣ bid, it was likely that either East or West would double 4♣. The Committee believed that 4♣X was a very likely result, and since N/S did not commit an infraction, they were entitled to that score. Therefore, the Committee restored the table result, 4♣X by North, making 4, N/S +790.

Committee Decision	4♣X by N, Made 4, N/S +790
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Committee Members

Chair	Gail Greenberg
Member	David Caprera
Member	Fred King
Member	Joann Sprung
Member	Tom Peters

Commentary

Goldsmith: Good job, AC. No infraction means no adjusted score. They didn't have to point out that there was no way N/S was playing 4♣ undoubled but doing so might have been educational for the director who ruled as he did, so I like that they did.

Kooijman: The reasoning of the committee is somewhat confusing. It could have been restricted to one sentence: since there was no infraction, the score stands. But I am inclined to follow the TD: this 4♣, being an implicit understanding, is alertable, North knows that it can be a void (short) and being forcing it is a protected psyche. And then the reasoning given by the committee becomes useful: EW would have doubled anyway, so indeed, score stands.

Marques: A poll would have been useful. Anyway, even if 4♣ is explained as "forcing, not necessarily clubs," does it really change anything? Good recovery by the AC.

Wildavsky: Good ruling by the AC. 4♣ was an entirely normal tactical call. I see no evidence of a secret agreement, so no misinformation, so no legal reason that would permit us to adjust the score.

Woolsey: The director had no basis for determining that N/S had an undisclosed partnership understanding about the 4♣ call. South simply chose to make a tactical bid.

The committee properly overturned the ruling and allowed the table result to stand. However, I do not understand the part in the writeup where the committee judged that it was likely 4♣ would have been doubled anyway had E/W been more informed. There was nothing for E/W to be more informed about

Subject of Appeal:	Tempo, Unauthorized Information	Case:	N11
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Event	NABC Fast Pairs	Event DIC	Harry Falk
Date	07/24/2014	Session	Second Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: 14-17 HCP
2: Break in Tempo

Hand Record

Board	25	N	Jan Janitschke	
Dealer	N	♠ J9632		
		♥ 102		
Vul	E/W	♦ 93		
		♣ K1065		
W	Cameron Doner			E
♠ AK108				Jadwiga Polujan
♥ KJ973				♠ Q5
♦ A107				♥ AQ865
♣ 3				♦ K64
		S	Bonnie Smith	♣ QJ4
		♠ 74		
		♥ 4		
		♦ QJ852		
		♣ A9872		

Final Contract	Result of Play	Score	Opening Lead
6♥ by E	Made 6	E/W +1430	

Facts Determined at the Table

North/South summoned the director prior to the opening lead. Everyone at the table agreed that there had been a noticeable hesitation by West at his first turn to call prior to passing. N/S believed it might have influenced East's bid over 3♣.

Additional Factors Determined Away from the Table

Two expert players and multiple directors were given the East hand and the auction through 3♣. All passed, establishing Pass as a logical alternative.

Director Ruling

East's bid of 3♥ established that he held a five card suit, information which was unauthorized for West. The directing staff reconstructed a likely auction if East had passed at his second turn. West would certainly take action when 3♣ was passed back to him, almost certainly with 4♣ to ask for a major suit. Following a bid of 4♥ by East, West might explore for slam, but considering the range of the opening notrump, and only knowledge of a nine card fit in hearts rather than a 10-card fit, it was deemed likely that West would sign off in 5♥ when East only showed one keycard. Therefore, the results of 5♥ by E, making 6, E/W +680 was assigned, per Laws 16B & 12C

Director's Ruling	5♥ by E, Made 6, E/W +680
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The Appeal

E/W appealed the ruling, with West attending the committee. The case was not screened prior to the committee due to the time limits of the event. West argued that if his partner had passed over 3♣, he would have bid 4♣ and then bid Blackwood. Their partnership agreement was 1430 RKC, which would have allowed him to ask about the ♥Q and he would then bid on to slam.

Committee Findings

The committee confirmed the E/W Blackwood agreements on their convention card, and decided to allow the pair the result for bidding and making slam. However, the committee judged that East's action of bidding 3♥ following the hesitation was egregious. The initial consideration was for a half board procedural penalty, but upon learning of East's relative lack of experience at this level of competition, they decided a quarter board penalty combined with education about her responsibilities in this type of situation was appropriate.

Committee Decision	6♥ by E, Made 6, E/W +1430 E/W: ¼ Board Procedural Penalty
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Committee Members

Chair	Jeff Roman
Member	Leo Bell
Member	Jeff Goldsmith

Commentary

Goldsmith: I forgot to dissent. I don't like this ruling at all. I'm OK with only the small PP for abuse of UI by a beginner, but allowing the slam is ridiculous. Even if the AC thought it likely that E/W would get to slam, it's surely at all probable that they would not, so there's no way E/W should get better than +680. I'm OK with the director's ruling or with a split ruling's giving N/S -1430 and E/W +680.

Kooijman: Playing in the "least favorable result era" I consider the committee to be rather friendly allowing the slam. In 2020 it would be a reasonable decision. I appreciate the educational measure: 3♥ is indeed unbelievable.

Marques: Under the 2007 Laws, the score assigned in place of the actual score for a nonoffending side is the most favorable result that was likely had the irregularity not occurred. For an offending side, the score assigned is the most unfavorable result that was at all probable. Did the committee find the "likely" or the "at all probable"? The former for sure, but were they absolutely convinced that the latter was also 6♥ making? Once again, a poll would have been very useful.

Wildavsky: The TD ruling is nonsensical. It cannot be sound to suggest that both the most favorable result likely for N/S and the most unfavorable result at all probable for E/W involve an expert asking for key cards and then signing off after determining one is missing.

The AC did better, especially when remembering the procedural penalty, though I'd have looked for more reasonable sequences where E/W still miss slam.

Woolsey: Once again, the directors demonstrate that they don't understand bridge. The statement that West would bid RKC but then sign off in 5♥ when East shows only one keycard is absurd. A good player will never bid RKC planning on signing off when only one keycard is missing.

What would have happened if East had passed isn't clear. West certainly would have bid 4♣. Would he have driven to slam over 4♥ (a RKC call is a slam drive), or would he have just invited. Had he invited, East would have a rejection with the wasted QJ of clubs. This is what polls are for. Players should be polled how they would bid the West hand. If everybody drives to slam, then the table result should stand. If some don't drive to slam, then the result should +680 (since weighted scores were not permissible at the time).

As to the PP for the 3♥ call, I think that is overdoing things. Yes, I agree it isn't a very good bid and might have been influenced by the UI, but I've seen far worse not get a procedural penalty.

Subject of Appeal:	Tempo, Unauthorized Information	Case:	N12
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Event	NABC Fast Pairs	Event DIC	Harry Falk
Date	07/24/2014	Session	First Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: Disputed Break in Tempo

Hand Record

Board		13	N	Brian McAllister		
Dealer		N	♠ KJ73 ♥ QJ9763 ♦ (void) ♣ 542			
Vul		Both				
W	Stephanie Russo				E	Gloria McDevitt
♠ A		♠ 6				
♥ AK10542		♥ 8				
♦ 96		♦ KQJ10875				
♣ 10876		♣ KQ93				
			S	Richard Morgen		
			♠ Q1098542			
			♥ (void)			
			♦ A432			
			♣ AJ			

Final Contract	Result of Play	Score	Opening Lead
5♠X by S	Made 5	N/S +850	♥ A

Facts Determined at the Table

N/S summoned the director at the end of play. They explained that West had hesitated an estimated 20 seconds prior to doubling 4♠, and they believed the break in tempo influenced East's subsequent call. They believed without the hesitation that East would have passed, and South would have played in 4♠X, making five for +990. E/W agreed to a slight hesitation, but not one inconsistent with level of the auction and the activity that had already occurred.

Director Ruling

Based upon the auction and the content of the E/W hands, the director judged that a slight hesitation was not undue and that East's decision to pull the double was not demonstrably suggested by the hesitation. As the conditions of Law 16B were not met, the director ruled that the table result stood.

Director's Ruling	5♠X by S, Made 5, N/S +850
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The Appeal

N/S appealed the ruling, and they attended the hearing. They confirmed that they estimated the hesitation as being approximately 20 seconds. They also argued that if E/W were in a Forcing Pass situation, then the decision by East to pull the double was inconsistent with having passed initially.

Committee Findings

Since only N/S attended the hearing, the committee asked them to re-create the duration of the tempo of the auction while it was being timed. The re-creation showed the hesitation to have only been 10 seconds. N/S could not provide any evidence that E/W had the agreement to use a Forcing Pass in this auction.

The committee judged that given timing of the hesitation did not constitute a break in tempo given the auction. Therefore, there was no UI at the table, and Law 16B did not apply. The director ruling was confirmed

Committee Decision

5♣X by S, Made 5, N/S +850

Committee Members

Chair	Tom Carmichael
Member	Sam Marks
Member	Chris Moll

Commentary

Goldsmith: The ruling is clearly correct, but I don't like the approach. Asking players to re-create timing is silly. Nearly no one can do it. Why try to create evidence that's even less likely to be accurate than the initial testimony? The only effect this procedure can have is to embarrass the players. Accept that there is a disputed BIT and judge whether it happened. Given West's hand, it seems pretty likely that it did.

So what? No East would ever sit for 4♠x. The BIT might have caused her to bid 5♣ instead of the obvious 5♦, but that wasn't relevant to the result.

The only reason this appeal had any merit was that the director didn't show everyone East's hand and say, "you really think this hand would sit for 4♠x? You're joking, right?"

Kooijman: It is good to create some jurisprudence about the definition of a hesitation in high-level competitive bidding. And I am with the committee that 10 seconds falls in the category of normal tempo then. Well done. The reasoning of the TD is less consistent and creates an invitation to appeal.

Marques: One more case of "was there a BIT or not?" I don't think that trying to recreate a BIT hours later and on a different setting is a reasonable way to establish the facts. I much prefer to have the table TD decide, based on all the clues that he manages to gather moments after the BIT takes place. Here, the table TD judged that no BIT took place, and it sounds reasonable. No new evidence was presented to the AC, so I don't see any reason for the appeal.

Wildavsky: It seems likely to me that West did hesitate, but I cannot imagine East passing a double made in any tempo so I would make the same ruling for a different reason. That said, to make sure of making the correct ruling we'd need to know whether East's pass was forcing and how E/W define the difference between an immediate and a delayed pull.

Woolsey: It would be nice to know if E/W are defined to be in a force in their partnership. That might have an effect on things and is something the director should determine.

It is up to the director to judge whether or not there was UI. From what I can determine the director judged that there was no UI, so that is that. However, if there were UI then a slow double definitely suggests pulling.

At any rate, I don't consider passing the double a logical alternative with the East hand. So, the right decision was made, although perhaps not for the right reason.

