

2017 Fall NABC

Appeals Casebook



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 fourteen (14) cases were heard.

Nine (9) cases were from unrestricted (by masterpoints) North American Bridge Championship Events. The names of the players involved are included.

Five (5) 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.

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.

Jeanne van den Meiracker became a director in 1988 because her club in Amsterdam with more than 200 members needed more directors and she loved the job immediately. She took the International Tournament Directors course in Amsterdam in 1993, along with seventy-six other TDs from all over Europe, including Rui Marques. They both passed the exams, and she started working in the EBL as a TD. In 1996, she started directing for the WBF and was promoted to Chief Tournament Director in 2004. She also served on the WBF Laws commission from 2004 to 2010. In 2012, she and her husband Huub Bertens moved to the USA, and she joined the ACBL Tournament Director Staff. She enjoys the ACBL work, but it is completely different from working in the EBL and WBF.

Adam Wildavsky was born in Ohio in 1960 and grew up in Berkeley and Oakland, CA and London, England. A graduate of MIT, he is a retired software engineer and now spends summers in Sarasota, Florida and winters in Keystone, CO. Mr. Wildavsky has won numerous national championships including the Blue Ribbon Pairs twice, the Reisinger BAM Teams once, and the USBF Team Trials twice. He won a bronze medal in the 2003 Bermuda Bowl in Monaco. Mr. Wildavsky is vice-chair of the National Laws Commission, a member of the WBF Laws Committee, and a former chairman of the National Appeals Committee. His interest in the laws is informed by his study of Objectivism, the philosophy of Ayn Rand.

Chris Willenken was born in 1975 in New York City, Willenken graduated from Collegiate School in 1993 and Williams College in 1997. Chris is an ACBL Grand Life Master and a WBF Life Master. In 2011, he won the gold medal at the inaugural Sport Accord World Mind Games Individual Championship. In WBF competition, He reached the semifinals of the 2010 Rosenblum Cup and 2011 World Transnational Open Teams Championship and finished fourth in the 2014 World Open Pairs Championship.

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 hold 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:	Unauthorized Information	Case:	N1
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Event	Nail Life Master Pairs	Event DIC	Ken Horwedel
Date	11/24/2017	Session	Second Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: Heart Raise, No Alert

Hand Record

Board	23	N	Marshall Kuschner		
Dealer	S	♠	QJ10953		
		♥	5		
Vul	Both	♦	J754		
		♣	95		
W	Haig Tchamitch			E	Ida Groenkvist
♠	K87			♠	A64
♥	QJ1092			♥	A864
♦	AQ9			♦	108
♣	J7			♣	A1084
		S	Doug Kuschner		
		♠	2		
		♥	K73		
		♦	K632		
		♣	KQ632		

Final Contract	Result of Play	Score	Opening Lead
4♥ by W	Made 4	E/W +620	♠Q

Facts Determined at the Table

The Director was called at the end of the play. East thought 2NT was a raise of hearts; West said they had never discussed this auction and had no such agreement.

Additional Factors Determined Away from the Table

The Director gave the East hand to three players from the Senior Knockouts and asked them what they would bid at each of East's turns. All wanted to raise hearts and were comfortable with 2NT as a raise. At their next turn, all three bid 4♥. The players did agree that the failure to Alert did suggest that bidding would be more successful than passing 3NT, but none considered passing to be logical.

Director Ruling

The Director ruled that, while East may have had Unauthorized Information from West's failure to alert 2NT, the player poll indicated that passing was not a logical alternative. Therefore, per Law 16C2, the table result was ruled to stand.

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

N/S requested a review of the ruling. They felt the ruling was not correct because the pollees played IMPs rather than matchpoints and because the pollees were not using (what they believed to be) E/W's methods. N/S thought that West's 3NT rebid showed 18-19 HCP. Lastly, they suspected the pollees were not of the caliber of the players involved.

The Reviewer spoke first to South who explained his belief about why the ruling was incorrect. South felt that passing 3NT was a LA for East if East thought it was an offer to play, or that a slam try would be a LA for East if she thought West had shown 18-19 HCP. In each case, the UI from the failure to alert would demonstrably suggest that 4♥ would work out better.

A total of ten players were given the East hand. Three considered that 3NT might be a non-serious slam try. One felt it was a close decision between 4♣ and 4♥; the other two signed off in 4♥. The other seven did not consider 3NT a slam try. Among those, six bid 4♥ and one passed 3NT.

The Reviewer spoke separately to East who explained that while their 2NT raise is game forcing in a non-competitive auction, it is limit-or-better in competition. She said that she would never treat opener's 3NT rebid as 18-19. While the Reviewer considered these statements self-serving, all of the experts consulted treated 2NT the way East described it, and none considered that West's 3NT would show 18-19.

Panel Findings

Only one of the ten players polled passed 3NT. The Reviewer treated it as an outlier; no one else considered 3NT might be the final contract. In legal terms, it was not deemed to be a "significant proportion" of the player's peers necessary to be considered a logical alternative. Of the players who thought 3NT might be a mild slam try, only one considered 4♣, and it was not clear he would actually select it. That would have been required in order to consider the action a logical alternative.

East was obliged by Law to call the Director at the end of the auction to inform the opponents of the failure to Alert and to correct the misinformation. She did not do so. The Reviewer did not consider the quality of the evidence the Director might have been able to collect had East called the Director at the proper time.

As neither 4♣ nor Pass was deemed to be a logical alternative, East's 4♥ bid was not prohibited by Law 16. The original ruling was ruled to stand.