Subject of Appeal:	Misinformation	Case:	N13
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Event	Freeman Mixed BAM Teams	Event DIC	Steve Bates
Date	07/22/2016	Session	First Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: Strong, Artificial, Forcing
2: 0-7 HCP
3: Explained Majors or Minors
4: Penalty oriented; ♣ or extras
5: Takeout

Hand Record

Board		35	N	Warren Oberfield			
Dealer		S	♠ J5 ♥ J1098 ♦ AJ92 ♣ 984				
Vul		E/W					
W	Karlis Rubins					E	Maija Romanovska
♠ KQ108 ♥ AQ5 ♦ Q ♣ KJ752		♠ 74 ♥ 763 ♦ 8643 ♣ AQ103					
			S	Peggy Kaplan			
			♠ A9632 ♥ K42 ♦ K1075 ♣ 6				

Final Contract	Result of Play	Score	Opening Lead
3♠ by W	Down 3	N/S +300	♥ J

Facts Determined at the Table

The director was called after the conclusion of play. South explained that North's explanation of her 2♣ bid was incorrect. She believed their actual agreement was that it showed either spades and diamonds or hearts and clubs. E/W stated that neither bid clubs once South passed North's 2♦ as they believed she held both minors, based upon the explanation they received.

Director Ruling

The directing staff judged that the damage was due to East's decision to pass her partner with only a doubleton spade. West had had the opportunity to show an actual spade suit at his third turn, but had instead made a "takeout" call, which suggested that his spade call did not show a five card suit, but was simply a preference, all else being equal. Therefore, the damage was not the result of the misinformation, and no adjustment to the table result was needed.

Director's Ruling	3♠ by W, Down 3, N/S +300
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The Appeal

E/W appealed the ruling, and they and South were present at the committee. E/W explained that, in their system, club bids would not have been natural after the explanation they received. This made finding their club fit difficult, while with a correct explanation, it would have been trivial. West's bidding sequence, in their methods, was consistent with being 5-4 in the majors, based upon the information they had received.

South acknowledged the misinformation, but believed East's pass of 3♠ was poor bridge as West did not bid spades until the fourth round of bidding.

Committee Findings

The committee ruled that there was definitely misinformation provided. Without the misinformation, E/W would be aware that South held spades and diamonds, and would not play in 3♠. While some might not like the pass by East, West could have had five spades, so it certainly did not rise to the level of an egregious error.

Accordingly, as the table result was connected to misinformation provided, and not the result of the actions of E/W, a score adjustment was proper. While eleven tricks are there in a club contract, the committee judged that, even with correct information, E/W were unlikely to bid to the game contract. Therefore, the committee assigned the result of 4♣ by West, making five, E/W +150.

Committee Decision	4♣ by W, Made 5, E/W +150
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Committee Members

Chair	Lou Reich
Scribe	Ray Miller
Member	Joel Wooldridge

Commentary

Goldsmith: Good job by the AC with one exception. I agree that it is not likely that E/W would have bid to 5♣, but is it at all probable? If so, then N/S get -600 while E/W get +150. It is pretty hard to know without knowing what E/W's actions mean given correct information, so I'll decline to guess now.

Kooijman: I do not consider West's second double as ridiculous, with the given explanation he might expect better majors in East. But if the TD decides otherwise that should lead to a split score, not allowing the offenders their huge score. The committee did a proper job.

Marques: From the write-up, it seems that East/West didn't explain their methods to the TD, at least not as well as to the AC. Even without the information about the system, it looks as though the damage stems mainly from the misinformation given. Another good recovery by the AC.

Wildavsky: I like the AC's ruling. E/W might have judged better, but they should never have been placed in this position. Their error was clearly related to the infraction.

Woolsey: Once again, the director doesn't understand the bridge aspects. E/W were definitely injured. They had no chance to get to their club fit, since from the information they had received South had the minors. Whether East's pass of 3♠ was a good bid or not could be debated, but that is irrelevant. The MI definitely calls for an adjudication.

I don't believe the committee properly assessed how the bidding would likely have gone with the correct information. On the actual information East thought passing 2♦ would work out, since looking at the East hand it was certain that South would be correcting to 2 of a major. If East had received the correct explanation it would be known that 2♦ was going to be passed, so East would likely have bid an immediate 3♣ after West had doubled 2♣, and if East did pass over 2♦ then she certainly would have bid 3♣ instead of 3♦ on the next round. What West would have done after that is anybody's guess.

Subject of Appeal:	Misinformation	Case:	N14
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Event	Wagar Women's KO Teams	Event DIC	Mike Flader
Date	07/24/2014	Session	Finals


Auction

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

Explanation of Special Calls and Points of Contention

1: S to W – “means nothing”
2: Forcing

Hand Record

Board		15	N	Irina Levitina		
Dealer		S	♠ J98 ♥ KQ3 ♦ K8 ♣ AJ932			
Vul		N/S				
W	Ran Jingrong				E	Wenfei Wang
♠ 53		♠ AQ76				
♥ A76		♥ J82				
♦ AQJ975		♦ 32				
♣ 107		♣ KQ64				
			S	Kerri Sanborn		
			♠ K1042 ♥ 10954 ♦ 1064 ♣ 85			

Final Contract	Result of Play	Score	Opening Lead
3NT by E	Down 3	N/S +150	♣ 8

Facts Determined at the Table

The director was summoned at the end of play. When the ♣8 was led, North lowered the screen and told East that her partner (South) usually does not have a four-card major. East (the declarer) felt that she had been told that South could not have a four-card major and that if the club was a doubleton, South's distribution had to be 3-3-5-2.

The director determined that play to the first five tricks proceeded as follows:

Trick 1: ♠8-♠7-♠A-♠4
 Trick 2: ♥K-♥2-♥4-♥6
 Trick 3: ♥Q-♥8-♥5-♥A
 Trick 4: ♠10-♠J-♠Q-♠5
 Trick 5: ♦2-♦4-♦5-♦8

Director Ruling

The director found that East/West had received an accurate description of their opponents' methods, but did not fully understand what they were told. If that is the case, there was no misinformation, and, therefore, the table result must stand, 3NT by East, down three, N/S +150.

Director's Ruling	3NT by E, Down 3, N/S +150
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The Appeal

East/West appealed the ruling. All four players attended the hearing. E/W stated that East's English is poor and that she didn't understand the meaning of the term "usually". Based on the given information, East expected South to have 3-3-5-2 and she played the deal accordingly.

North/South contended that the second pass by South was explained by South to West as "pass means nothing." After the opening lead, North closed the screen window and pointed to the word "usually" on her written explanation in an attempt to emphasize it. (The full written statement was: "Usually she doesn't have 4H or 4S.")

Committee Findings

The Appeals Committee decided that North, though trying to be helpful, explained an agreement that she and her partner did not explicitly have, and therefore she gave misinformation. East was also culpable; she should have asked for more information, as she didn't understand the word "usually". In addition, her play of a diamond to the 5 was a "practice finesse" that could never gain.

Per Law 12, for an offending side the score assigned is the most unfavorable result that was at all probable had the irregularity not occurred - the declarer gets the benefit of the doubt, and with best play should emerge with 10 tricks. Accordingly the result is adjusted for North/South to 3NT by East, making four, N/S -430.

Also per Law 12, the non-offending side does not receive the benefit of the adjustment if they committed a serious error unrelated to the irregularity. Accordingly, the table result stands for East/West, 3NT by East, down three, E/W -150.

Dissent by Committee Member Michael Huston: This decision has two distinct parts: the determination that there was misinformation and the determination of the resulting adjustment. I choose to dissent on the former.

Communication between bridge players who do not speak each other's languages must be a two-way street. A non-native speaker cannot be allowed to extract only 70% of the meaning of something said and hold his or her opponent entirely liable for failure to communicate completely – especially when (s)he has evidence that only part of the meaning has been extracted.

In this case, North wrote a note explaining a partnership tendency that was not an explicit agreement and she did not say or imply that it was an explicit partnership agreement. This was proactive, full disclosure. Further, her written statement was not inaccurate - at that point, East ignored the word "usually." When the screen window came down and North pointed repeatedly at the word "usually", East had considerable evidence that she wasn't understanding the written explanation.

With a duty to clear up communication problems, East had several reasons to believe she was not processing North's attempt to communicate. In my opinion, when East made no effort to close the communication gap, she should be held to proceed at her own risk.

There may have been a technical irregularity in North's zealous attempt to fully reveal what was going on, but that should not exempt East from her responsibility to close the obvious communication gap so that the game of bridge can determine winners.

Committee Decision	N/S: 3NT by E, Made 4, N/S -430 E/W: 3NT by E, Down 3, E/W -150
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Committee Members

Chair	Adam Wildavsky
Scribe	Paul Janicki
Member	Michael Huston
Member	Joel Wooldridge
Member	Lou Reich
Member	Ray Miller

Commentary

Goldsmith: This one is very tough. First, was there MI? I don't think there is a good answer to that. N/S were very strongly trying to be helpful, but North's explanation turned out to be misleading. Mostly, there was a language problem. My opinion on what to do in language problem cases is to try to restore equity rather than figure out who is to blame.

What is equity? I think that it is not at all probable that with the correct information, declarer would have made 3NT. If she had finessed the ♦Q, it would have held. Then, either she'd cross to the ♥J or take a spade finesse. If a spade, she would win the heart continuation and take another diamond finesse. Then the roof caves in. It's hard to say whether 3NT would be down one or two, but either is likely. So equity is somewhere around down one. If we judged that there was MI, we'd need to award E/W with the best score likely, which I think is -50, and we'd need to give N/S the worst score at all probable, which is +50. So +50/-50 looks fair enough.

Kooijman: Trying to understand what happened I imagined myself sitting East, with my screenmate pointing to a written statement emphasizing the word 'usually' and I found it possible that I would not have understood it, thinking: 'ok, ok, I understand: no 4-card major'. Given South' explanation the TD should decide that North gave misinformation. What happens if North keeps silent about the pass? Then it is impossible that East will play the diamonds as she did. While I have to agree with : 'the play of the 5 could never gain' I also agree with 'it could never lose' and winning the first trick in a suit with the 5 remains to be a nice experience. There is a clear connection between the infraction and the wrong play, that makes it a fault to declare the play as a, since 2017 extreme, serious error. The adjusted score should have been 3NT +1 for E/W.

Marques: I'm with the director and especially Michael Huston on this one. East brought this upon herself. I remember this case when it happened, and my opinion is still the same: I don't think that North committed any irregularity. In other words, for me, there is no offending side so no reason for adjustment. If East were a native English speaker, there would never have been a case.

Wildavsky: This case was a cause célèbre. I'd hoped never to see it again. I thought at the time that the decision was close and could have gone either way. I'll be delighted to defer to other panelists.

Woolsey: This was a celebrated case, as the ruling swung a national championship. I agree with Michael Huston's dissent. North's description of the partnership agreements was completely accurate, and a good example of full disclosure. This sort of ruling by the committee causes players to be less open with their disclosure of their methods, for fear that they may say something slightly different than what is said on the other side of the screen and thus cause them to receive an adverse ruling.

Subject of Appeal:	Misinformation	Case:	N15
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Event	Freeman Mixed BAM	Event DIC	Steve Bates
Date	07/25/2014	Session	First Final


Auction

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

Explanation of Special Calls and Points of Contention

1: 15-17 HCP
2: Penalty; has long suit
3: Intended as transfer

Hand Record

Board	9	N	Stella Rainey	
Dealer	N	♠ Q105 ♥ Q10973 ♦ 7 ♣ Q965		
Vul	E/W			
W	Ming Sun			E
♠ A972 ♥ J ♦ KQ1053 ♣ 1084				♠ K3 ♥ A652 ♦ J9642 ♣ J7
		S	Jim Foster	
		♠ J864 ♥ K84 ♦ A8 ♣ AK32		

Final Contract	Result of Play	Score	Opening Lead
2♦ by N	Down 4	E/W +200	♣ J

Facts Determined at the Table

The director was called by North at the end of the hand. When asked about the double, East had explained it was a penalty double based upon a long suit. N/S use differing methods depending upon whether a double was for penalty or showed a suit. North interpreted the explanation as "showing a suit" and bid 2♦, intended as a transfer to hearts.

E/W had only one completed convention card between them. They were instructed to complete a second card before continuing play, and received a quarter board procedural penalty for failure to comply with ACBL regulations. The one completed card (East's) was marked with "penalty" for doubles over One Notrump.

Director Ruling

The problem for N/S arose as a result of differing methods over penalty vs. takeout doubles by the opponents. As "penalty" was clearly stated as part of the explanation by East, it appears that no damage can be directly linked to a failure to disclose agreements by E/W. The possibility that "penalty" is an incorrect explanation doesn't matter, as it was N/S who miscommunicated, which would be based upon their own misunderstanding (Law 21A). Therefore, no adjustment to the table result was appropriate.

Director's Ruling	2♦ by N, Down 4, E/W +200
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The Appeal

N/S appealed the director's ruling, and South and East attended the hearing. South stated that their partnership agreements were to play "front of the card" methods over conventional doubles, and natural bids over penalty doubles. Although the E/W convention card was marked penalty, East's explanation was unclear. His mention of a long suit

confused North into thinking that the double was conventional. Additionally, the West hand does not resemble a traditional penalty double, suggesting that E/W were not playing penalty doubles. Thus, N/S were given misinformation and the table result should be changed.

East explained that their partnership agreement of a double of 1NT is a cooperative penalty double, often based upon a long suit or shapely hand. It is only a balanced hand if extremely strong. Advancer is expected to pull with a weak hand. At the table, he clearly indicated that double was penalty; North simply got confused when she bid 2♦. Since the correct explanation was given, the table result should stand

Committee Findings

The committee found that the E/W agreement of a double of 1NT was penalty, as was on their convention card and as explained at the table. Thus, there was no misinformation and the table result of 2♦ by N, down four, E/W +200, was confirmed. An Appeal without Merit Warning was assigned to N/S.

Additionally, since E/W's use of their penalty double is not mainstream, the committee suggested that E/W elaborate on "penalty double" on the convention cards.

Committee Decision

2♦ by N, Down 4, E/W +200

Committee Members

Chair	Douglas Doub
Member	Ed Lazarus
Member	Ellen Kent

Commentary

Goldsmith: Good ruling, good AWMW.

I think it's a bit harsh to ask someone who is from a foreign country and doesn't have great English skills to be aware of obscure ACBL regulations. Even though they are printed in the Daily Bulletins, it's reasonable to expect a non-English speaker not to understand. So, I wouldn't give a PP for a pair's having only one convention card unless there were exceptional circumstances.

I'd like to see an ACBL web page directed toward foreign players that covers the common ACBL regulations that are not standard among NCBOs. Stuff like: you need two convention cards, WBF ones won't do, so here's a form you can print; here are the most common alert cases and a link to the full docs; these conventions are illegal in which events and a link to the full docs; a list of laws elections not commonly used elsewhere; and the like. Then have it translated into a handful of languages. If that's available, then maybe we can consider PPs for minor regulation violations.

Kooijman: I agree with the decisions.

Marques: Good decision, good AWMW, another case that should never have got to the AC room.

Wildavsky: I think the committee missed an important point here. When E/W violate regulations by producing only one convention card we cannot grant them the benefit of the doubt in assuming that the missing card would be identical. If we instead presume that it would have been different we come to a different and, to my mind, better ruling. It is clear from the West hand that, whatever the E/W agreement, an explanation of "Penalty" does not do it justice. In any case, the AWMW was unwarranted. Indeed, it is contraindicated by the AC's instruction to E/W. A different AC might well have ruled in favor of N/S.

Woolsey: Whether the description of the double was perfect or not doesn't matter here. N/S didn't have the accident because the West hand didn't exactly conform to the description. Both North and South received the same explanation. Since they are using different methods over different meanings for the double, it is up to N/S to have prepared how various explanations are to be interpreted. Their failure to be on the same page was what caused the accident. Good ruling.

Subject of Appeal:	Misinformation	Case:	N16
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Event	Freeman Mixed BAM	Event DIC	Steve Bates
Date	07/25/2014	Session	First Final


Auction

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

Explanation of Special Calls and Points of Contention

1: 15-17 HCP
2: Alerted; denied 4 spades

Hand Record

Board	14	N	Erwin Linzner	
Dealer	E	♠ Q86 ♥ J97 ♦ AQJ83 ♣ 109		
Vul	None			
W	Sumit Daftuar		E	Carol Frank
♠ KJ103 ♥ 854 ♦ 5 ♣ KJ654			♠ A2 ♥ KQ103 ♦ K1076 ♣ A87	
		S	Nancy Blaustein	
		♠ 9754 ♥ A62 ♦ 942 ♣ Q32		

Final Contract	Result of Play	Score	Opening Lead
3NT by E	Made 5	E/W +460	♠ 4

Facts Determined at the Table

South called the director when West displayed his hand as dummy. Before making her opening lead, South asked several questions about the auction. During the auction, the 2NT bid had been Alerted, but no explanation had been requested. When the bid was asked about by South before the opening lead, West said, "If I have four spades, I should bid 2♣." South said she was going to play him for four spades until he gave that information, and was going to lead a diamond but after the remark, she believed he did not have four spades and led one.

Director Ruling

West's remark was improper and misleading. Per Law 20F, West should only explain his own call if his partner is explaining the bid incorrectly, and he should do so in a manner that will not mislead the opponents. Based upon Laws 20F6, 21B3, and 12C, the score was adjusted to 3NT by East, making 4, E/W + 430.

Director's Ruling	3NT by E, Made 4, E/W +430
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The Appeal

South appealed the director's ruling. She and both of the opponents attended the hearing. South said that she was going to lead a diamond until West implied with his statement that he did not have four spades. In assigning 10 tricks to E/W, a director showed South the Deep Finesse analysis showing that E/W make 4NT. South said that those results often do not happen at the table. On a diamond lead, declarer might have misjudged and taken only nine tricks.

The E/W agreement was that West should have bid 2♠ if he held four of them. West made his statement in response to what he thought was a questioning glance by an opponent while East was explaining the 2NT bid. E/W thought it highly likely that East would have taken ten tricks on a diamond lead.

Committee Findings

West made an improper and misleading statement that could have influenced South's opening lead. The committee considered a diamond lead likely enough in the absence of the irregularity that it examined the possible results after the lead of the ♦9. When East gained the lead with the ♦K, she would surely play the ♣A and a small club to the jack, followed by a heart to the king and ace (as happened at the table). From there, even if North did not cash his diamonds (setting up East's 10), East would finesse on his heart return as a safe way of trying for an overtrick. Thus, E/W would take at least 10 tricks on a diamond lead.

In order to award N/S four tricks on a diamond lead, there must be a line of play where that result is at least at all probable. N/S offered no suggestions as to how declarer might have lost four tricks other than "it could have happened". Given that South took the ♥K with the ace after a spade lead it seemed likely that she would do the same after a diamond lead. In that case the committee could see no likely losing line for declarer. Therefore, N/S were assigned an Appeal without Merit Warning.

The committee informed West that the player who alerts answers any questions about the alert, not the bidder. When a player makes a bid that does not conform to the partnership agreement, he should especially refrain from answering questions about his bid

Postscript: At the other table, in 3NT, the opening lead was a diamond to the jack and king. The declarer played the ♣A and a small club to the jack, followed by a heart to the king, winning the trick. She then cashed all her winners and lost the rest, making 3.

Committee Decision	3NT by E, Made 4, E/W +430
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Committee Members

Chair	Douglas Doub
Member	Ellen Kent
Member	Ed Lazarus
Member	Jim Thurtell
Member	Scott Stearns

Commentary

Goldsmith: In practice, players regularly answer questions when their partners are supposed to. This is a bad idea for many reasons. This case is a little different; it seems as if West thought South was confused about partner's explanation, and he was just trying to clarify. Still, volunteering information that you know might damage the opponents is something carefully to avoid unless you are expressly asked. In some cases, however, players must do it. Let's say a weak NT pair has the auction 1♣-1♥; 1NT. 1NT is alerted and explained as 15-17. Before the opening lead, declarer needs to state, "1NT may have four spades," if that's true, even if he doesn't have them. Even if he fears a spade lead.

I like the ruling, including the AWMW, but I do feel sympathy for South. She had clear evidence that on a diamond lead, 3NT might take only nine tricks. She just didn't know the reason was that her counterpart ducked the ♥K in tempo.

Kooijman: Good decision and a necessary AWMW. Players committing an infraction should behave modestly in relation to the decision taken. I hate, for example, players blaming their opponents for poor play after having committed an infraction themselves.

Marques: West was probably trying to be helpful, but he should know better. Nice to see the committee exploring the possibility of assigning 3NT just made. Good decision overall, including the AWMW.

Wildavsky: I like the rulings by the TD and AC. Kit makes a good point, though, that after a different lead South might well duck the ♥K.

Woolsey: Even before I got to the postscript, I was thinking: Is it so clear that declarer will make 10 tricks after a diamond lead if South ducks the ace of hearts? It wasn't so clear to me. The postscript confirmed my doubts.

It is true that at the table South took the king of hearts with the ace after the spade lead. However, the conclusion of the committee that she would do the same after a diamond lead is totally erroneous. There would have been entirely different parameters. After the spade lead South knew she had given declarer 3 spade tricks and had no idea what the diamond position was. After a diamond lead, the hand would be pretty much an open book to South. Thus, the

adjudication to 10 tricks for declarer is definitely wrong. Perhaps we can excuse the director for making this adjudication, as he is not a bridge expert. But we can't excuse the committee.

Subject of Appeal:	Tempo, Unauthorized Information	Case:	N17
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Event	Roth Open Swiss Teams	Event DIC	Gary Zeiger
Date	07/26/2014	Session	Second Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: Limit Raise
2: Slam Try (Last Train)
3: One defensive trick; BIT

Hand Record

Board	35	N	Massimiliano DiFranco	
Dealer	S	♠ J63 ♥ (void) ♦ QJ7542 ♣ 10853		
Vul	E/W			
W	Peter Crouch			E
♠ A5 ♥ A8654 ♦ AK9 ♣ K92				♠ K742 ♥ KQJ107 ♦ 1086 ♣ 4
		S	Andrea Manno	
		♠ Q1098 ♥ 932 ♦ 3 ♣ AQJ62		

Final Contract	Result of Play	Score	Opening Lead
7♣X by S	Down 4	E/W +800	♦ A

Facts Determined at the Table

The director was summoned after play of the hand had completed. South had asked several questions about the auction and thought for some time before his final double. E/W felt that this influenced North to bid 7♣. North/South explained that they play cooperative slam doubles over the opponents' voluntarily bid slams to suggest possible sacrifices (Pass in direct seat shows zero or one defensive tricks; in balancing, double shows exactly one defensive trick).

Director Ruling

The out of tempo Double provided UI to North, suggesting that South was unsure and that bidding was likely to be more advantageous than passing. Per Laws 16B and 12C, the contract was changed to 6♥X by West, making six, E/W +1660.

Director's Ruling	6♥X by W, Made 6, E/W +1660
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The Appeal

N/S appealed the ruling, and North, East and West attended the hearing. North explained the system agreements connected to their cooperative slam doubles mechanics, and showed that their bidding was consistent with the agreement and their actual hands.

E/W felt that the break in tempo indicated doubt as to whether the agreement was in effect on this particular hand, as South was a passed hand that overcalled at the three level for lead direction.

Committee Findings

The decision by the Committee was not unanimous, as two members were unconvinced by North's presentation. However, since N/S (a well-practiced partnership) maintained that this was their understanding, the Committee ultimately decided that North's decision to bid over the double was consistent with their partnership agreement, and not influenced by UI. Accordingly, the table result was restored.

Committee Decision	7♣X by S, Down 4, E/W +800
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Committee Members

Chair	Gail Greenberg
Member	Ed Lazarus
Member	Jim Thurtell
Member	Craig Allen
Member	Chris Moll

Commentary

Goldsmith: I agree with the AC, assuming that South's double was alerted. If it was not, N/S had better have clear system notes handy.

The AC's write-up was a little sloppy. They should say that they judged that a pass by North was not a LA, yada, yada, but they got the point across adequately.

Kooijman: I join the committee and wonder whether the TD did his utmost to come to the right decision.

Marques: Good decision by the AC. Maybe there were time constraints involved in the TD's decision (board 35 is the last of the set). Otherwise, no reason for the table TD to not have received the information that the AC did about North/South's methods.

Wildavsky: Reasonable decisions by the TD and the AC, even though different.

Woolsey: Let's suppose that South had, in fact, held 2 defensive tricks for his slow double, and North had passed the double rather than saving. Now the argument would be: North had the UI that South might not have the 1 defensive trick South was supposed to have for the double, therefore North isn't permitted to sit with zero defensive tricks. This would be a valid argument.

You can't have it both ways. The UI in no way suggests that North pull; if anything, it suggests otherwise. North made the bid he was supposed to make. The director didn't understand this. Fortunately, 3/5 of the committee did.

Subject of Appeal:	Unauthorized Information	Case:	R1
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Event	Bruce LM Pairs	Event DIC	Susan Doe
Date	07/18/2014	Session	Second Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: Limit raise in diamonds
2: Conflicting explanations

Hand Record

Board	23	N	3960 MPS	
Dealer	S	♠ K654 ♥ 9872 ♦ J4 ♣ 854		
Vul	Both			
W	2420 MPS			E 2330 MPS
♠ Q102 ♥ AK3 ♦ KQ83 ♣ A62				♠ 92 ♥ Q ♦ A107652 ♣ KJ73
		S	1950 MPS	
		♠ AJ87 ♥ J10654 ♦ 9 ♣ Q109		

Final Contract	Result of Play	Score	Opening Lead
6♦ by W	Down 1	N/S +100	♠ 6

Facts Determined at the Table

The director was called after the opening lead and at the end of play. South asked at the time of the alert to have the 2♠ bid explained. After “Artificial, showing limit raise or better in diamonds” South asked if 2♠ showed shortness and was told East had no four-card major.

Before North made the opening lead, he asked about the 4♦ bid and was told “I don’t know.” E/W claim they explained 4♥ as RKC and 4♠ was the response. N/S claimed they were explained as “I don’t know.”

E/W felt the spade lead was indicated by the two questions about the 2♠ bid. South said if she wanted a spade lead she could have doubled 4♠. North explained he had led a spade because he felt the explanations of 4♥ and 4♠ were cue bids and he did not want to lead into strength but through it.

Additional Factors Determined Away from the Table

A poll was conducted using the explanations E/W felt they gave. Five players with about the same number of MPs as N/S were consulted. None of those players led a spade. One player consulted mentioned that because partner did not double 2♠ or 4♠, he was not going to lead a spade.

Director Ruling

Per Law 16, “when a player makes available to his partner extraneous information that may suggest a call or play, as for example by a remark (or) a question... the partner may not choose from among logical alternatives one that could demonstrably have been suggested over another by the extraneous information.” The player poll showed that a spade lead was not considered a logical alternative by North’s peers based solely on the auction and the North hand. The

questions asked about 2♠ drew attention to the bid, and suggested values or interest in the suit. Without the spade lead, West would take 12 tricks, so, per Law 12C, the result was changed to 6♦ by West, making 6, E/W +1370.

Director's Ruling

6♦ by W, Made 6, E/W +1370

The Appeal

N/S appealed the ruling and all four players attended. North said he asked if 4♦ was Minorwood and West said she didn't know. East said, "That is RKC" so North assumed the 4♥ and 4♠ were cue bids and he wanted to lead through strength. South said she asked her follow up question about 2♠ to see if it showed shortness somewhere.

West said she first answered North's Minorwood question with "No" and then said she didn't know what it meant. East post alerted and, pointing to West's 4♥ bid, said "that is RKC and 4♠ is one or four." N/S did not hear West's "No" and North said he understood East to be correcting his partner's explanation to mean that 4♦ was Minorwood.

Panel Findings

Per the Alert regulations, South's properly phrased first question about an alerted 2♠ did not transmit UI, so five more players with a wider range of MP holdings were asked about the two questions combined. None thought they transmitted UI suggesting a spade lead. Since there was no UI, there was no violation of Law 16 and thus no infraction. The table result was restored.

Panel Decision

6♦ by W, Down 1, N/S +100

Panel Members

Reviewer	Charles MacCracken
Member	Eric Bell
Member	Matt Koltnow

Commentary

Goldsmith: I'd want to be at the table or hear what the table director thought happened. If South really said, "please explain 2♠," then, "does it promise shortness," or "is this your only limit raise," then I think there's no problem. If the question was, "does it promise shortness in spades," then when the answer is, "no," I think that is suggesting that South was considering doubling 2♠ and perhaps would have had the answer been, "yes." In that case, I would bar a spade lead. The write-up isn't that specific, so it's hard to judge.

Kooijman: Confusion all over, emphasized by another wrong use of the term 'logical alternative' in the write up of the director's ruling. The call chosen after the assumed UI been given is not considered as a logical alternative, we use that for possible other calls. If that is not understood by the TD it is impossible to apply the laws legally.

I was really interested in this case because I am in a discussion about the combination of a legal question asked (what is 2♠ alerted?) and a favorable lead in that suit by partner thereafter. What are the conditions to call such lead suggested? The laws are not so clear.

I am happy that the committee gave priority to the legality of the question. Apparently, the ACBL has a regulation dealing with it: if a question about an alerted call is asked properly it does not create UI. But what if South has the AK(Q) of spades?

Marques: From the write-up, it seems that the original poll could have been better planned. Apparently, the poll was conducted to see what the players would lead with the explanations allegedly given, but IMHO the poll should include as a subsidiary question (but the most important one) whether South, through the table dialogue, provided UI that is helpful for the lead. The fact that none of the polled players leads a spade does not mean that the spade lead was found through UI. The Panel's approach was better, and I am with them on this one.

Wildavsky: The initial explanation of the 2♠ call was admirably complete. The follow-up question was uncalled for and could only cause trouble. I prefer the TD's ruling to the Panel's. The writeup misleads in one respect, though. It does not matter whether the spade lead was logical, but rather whether a non-spade lead would have been logical.

Woolsey: When 2♠ is alerted, South is supposed to ask about the meaning of the call. In fact, failure to do so would be UI to partner that South doesn't care about the meaning; South was always going to pass. The follow-up question is perfectly valid. As I understand the write-up, the only time South had asked anything was immediately after the 2♠ call had been made. That is completely proper procedure, so there is no UI. The fact that none of those polled led a spade is meaningless. The director simply didn't understand the laws. The panel did.

Subject of Appeal:	Tempo, Unauthorized Information	Case:	R2
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Event	Sunday AB Swiss	Event DIC	Donna Coker
Date	07/20/2014	Session	First Session


Auction

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

Explanation of Special Calls and Points of Contention

1: RKC Blackwood
2: 0 or 3 Keycards
3: Specific kings
4: Break in Tempo

Hand Record

Board	5	N	7880 MPS	
Dealer	N	♠ 32 ♥ AKJ987 ♦ 65 ♣ AQ9		
Vul	N/S			
W	7280 MPS			E 15,170 MPS
♠ 97 ♥ 105 ♦ QJ974 ♣ 10654				♠ QJ106 ♥ 642 ♦ 10832 ♣ J2
		S 4000 MPS		
		♠ AK854 ♥ Q3 ♦ AK ♣ K873		

Final Contract	Result of Play	Score	Opening Lead
7♥ by N	Made 7	N/S +2210	♠ Q

Facts Determined at the Table

The director was called after the 7♥ bid and again at the end of the hand. E/W thought that the slow 6♥ bid suggested that North not pass and that pass was an option for him.

Director Ruling

The director ruled that the hesitation prior to the 6♥ bid demonstrably suggested not passing, and that pass was a logical alternative for North (Law 16B1). The score was changed to 6♥ by North, making seven, N/S +1460 per Law 12C1e.

Director's Ruling	6♥ by N, Made 7, N/S +1460
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The Appeal

N/S appealed the director's ruling, and they attended the review. North told the reviewer that his 2♥ bid was as strong as it could possibly be, and that with as little as another jack, he would have rebid 3♥. When asked why he bid 6♦, he said he deliberately misbid to allow South room to bid 6♥. When he discovered that partner's bidding was based on a heart fit, he thought bidding 7♥ was automatic and what he always planned. He saw no danger to bidding 6♦, terming it a "safe" bid. South said he hesitated before bidding 6♥ while trying to work out what the "impossible" 6♦ bid meant. North and South both agreed that 5NT guaranteed possession of all controls.

Panel Findings

The panel believed North's explanation of why he bid 6♦. Therefore, from his point of view the 6♦ bid almost certainly caused an expected problem for South if he held the diamond king. That problem and any hesitation that resulted from it were not useful in deciding whether to bid 7♥. Since the hesitation did not "demonstrably suggest" anything useful to North, he was free to choose whatever call he wanted regardless of whether logical alternatives existed (Law 16B1). The panel restored the table result of 7♥ by North making seven, NS +2210.

Panel Decision

7♥ by N, Made 7, N/S +2210

Panel Members

Reviewer	Bill Michael
Member	Terry Lavender
Member	Candace Kuschner

Commentary

Goldsmith: I'm with the director. North has UI that South has the ♦K. That UI demonstrably suggests bidding 7♥ over passing, and I think passing is clearly a LA. No PP or AWMW here, as no one apparently realized that there was clearly useful UI.

Kooijman: I am not happy with the way this appeal was dealt with. No poll taken, neither by the TD nor by the panel.

What does 5NT and 6♥ by South mean for North? That South needed an extra K. Does North know that his partner cannot count? I agree that a mind-reading North knowing that his partner was just confused by his 6♦ bid does not have useful UI, but how can a normal being draw that conclusion? His partner needed a king! What does he have he didn't show yet? I need peers of the N/S pair before deciding but I have strong doubts.

Marques: South created the problem by asking for specific Kings when he has them all. And the write-up from the Panel's findings shows that from North's point of view South's hesitation shows the ♦K, and that is UI for North. Couldn't South have AQJx Qxx AQ KJxx? A poll would have been useful here. I suspect that the Panel got this one wrong.

Wildavsky: At first I agreed with the Panel's decision, but Jeff, Kit, and Rui have convinced me that I was mistaken. Whatever North's initial plan, he now has UI indicating both that his partner holds the ♦K and that partner is still considering a grand.

What was South's plan when he bid 5NT? Presumably he was going to pass over 6♥. Either 6♣ or 6♦ would have been a puzzlement, so he needed to decide what to do over either before his 5NT call.

Woolsey: The panel was gullible enough to believe North's explanation of the reason he bid 6♦. I'm not that gullible. Hearts were the agreed trump suit. The 6♦ call doesn't give South room to explore. South is going to bid either 6♥ or 7♥. Since North bid the grand over South's signoff, that would indicate that North was always going to bid the grand. If so, why bid 6♦ showing a king you don't have?

So why did North bid 6♦? North's thinking was that even though he had no kings he had a maximum, so if the queen of clubs was a working card that should be sufficient opposite a partner who thought there might be a grand. By bidding 6♦ North not only showed the king of diamonds, he denied the king of clubs. If South didn't have the king of clubs, South would surely sign off. If South did have the king of clubs, the 6♦ call would be enough for South to bid the grand. A very clever idea. Unfortunately, the huddle told North that South had the king of clubs, since without that card South would have signed off in tempo. Thus North did have UI which suggested bidding the grand. The panel didn't understand this. Had the panel asked an expert, they might have understood the situation better.

Subject of Appeal:	Tempo, Unauthorized Information	Case:	R3
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Event	Bruce Life Master Pairs	Event DIC	Susan Doe
Date	07/20/2014	Session	First Final


Auction

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

Explanation of Special Calls and Points of Contention

1: Bad Hand, Bad Suit (Ogust)
2: Disputed Break in Tempo

Hand Record

Board	18	N	2680 MPS	
Dealer	E	♠ Q6 ♥ Q532 ♦ K5 ♣ AQ943		
Vul	N/S			
W	780 MPS			E
♠ 754 ♥ K6 ♦ A10964 ♣ KJ2				♠ KJ9832 ♥ 107 ♦ J83 ♣ 76
		S	2660 MPS	
		♠ A10 ♥ AJ984 ♦ Q72 ♣ 1085		

Final Contract	Result of Play	Score	Opening Lead
4♥ by S	Made 4	N/S +620	♠ 4

Facts Determined at the Table

The director was called when South bid 4♥. At her second turn to call, North asked the meaning of 3♣. According to E/W, she then broke tempo before passing. The BIT was strongly disputed by N/S.

Director Ruling

The North hand suggested a BIT might likely have occurred. The UI demonstrably suggested action over inaction. Pass by South was deemed a logical alternative. The contract was adjusted to 3♠ by East, down one, N/S +50, per Laws 16B1 & 12C1e.

Director's Ruling	3♠ by E, Down 1, N/S +50
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The Appeal

N/S appealed and all four players attended the review. N/S stated they had been kibitzing experts, and had made a conscious decision to bid more deliberately and even their tempo. South said North had passed in normal tempo after getting the explanation of 3♣. North said if she was going to bid, she would have done so over 2NT.

E/W said North's pass over 3♠ was clearly slower than her pass over 2NT. They also claimed that if South could not act over 2♠, it wasn't logical for him to then act over 3♠. South said a direct overcall over 2♠ would have shown a stronger hand. He admitted it didn't occur to him to bid over 3♠.

Panel Findings

The panel decided a BIT had almost certainly occurred. A poll of seven of South's peers, without the UI, demonstrated that passing 3♠ was a logical alternative. Several peers thought they might be being swindled, but could not do anything about it.

The Panel assigned a result of 3♠ East, down one, N/S +50, per Laws 16B1 and 12C1e. No AWMW was assigned since the table result would almost certainly have been restored had the panel determined that no BIT had likely occurred.

Panel Decision	3♠ by E, Down 1, N/S +50
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Panel Members

Reviewer	Gary Zeiger
Member	David Metcalf
Member	Matt Koltnow

Commentary

Goldsmith: Of course, there was a BIT. No one would bid 4♥ without one. I'm sure enough that I'd award an AWMW and a PP.

Kooijman: Yes, all signs point to a hesitation by North. But continue to be brave then, the combination with an impossible 4♥ bid needs an AWMW.

Marques: South's actions are by themselves an indication that North broke tempo. I understand the reasons for not awarding an AWMW, but I would probably not be so kind to North/South.

Wildavsky: I agree with the TD and AC decisions.

Woolsey: This is a very clear case. When there is a dispute about the facts, the cards often speak. On this hand, South's 4♥ call is so outlandish that there is every reason to believe it was based on UI.

Subject of Appeal:	Unauthorized Information	Case:	R4
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Event	Sunday Daylight Pairs	Event DIC	John Gram
Date	07/20/2014	Session	Second


Auction

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

Explanation of Special Calls and Points of Contention

1: Strong, Artificial, Forcing
2: Natural, Game Forcing

Hand Record

Board	1	N	15,250 MPS	
Dealer	N	♠ J9 ♥ AQ72 ♦ J10953 ♣ 65		
Vul	None			
W	5370 MPS			E 3410 MPS
♠ A2 ♥ J65 ♦ AK74 ♣ 10842				♠ 10743 ♥ 1043 ♦ Q2 ♣ J973
		S	15,600 MPS	
		♠ KQ865 ♥ K98 ♦ 86 ♣ AKQ		

Final Contract	Result of Play	Score	Opening Lead
3NT by S	Made 3	N/S +400	♦ 4

Facts Determined at the Table

Before West led to trick one, East asked if 2♦ was natural and game forcing. He was told it was. He also asked if 3♥ was natural. When West led the ♦4, the director was called.

Director Ruling

The director decided East's questions demonstrably suggested a diamond lead, even though East obviously had no such intent. A club lead was considered a logical alternative as defined under Law 16B1. After a club lead, South still could not make 10 tricks unless he ducked the second round of spades. This was not considered likely enough, under Law 12C1e to adjust the table result for either side. E/W were given a ¼ board procedural penalty for East's untimely and inappropriate questions, considering that no bid other than 1♣ had been alerted.

Director's Ruling	3NT by S, Made 3, N/S +400 E/W: ¼ Board Procedural Penalty
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The Appeal

N/S appealed, and only North, the dummy, appeared at the review. South, a physician, had been asked by ACBL to examine a player and was unable to attend. North knew that E/W had been penalized, but was still upset that South, an expert with more than 15,600 masterpoints, did not get a chance to make an extra trick after a non-diamond lead. She agreed that ducking the second round of spades was the only play that might have netted an extra trick, but insisted that South might have found the duck.

Panel Findings

Three experts were consulted about the line of play in 3NT. All three said that ducking the second spade was not the correct percentage play. It would also expose declarer to being set. The experts were unanimous that a spade to the jack, and then back to the king, was correct. The panel allowed the table result to stand. Since South had not been available to sign the appeal form, and might well have not gone forward with the appeal, N/S were not given an AWMW..

Experts Consulted: Chip Martel, Eric Rodwell, Kit Woolsey

Panel Decision	3NT by S, Made 3, N/S +400 E/W: 1/4 Board Procedural Penalty
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Panel Members

Reviewer	Gary Zeiger
Member	David Metcalf
Member	Matt Koltnow

Commentary

Goldsmith: Finally we have a good reason for not awarding an AWMW. I like the ruling and the PP. I hope East was told the right way to do what she did.

Kooijman: See my comment in R1. The difference with R1 is that the questions were asked at a wrong moment here. East should have waited till the first lead was faced down. That being the case there is still the issue of whether such illegal question automatically might suggest a play, in this case a diamond or a heart lead, since East asked about both suits. I don't think so. We should rule along the line of 'could have known that it might damage the opponents' (L72C) to decide to adjust the score, in my opinion. That possibility is available when there is an offense, but it could also be used when the question is legal as in case R1.

Such an approach prevents us from accusing a player from using UI when he leads small from AKxx defending 3NT, as happened here.

Marques: A lesson for East regarding how to phrase questions at the bridge table. Good job overall.

Wildavsky: East's questions when partner was on lead were completely improper, even if he asked before passing, so the procedural penalty was appropriate - well done.

The N/S appeal has no merit, though. The circumstances were unusual. This case ought to have taught us never to proceed without a signed appeal form.

Woolsey: When exactly did East ask the questions? If before making his final pass, that is perfectly legitimate. Also, as evidenced by East's cards, East in no way was calling attention to a diamond lead. So if that is what happened, there should be no procedural penalty.

If the questions were asked after the auction was over but before West led, then the questions were untimely and the procedural penalty was reasonable.

Obviously, there was no reason to adjudicate the result. Of course, declarer wouldn't consider getting the spades right.

Subject of Appeal:	Unauthorized Information	Case:	R5
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Event	Sunday Evening Side Swiss	Event DIC	Terry Lavender
Date	07/20/2014	Session	Only


Auction

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

Explanation of Special Calls and Points of Contention

1: 15-17 HCP
2: Transfer to ♠
3: Agreed Break in Tempo

Hand Record

Board	12	N	1930 MPS	
Dealer	W	♠ 10xx ♥ Qx ♦ xx ♣ KQxxxx		
Vul	N/S			
W	1220 MPS			E 170 MPS
♠ AK92 ♥ xx ♦ AQJ10 ♣ J97				♠ QJ87x ♥ xx ♦ xxxx ♣ xx
		S	2070 MPS	
		♠ 6 ♥ AKJ9754 ♦ K62 ♣ A10		

Final Contract	Result of Play	Score	Opening Lead
4♥ by S	Made 6	N/S +680	♠ K

Facts Determined at the Table

The director was called after North broke tempo prior to passing 3♠. South subsequently bid 4♥. East/West believed the BIT influenced South to bid.

Additional Factors Determined Away from the Table

Three players were polled with the South hand. Two wanted to bid 3♥ on the first round of bidding, but then passed 3♠. The third player doubled 2♥, then bid 3♥, and then passed 3♠.

Director Ruling

The director decided the BIT almost certainly suggested bidding 4♥. It was deemed unlikely that North was considering doubling when E/W were virtually certain to have at least nine spades between them. The director adjusted the contract to 3♠ by West, making three, E/W +140, per Laws 16B1 and 12C1e.

Director's Ruling	3♠ by W, Made 3, E/W +140
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The Appeal

N/S appealed and they and their team captain attended the review. The facts were agreed, although South said he hadn't noticed anything. South thought bidding 4♥ was clear, and that he probably should have done so over 2♠. North had been considering bidding 4♥ or 4♣.

Panel Findings

The Reviewer conducted his own poll of South's peers, not only to determine whether passing 3♠ was a logical alternative, but also to see if any peers thought the BIT meant partner was thinking of bidding, as opposed to doubling. Four players were consulted. None bid 4♥. After being informed of the tempo break, three thought that partner was considering bidding on. One peer thought partner might have been thinking of doubling.

The panel decided the BIT conveyed unauthorized information which demonstrably suggested the 4♥ bid. The panel also decided that passing 3♠ was a logical alternative. Per Laws 16B1 and 12C1e, the panel assigned a result of 3♠ by West, making three, E/W +140. An AWMW was not issued.

Panel Decision

3♠ by W, Made 3, E/W +140

Panel Members

Reviewer	Gery Zeiger
Member	Kevin Perkins
Member	Eric Bell

Commentary

Goldsmith: Good, but the failure to issue an AWMW is mystifying. Furthermore, when a player takes an action that is not a LA without UI and is demonstrably suggested over LAs by the UI, he gets a PP. This sort of action must not be risk-free.

Kooijman: An ordinary hesitation, standard case, well handled by both the TD and the panel, but for the last (not taken) decision. Certainly, an AWMW should be assessed.

Marques: The Panel's poll was a nice improvement over the TD's. Comparing this case with the previous one, did South escape a PP because the action is not so egregious as before? And could this be the reason why the AWMW warning was not assessed?

Wildavsky: I see no merit here.

Woolsey: An easy and correct ruling

Subject of Appeal:	Unauthorized Information	Case:	R6
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Event	Daylight AB Swiss Teams	Event DIC	Steve Kaessner
Date	07/23/2014	Session	Second


Auction

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

Explanation of Special Calls and Points of Contention

1: 15-17 HCP
2: One Major
3: E - Card Showing, W - ♦
4: Explained Pass or Correct

Hand Record

Board	14	N	4000 MPS	
Dealer	E	♠ 86 ♥ AKQ964 ♦ 106 ♣ K93		
Vul	None			
W	3000 MPS			E 4200 MPS
♠ AQ2 ♥ 532 ♦ A532 ♣ A87				♠ K4 ♥ J107 ♦ Q74 ♣ QJ642
		S 4500 MPS		
		♠ J109753 ♥ 8 ♦ KJ98 ♣ 105		

Final Contract	Result of Play	Score	Opening Lead
3♠X by S	Made 3	N/S +530	♦ A

Facts Determined at the Table

The director was called after the 3♠ bid. With North away from the table, South informed E/W that N/S's new agreement was that 2♠ was to play. The director was called back after the hand. E/W were concerned the 3♠ call may have been influenced by the explanation of 2♠. West's defense had been predicated on his understanding that the double of 2♦ promised diamonds. East played the 4 at trick one, upside down count and attitude. E/W played ace from AK hence East's encouragement at trick one.

Director Ruling

The director ruled the explanation of 2♠ was UI to South. He further ruled that from South's point of view the 3♥ bid implied spade tolerance, so pass was not a logical alternative. The table result was allowed to stand.

Director's Ruling	3♠X by S, Made 3, N/S +530
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The Appeal

All four players attended the review. The facts were agreed as presented. E/W said that North's explanation of 2♠ told South that North's 3♥ call might be predicated on South's having heart support, rather than a self-sufficient suit as would be suggested without the UI.

N/S said the 3♠ call didn't damage E/W. Their problem was their own misunderstanding about the double of 2♦, which caused their subsequent poor defense. South also stated that, from his point of view, North would never have risked 3♥ without spade tolerance. South's diamond holding suggested, given the auction, that North was short in that suit.

Panel Findings

Five peers of South were polled about the call after 3♥ - Pass. All five passed. All five thought the only inference from the auction about North's spade holding was a probable lack of support. When told about the explanation of 2♠, all five thought a 3♠ call was now more attractive.

For N/S, the panel adjusted the score to 3♥ by North, down one, E/W +50. While E/W might allow 3♥ to slip through, especially after a diamond lead, the panel decided that down one met the standards of Law 12C1e as the most unfavorable result that was at all probable for the offending side.

Regarding E/W, they were in a position to earn a better score than they would have without the 3♠ call. Law 12C1b states, "if, subsequent to the irregularity, the non-offending side has contributed to its own damage by a serious error (unrelated to the infraction) or by a wild or gambling action, it does not receive relief in the adjustment for such part of the damage as is self-inflicted." For E/W, the table result was allowed to stand.

2♦ showing an unknown major is a Mid-Chart method not permitted in an event of this rating. That issue was not addressed by the players, the event directors, or the panel.

The appeal was judged to have merit

Panel Decision	N/S: 3♥ by N, Down 1, E/W +50 E/W: 3♠X by S, Made 3, N/S +530
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Panel Members

Reviewer	Gary Zeiger
Member	Kevin Perkins
Member	Matt Koltnow

Commentary

Goldsmith: The note that Woolsey 2♦ was illegal is correct. It became general chart in May, 2015. I think E/W's bidding misunderstanding defending against an illegal convention is not a sufficiently serious error to compromise their right to redress. If 2♦ were legal, then the ruling would be great.

Kooijman: New issue, at last a serious error not related to the infraction. I agree that a misunderstanding about a systemic agreement should be considered as such. This indeed leads to a split score. But I am not sure that the committee understands what this means for the score of the innocent side. It is only because the infraction did not damage E/W at all (expected result in 3♠X is +100 and normal result in 3♥ is + 50) that E/W receive the table result. Otherwise, they need to be compensated for the consequent damage, the difference in result between the expected result (infraction included, no serious error) and the normal result (had the infraction not occurred).

Marques: If the Woolsey 2♦ was an illegal convention for that event, at the time, it creates an issue not addressed by the Panel: Should East/West be to blame for not having a clear meaning for their double of 2♦? In my opinion, no.

Furthermore, the standard of "serious error" is a subject of subjective judgment, but in this case, the cause for the error was the misunderstanding about the double, that derived from the use of an illegal convention by the opponents. In my opinion, when a pair uses an illegal convention, the opponents should be automatically entitled to 60% (or 3 IMPs) on the board, or the table result, whichever is better. Here, because the Woolsey 2♦ slipped through the net, the right decision was not reached.

Wildavsky: The Panel's decision might be an improvement on the TD's. I would not judge, though, that E/W were damaged by a serious error subsequent to the irregularity. Their mis-defense, if that's what it was, does not rise to nearly that level. Rather, they damaged themselves through their own misunderstanding regarding the double of 2♦.

That no one involved recognized that the convention was illegal is a sign that the ACBL's regulations are too complex.

Woolsey: As was shown by the poll, the supposed inference that 3♥ shows spade tolerance is nonsense. The adjudication to 3♥ down 1 is okay.

We are not told how the play continued after trick 1 to allow 3♠X to make. I'm guessing that West continued diamonds. If so that was perhaps an error, but not even close to the egregious type of error which overrides the fact that the problem should never have been faced. From West's point of view he doesn't expect his partner to hold the king of spades, so it looks like the king of diamonds is a necessity. Also, note that the diamond continuation is the winner if declarer's hand is: KJ10xxx, --, KJ9xx, xx. I'll grant that West probably should have cashed the ace of clubs, but failing to do so is not a severe enough error to justify allowing the table result to stand for E/W.

Subject of Appeal:	Misinformation	Case:	R7
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Event	Wed/Thurs KO Teams	Event DIC	Tim Crank
Date	07/24/2014	Session	Semifinal


Auction

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

Explanation of Special Calls and Points of Contention

1: E - Natural, W- ace asking
2: Two aces
3: Intended as ace asking

Hand Record

Board	26	N	950 MPS	
Dealer	E	♠ 982		
Vul	Both	♥ 10973		
		♦ KJ109		
		♣ 74		
W	500 MPS			E 600 MPS
♠	K76			♠ AQJ543
♥	AK65			♥ (void)
♦	A854			♦ 76
♣	95			♣ AKJ62
		S	650 MPS	
		♠ 10		
		♥ QJ842		
		♦ Q32		
		♣ Q1083		

Final Contract	Result of Play	Score	Opening Lead
6♠ by E	Made 6	E/W +1430	♣ 3

Facts Determined at the Table

South asked about the 4♣ call before making his opening lead. South said that West said it was ace-asking. West reported that she had said that she was not sure what the bid meant, but that she took it as ace-asking. East, who had intended 4♣ as natural and 4NT as ace-asking, did not offer any correction until after completion of the hand.

Director Ruling

The table director ruled that there was misinformation and that South might not have led a club had he been informed correctly that 4♣ was natural. The director asked East at the end of the segment how she would have played 6♠ on a heart lead but she was unable to state a making line of play (such as ruffing a club high in dummy). Therefore, the table director adjusted the score to 6♠ by East, down one, N/S +100.

Director's Ruling	6♠ by E, Down 1, N/S +100
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The Appeal

E/W appealed the decision and all four players plus the E/W team captain attended the hearing. East felt it should have been apparent to South that E/W were having a bidding misunderstanding when West jumped to 6♠ over Blackwood. She also felt a club lead would always be wrong. Finally, East stated she would have made 6♠ (which was not made at the other table), but she was flustered because the director asked her immediately after the comparison of that set's boards while she was distracted.

Panel Findings

Four players with between 400 and 1200 masterpoints were polled. If 4♣ had been explained as ace-asking, three said they would have led a club and one would have led a trump. Had 4♣ been explained as natural, none said they would have led a club. All felt that a club lead was considerably less attractive if they thought East had clubs. The reviewer then polled four more players in the same masterpoint range to see how they would play 6♠ on a heart lead. None of them found a play to make the contract

The panel ruled that West's incorrect explanation of the 4♣ bid and East's subsequent failure to correct the explanation constituted misinformation that damaged N/S per Law 40B4. They also ruled, per Law 12C1e, that the most unfavorable result that was at all probable for E/W and the most favorable result that was likely for N/S was 6♠, down one. Therefore, the table director's ruling was allowed to stand.

The ruling was delivered by the table director near the end of the match and player polling did not take place until after the reviewer met with the players. Because of this, the panel did not consider an AWMW.

Panel Decision	6♠ by E, Down 1, N/S +100
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Panel Members

Reviewer	Eric Bell
Member	Kevin Perkins
Member	Tom Marsh

Commentary

Goldsmith: Good job, though I am shocked that players with 400 to 1200 masterpoints can't make 6♠ by the simple expedient of ruffing a loser in the short hand. 1200 masterpoints??? I wouldn't award an AWMW if declarer appealed, because she thought she'd make 6♠. Then again, she didn't make seven.

Kooijman: How is it possible that nobody asked found a way to make 6♠? No escape but to agree with the ruling from both TD and panel. I do not feel too much sorry for declarer who, once again, thought that his best defense was to blame the opponents for his own poor judgement and play.

Marques: Good decision by the TD and the Panel.

Wildavsky: I like the TD and Panel decisions. The play in 6♠ is not stated, but I have to judge that a player who took 12 tricks on a club lead could hold herself to 11 on another lead.

Woolsey: Certainly East should have corrected the explanation before the opening lead was made, and certainly South wouldn't have led a club with the correct explanation. My only issue is the adjudication. I don't think asking the player how they would have played the hand on a different lead is fair; the player is in a different environment than if actually playing the hand and some players are much better than others in this sort of post-mortem analysis. I find it hard to believe that even a moderately competent player would go down on the actual layout, but perhaps I'm not in tune with players of this level. So maybe the adjudication is okay.

Subject of Appeal:	Tempo, Unauthorized Information	Case:	R8
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Event	10K Mixed Swiss	Event DIC	Terry Lavender
Date	07/26/2014	Session	First Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: Alleged Break in Tempo

Hand Record

Board	22	N	3860 MPS	
Dealer	E	♠ 873 ♥ AJ7642 ♦ A3 ♣ 65		
Vul	E/W			
W	4000 MPS			E 2770 MPS
♠ AJ96 ♥ (void) ♦ Q76 ♣ AKJ743				♠ KQ10 ♥ Q985 ♦ K1094 ♣ Q2
		S 7700 MPS		
		♠ 542 ♥ K103 ♦ J852 ♣ 1098		

Final Contract	Result of Play	Score	Opening Lead
6♣ by W	Made 6	E/W +1370	♥ A

Facts Determined at the Table

After the 3NT bid, North asked the table if everyone agreed that there had been a break in tempo before the 3NT bid and thought the table had agreed. East/West later said they did not hear the question and had not agreed to a break in tempo. North/South called the director after the hand was completed.

Director Ruling

The table director ruled that E/W were in a forward-going sequence, and that despite the UI from a possible break in tempo, Pass was not a logical alternative for West. The table result was allowed to stand.

Director's Ruling	6♣ by W, Made 6, E/W +1370
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The Appeal

N/S appealed the ruling, and all four players plus the E/W captain attended the review. N/S estimated the length of the break in tempo as approximately 20 seconds. East said that he did take "some time to think" before bidding 3NT but that it was not anywhere close to as long as 20 seconds. He was unable to estimate how long he had taken.

E/W stated that they were a first-time partnership. West said that she did not think her partner had broken tempo before his 3NT bid, and she would not have known what it meant with a first-time partner even if he had. West felt she had taken control of the auction and was always planning to bid over 3NT.

N/S argued that East's slow 3NT suggested doubt that 3NT should be the contract. This demonstrably suggested bidding would be more successful than passing.

Panel Findings

The panel judged that a break in tempo had most likely had occurred, given East's comment that he had taken time to think and his inability to estimate how long he had been thinking.

Five peers (approximately 3000-5500 MPs each) and one expert player were consulted concerning the West hand. All five peers passed over 3NT. Two of the peers (and the expert) felt that West's bidding to that point indicated that West was trying for slam in clubs and that partner's 3NT was denying interest; but a slow 3NT bid indicated partner was less sure of that decision than an in-tempo 3NT.

Given the poll results, the panel ruled that pass was a logical alternative to bidding over 3NT and that the break in tempo demonstrably suggested that bidding would be more successful than passing (Law 16B1). Therefore, the panel adjusted the score to 3NT by East, making three, E/W +600, per Law 12C1e.

Expert Consulted: Geoff Hampson

Panel Decision	3NT by W, Made 3, E/W +600
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Panel Members

Reviewer	Eric Bell
Member	Kenneth Van Cleve
Member	Matt Koltnow

Commentary

Goldsmith: Good ruling. I cannot for the life of me figure out what East was thinking about before 3NT, but once he admitted that there was a BIT, everything else falls into place.

Kooijman: This case confuses me most of the whole Las Vegas set. An explicit question asked and an explicit answer given for one side and nothing asked or answered for the other. That is not acceptable.

I have decided long ago not to start quarrelling about the opinions of the pollees, but had I been a pollee, I would not have been so sure that the hesitation pointed to interest in slam. East had shown a hand with a small margin in strength and shape (I would have liked to know what the difference is between a direct and a delayed 2NT over 2♥), so what else to show with or without the hesitation? But given the result of the poll, I understand the decisions taken.

Marques: Good recovery by the Panel. A poll was essential for a well-supported decision here.

Wildavsky: Good work by the Panel. I don't understand why the TD did not conduct a poll.

Woolsey: Why the table director would rule that passing 3NT is not a logical alternative is beyond me. How could it not be a logical alternative, as illustrated by the players who were polled not only considering the pass but making the pass. Another example of a director pretending to understand the game. The panel ruling is clear.

Subject of Appeal:	Misinformation	Case:	R9
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Event	10K Mixed Swiss	Event DIC	Terry Lavender
Date	07/26/2014	Session	First Qualifying

Auction

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

Explanation of Special Calls and Points of Contention

Hand Record

Board		29	N	6800 MPS		
Dealer		N	♠ KQ932 ♥ (void) ♦ AQ6 ♣ KJ632			
Vul		Both				
W	3250 MPS				E	3730 MPS
♠	J105				♠	64
♥	Q9754				♥	862
♦	K73				♦	10952
♣	Q9				♣	A754
			S	3640 MPS		
			♠ A87 ♥ AKJ73 ♦ J84 ♣ 108			

Final Contract	Result of Play	Score	Opening Lead
4♠ by N	Down 1	E/W +100	♦ 9

Facts Determined at the Table

After the ♦9 was led, North asked about E/W's leads and carding. North said that West had said "standard leads and carding, except we lead second high from bad suits." West said that he had said "standard leads and carding, except that might be second high from a bad suit." The E/W convention cards both had the 9 circled from 109xx. The table director discovered that this was the only "bad suit" holding from which E/W lead the 9; from J9xx, for example, they would lead low.

The play went as follows:

Trick 1: ♦9, J, K, A
 Trick 2: ♠K, 4, 7, 10
 Trick 3: ♣2, (hesitation) 4, 10. Q
 Trick 4: ♦3, 6, 10, 4

Subsequently declarer led a low spade to the 8, losing two clubs, a diamond, and a trump for down one.

Additional Factors Determined Away from the Table

The table director polled six players regarding the explanation of the opening lead and five felt that 109xx was a possible holding for East.

Director Ruling

The director ruled that West's answer to declarer's question and East's break in tempo before ducking the club were not violations of Law 73F; therefore, declarer had taken the inference about the diamond layout at his own risk. The table result was allowed to stand.

Director's Ruling	4♠ by N, Down 1, E/W +100
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The Appeal

North/South appealed the ruling. The reviewer met separately with North/South and their team captain, and East/West between rounds of the Swiss teams. North felt that the explanation he had been given regarding the E/W lead agreements had not been adequate disclosure. His teammates made the same lead at their table and they described their agreement as "promises the 10 or shortness." He said that had he been aware of the possibility that East might have the 10, he would have played low from dummy at trick one, assuring West could not continue a diamond when he got in. Furthermore, he felt that the only holding where East could have a problem ducking the club was Ax, so he played the suit based on that assumption. He felt that the unwarranted hesitation contributed to his misreading of the E/W cards.

Panel Findings

Four peers and one expert were consulted concerning the play of the hand. Three of the peers, when given the hand and the explanation North said he had received, immediately inquired about what the opening lead would be from 109xx. None considered the treatment of 109xx as a bad suit unusual.

North's argument that he could play low from dummy and freeze the diamond suit was considered. However, even after the playing the jack from dummy and having it covered with the king and ace, the suit would still be "frozen." North would still have the queen; West, the (presumed) 107; and dummy, the 84. Given this layout, all the peers and the expert felt that West would be highly unlikely to lead a diamond away from the 10 with the 8x visible in dummy and the queen known to be in the closed hand. Moreover, the peers agreed a diamond loser can always be pitched on the ace or king of hearts in dummy.

The panel considered that neither the explanation of the lead agreements resulted in consequent damage according to Law 40B4, nor that the break in tempo before the duck of the ♣A was a violation under Law 73F, and allowed the table result to stand. An AWMW was not issued.

Expert Consulted: Nagy Kamel

Panel Decision	4♠ by N, Down 1, E/W +100
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Panel Members

Reviewer	Eric Bell
Member	Matt Koltnow
Member	Kenneth Van Cleve

Commentary

Goldsmith: Good job, except for forgetting to issue an AWMW.

Kooijman: Nothing wrong with the decisions. Well done by both TD and panel. Close to another AWMW.

Marques: There was no infraction from East/West, as far as I can see. North/South caused their own damage. I don't understand why the Panel did not assess an AWMW.

Wildavsky: E/W could have provided a better explanation, but I agree with the TD and the Panel that North inflicted the damage upon himself.

Woolsey: It is complicated, but I think the ruling is correct. The explanation on the lead is okay, and the thought before ducking the ace of clubs is reasonable and not meant to deceive. Sometimes you just have to play bridge and live with the results.

Subject of Appeal:	Undisclosed Agreement	Case:	R10
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Event	Tues/Wed KO Teams, Brkt I	Event DIC	Geoffrey Greene
Date	07/22/2014	Session	First

Auction

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

Explanation of Special Calls and Points of Contention

Hand Record

Board	36	N	20,000 MPS		
Dealer	W	♠ Q6 ♥ K8732 ♦ KJ5 ♣ 652			
Vul	Both				
W	14,200 MPS				
♠ 972 ♥ 4 ♦ AQ108742 ♣ 84				E	2600 MPS
				♠ A1043 ♥ (void) ♦ 63 ♣ AKQJ1093	
		S	17,100 MPS		
		♠ KJ85 ♥ AQJ10965 ♦ 9 ♣ 7			

Final Contract	Result of Play	Score	Opening Lead
5♦ by W	Down 2	N/S +200	

Facts Determined at the Table

The director was summoned after E/W had left the table, and he was asked about the legality of opening 1♦ with 6 HCP.

Director Ruling

The director informed N/S that an agreement to do so would be illegal in the ACBL, but that such a bid would be deemed a psych, which would be allowed so long as there was no evidence of a partnership understanding. In the absence of such evidence, the director saw no reason to alter the table result.

Director's Ruling	5♦ by W, Down 2, N/S +200
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The Appeal

N/S appealed the decision. They suggested that the fact that East passed 5♦ was evidence of an implicit partnership understanding, without which a player holding her hand would have bid again.

Six peers of East were polled by the screening director. They were given the East hand and the auction up to the 5♦ bid. None of them passed, several making a grand slam try. When the East player was asked why she passed, she could not give a good answer. When the West player was asked if he generally opened such hands, he shrugged, and said he felt like opening.

Panel Findings

Law 40C1 states that a “player may deviate from his side’s announced understandings always, provided that his partner has no more reason to be aware of the deviation than have the opponents.” It continues with “If the Director judges there is undisclosed knowledge that has damaged the opponents, he shall adjust the score.” The panel judged that East’s pass demonstrated that she had some knowledge of her partner’s light opening bid. This implicit agreement is illegal, and her choice of pass did result in damage to the opponents. Per Law 40B5, which instructs the director to adjust the score when an illegal partnership understanding results in damage, the panel changed the result to 6♦ by West, down three, N/S +300.

Panel Decision

6♦ by W, Down 3, N/S +300

Panel Members

Reviewer	David Metcalf
Member	Matt Koltnow
Member	Doug Grove

Commentary

Goldsmith: I think the reason East passed 5♦ is clear from the masterpoint holdings. And why West was operating. I'd want much more evidence that there was a concealed and/or illegal agreement to rule as the panel did.

North wouldn't double 6♦ with two almost certain trump tricks? Really?

Kooijman: Strange decisions all over. How can the TD decide that there is no evidence pointing to an undisclosed agreement without asking anybody? The panel, after investigating, draws the opposite conclusion. How can East know that partner has such a weak hand? Impossible to guess, unless West does not open 1♦ with a normal opening, which cannot be true either. I have my doubts about the ethical behavior of this pair. That said, the panel decision needs our attention, I consider it to be mistaken. Let us concentrate on the relevant regulation: the TD adjusts the score if the opponents are damaged by the undisclosed agreement, that is, the infraction is misinformation. To find out whether damage exists, we need an answer to the question: what would have happened if N/S had been informed that the opening bid of 1♦ can be made on a weak hand? Would N/S have made different calls or plays leading to a different result on the board? For example, 5♦ doubled or 5♥ and then 6♦ or 6♣, but all of this looks unlikely to me. The panel argues that such implicit agreement is illegal. Why? Not disclosing it is illegal. Read Law 40C. If a deviation happens more often it becomes part of the system and needs to be disclosed. With the facts as presented, it is legal for East to pass 5♦. His pass is not based on UI but on the knowledge that 1♦ could be very weak or just because his judgment differs from those polled.

Marques: It seems like the TD was too quick in dismissing a possible undisclosed understanding. The panel, after some additional work, draws the opposite conclusion (maybe the vague answers from East and West helped with that). The MP holdings suggest a significant difference in experience level between East and West. Was that a factor in East's decision? I have no problem with the conclusion that there is an undisclosed agreement, that's a matter of judgment. However, assuming that the agreement is disclosed, I would like to have seen on the write-up the logic under which the committee arrived at a conclusion that there is damage to North/South. With the facts as presented, it is legal for East to pass 5♦. His pass is not based on UI but on the knowledge that 1♦ could be very weak or just because his judgment differs from those polled. I'm with Ton in giving the pair a procedural penalty if it is judged that there is an undisclosed agreement. Without additional information I'm not so sure about the score adjustment.

Wildavsky: I like Ton's view of this case. If we find that E/W had an illegal agreement (I see no compelling evidence that they did) then we should assess a procedural penalty against them. In order to adjust the score, though, we must find reason to do so under the laws. If E/W gave misinformation N/S were not damaged thereby, since neither North nor South is close to a double. East had no unauthorized information, so he was free to do as he judged best over 5♦.

I prefer the TD's decision to the Panel's.

It's not relevant to the ruling, but it would be nice to know the opening lead and the play. 5♦ looks cold to me on a heart lead.

Woolsey: I don't get this at all. What partnership understanding? The fact that West chose to open 1♦ rather than something else doesn't indicate anything. In addition, I don't see why the fact that East chose to pass 5♦ is evidence of an implicit partnership understanding. I would have passed. Apparently, my pass wouldn't be mainstream for this skill level as the poll indicates, but the fact that a player makes an unpopular call is not an indication of an implicit partnership understanding. This ruling is just plain wrong.

Subject of Appeal:	Unauthorized Information	Case:	R11
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Event	Mini-Spangold Flight II	Event DIC	Kenneth Van Cleve
Date	07/21/2014	Session	Round of 32


Auction

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

Explanation of Special Calls and Points of Contention

1: No Alert; ♠ and ♦ support

Hand Record

Board		26	N	1270 MPS		
Dealer		E	♠ Q984 ♥ 983 ♦ KJ973 ♣ 8			
Vul		Both				
W	710 MPS				E	510 MPS
♠ (void) ♥ AK10 ♦ Q842 ♣ AJ7654		♠ AJ32 ♥ QJ6542 ♦ 5 ♣ Q10				
			S	840 MPS		
			♠ K10765 ♥ 7 ♦ A106 ♣ K932			

Final Contract	Result of Play	Score	Opening Lead
4♠ by N	Down 1	E/W +100	

Facts Determined at the Table

The director was called after the auction was completed and South said there was a failure to alert his double.

Director Ruling

While South's double technically did not require an alert, South expected one so its absence gave him UI (Law 16B1a). Without the alert, he can feel assured that partner has four spades for her 1♠ call. The director polled players also playing in the Mini Spangold Flight II. Half of the players passed 4♥, therefore pass was deemed a logical alternative and the result was adjusted to 4♥ by East, making 4.

Director's Ruling	4♥ by E, Made 4, E/W +620
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The Appeal

North/South appealed the ruling and all four players involved attended the hearing. South described his rationale for bidding 3♠ followed by 4♠ as an attempt to buy the contract for 3♠. He said he thought 4♠ would be a good sacrifice and always planned to bid 4♠ if the opponents bid 4♥.

Panel Findings

The Reviewer conducted her own poll of South's peers, not only to determine whether passing 4♥ was a logical alternative, but also to see if peers would bid on knowing their partner promised four spades. Four players were

consulted, and none bid 4♠. After being told partner promised four spades, one considered bidding 4♠ but still passed. The other consultants passed. One said the additional information didn't affect the choice to bid 4♠. Another thought partner's free bid of 1♠ already promised four. The last consultant felt it was partner's choice since he had already shown his hand. Although South was in possession of UI, the consulted peers showed that this information did not demonstrably suggest bidding 4♠. Therefore Law 16B1a does not apply, and the table result was restored.

Panel Decision

4♠ by N, Down 1, E/W +100

Panel Members

Reviewer	Jenni Carmichael
Member	Matt Koltnow
Member	Gary Zeiger

Commentary

Goldsmith: I like the panel's ruling. I think South has AI that more or less duplicates his UI. North didn't have to bid 1♠. When he did, he either had extra values and three spades or junk and four spades. Given the opponents' strong bidding, it looks like North's overcall was optimistic, so he is extremely likely to have four spades.

Was the support redouble alerted and/or explained? East really sold to 4♠ after bidding game to make? I would have thought this was a forcing pass situation. The table director really thought 4♥ would make only ten tricks?

If South "always planned to bid 4♠ if the opponents bid 4♥," perhaps he might have bid it over East's game forcing cue bid. That comment so makes me want to give him an AWMW. It would be well-deserved, but novel after he won the appeal.

Kooijman: Good thinking by the TD: if a player expects an alert which is not given, he has UI, unless it is clear for him that partner forgot the alert and did not forget the agreement. If North opens 1NT and partner bids 2♣ not alerted, South is not obliged to assume that partner takes 2♣ as natural (if 2♣ is alertable in the ACBL). The most relevant question is for South, asking him what hand his partner has after following with 1♦ and then a free 1♠. It looks as though the TD decided without polling that North could have three spades only. My partner would promise four spades so I do not have UI anymore and am not restricted in my choices. But if 1♠ only promises three after an alert there is UI and then the TD needs to decide whether this extra spade in partner's hand suggests bidding 4. My answer is 'yes' it does. Only then I need a second poll which tells me that pass instead of 4♠ is an LA.

Marques: Good thinking by the TD: if a player expects an alert that does not happen from partner, he has UI. The UI is specific (North promises four spades without the alert, and likely only three with the alert). The initial poll seems to have established that pass is a LA, but is incomplete in that it did not ask if knowing about the fourth spade made a difference in the pollees actions (did not establish if the UI demonstrably suggested the successful action). The panel had to conduct a new poll and decided from the pollees opinions that the UI did NOT demonstrably suggest bidding 4♠. I think that the poll should have been extended. The probability of getting to the wrong conclusion with a small sample is high when considering actions that would be taken by a minority of peers). One of the pollees considered bidding 4♠. If an additional pollee said that if he knew partner to hold four spades he would definitely bid, would this have changed the committee's decision?

Wildavsky: I prefer the TD's ruling to the Panel's. The Panel danced around the facts that the UI does tell South that North has four spades, that this information is unauthorized, and that knowing North has four spades clearly makes bidding 4♠ more attractive than it would be had North promised only three.

Woolsey: While the 4♠ call wasn't popular, I don't see what that has to do with anything. Assuming it is agreed that the UI that North didn't think the double showed 5 spades (and thus that North definitely has 4 spades, something which would not be known if North interpreted the double correctly), does this knowledge make the 4♠ call more attractive (even if it is considered unattractive). If the answer is yes, which I believe it is, then a successful 4♠ call must not be allowed. The panel was thinking backwards here.