In considering merit, the Panel discussed N/S's request for a review. The appellants' first argument was that the poll was flawed because of the players who were polled. The appellants alleged that they were neither strong enough players nor that they could reasonably understand matchpoint scoring. The Director polled players from the Baze Senior KO Teams. Although they were playing IMPs that day, there was no evidence that they did not comprise a peer group for East. There was also no reason to think that they could not respond ably to a question about a scenario using matchpoint scoring.

The other argument the appellants advanced was that the Director did not impose the correct methods on the players he polled. That is, East should have treated West's 3NT rebid as 18-19 HCP, which would have led to the auction getting too high. None of the players that the Reviewer polled considered that a possible meaning to this sequence, so there was no reason to believe East-West had this agreement.

The ruling was found to be legal, and the Reviewer found no evidence supporting any of the appellants' arguments. The appeal was deemed not to have merit, and N/S were given an Appeal Without Merit Warning.

Experts Consulted: Eric Greco, Bob Hamman, Joe Grue, Adam Grossack, Zack Grossack, Tom Paske, Alex Hydes, three others

Panel Decision	4♥ by W, Made 4, E/W +620
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Panel Members

Reviewer	Matt Koltnow
Member	David Metcalf
Member	Jenni Carmichael

Commentary

Goldsmith: I'm always suspicious of rulings where it is found that there are no other logical alternatives to the player's action. They are often wrong. In this case, I think 4♣ is clearly a LA. I even think it's the right choice. But opener has a minimum that got worse upon hearing the 2♠ overcall, so he's not cooperating; neither partner is going past 4♥.

Whether passing 3NT is a LA might depend on the systemic meaning of 3NT. Why wasn't this determined? If the answer is no agreement, which seems likely, as there was no agreement to the meaning of 2NT, then it's impossible to pass, because East doesn't know if it's natural. And it's clear not to pass 3NT if it is natural; West pretty much has a perfect natural 3NT, and 4♥ is still better than 3NT.

The AWMW seems harsh. The TD didn't consider any LAs except 4♥ and Pass. The argument that 3NT had to be 18-19 is pretty far-fetched and probably got them the AWMW. Only polling three players to conclude that there were no LAs to 4♥ is not sufficient to me, so I would not give an AWMW.

Marques: About the arguments from the appealing side: 1 - This is the first time I have seen this odd argument about the pollees being IMP-oriented and therefore not good enough at matchpoints. This argument might be valid if East was specifically a matchpoint specialist. 2 - East's hand is evidence that she intended 2NT as a heart raise, in which case 3NT as 18-19 does not make much sense if any at all. 3 - N/S also question the judgment of the TD to find players of similar ability to East. Not unheard of, and we don't know who the pollees were, but the Reviewer did a good job knocking this argument down.

Three points are missing on the TD's investigation: a) What is the meaning of 3NT from East's point of view, b) If 3NT is a slam try of sorts, is 4♣ a LA to 4♥?, and c) What is suggested by the lack of alert on 2NT. The Reviewer covered a) and b) well enough, and therefore c) became redundant.

The number of pollees in the initial poll was on the small side. Maybe time pressure was a determining factor on this.

Excellent job by the Reviewer. Perfectly deserved AWMW.

Meiracker: I agree with the ruling of the TD and the outcome of the Panel, but not with the appeal without merit. The polling was not correct and the TD didn't find out what 3NT meant.

Wildavsky: Everything about the process followed here seems wrong.

First of all the polling questions were incorrect. Per ACBL polling guidelines the players should be given only authorized information and then asked two questions: "What call would you make?" and "What other calls would you seriously consider?" Those questions allow the TD to determine LAs by applying Law 16B1. There is no point in asking the players which alternatives are logical - that is the TD's responsibility.

Secondly, Law 16B1b is careful to specify "Using the methods of the partnership." Thus is it crucial to know whether E/W were using a Serious 3NT, Non-Serious 3NT, or some other agreement. Neither the TD nor the Panel seem to have addressed this question. Nor do we know, if 2NT were natural, whether it would be forcing. This information is crucial in determining West's likely call over 4♣, had East bid it.

The issue of the likely result in 3NT is also not discussed. It looks overwhelmingly likely to me that East would take ten tricks. If that's the case, then N/S were not damaged by East's failure to Pass. They might, though, have been damaged by East's failure to cue.

I also fail to see how it was relevant that the experts consulted treated 2NT as East described it. The actual meaning E/W had agreed to assign to 2NT was not in question.

The Panel's understanding of Law 16 is suspect. The phrase they quote is out of context. The actual text is:

"A logical alternative is an action that a significant proportion of the class of players in question, using the methods of the partnership, would seriously consider, and some might select."

One of those polled not only might select Pass but would select it. It then becomes a LA if a significant number of those polled would seriously consider it. Because the polling seems to have been defective, we do not have this information. Since E/W would likely score ten tricks in 3NT, though, this does not seem necessary to the resolution of the case.

This appeal had substantial merit because the TD does not appear to have followed correct procedures. Sadly, neither did the Panel.

Willenken: Directors need to be very careful in situations where players remember a convention which they are not playing (perhaps we can call these positions 'reverse forgets'). We have absolutely no way of knowing what continuations East thought applied over 2NT, and we cannot obtain that information from E/W because there was no actual agreement in place. Perhaps West's 3NT rebid would show 18-19 balanced in another of East's partnerships. In that case, E/W would almost surely reach the five level and go minus if they were behind screens. Lest you think my suppositions fanciful, I actually have that precise set of agreements with a current partner.

Because we can never know what 3NT would have shown in East's mind, there was a real risk of a big E/W accident absent the wakeup call from the failure to alert. Polling cannot be helpful in assessing the likelihood of such an outcome because we cannot inform the polled players of the methods as imagined by East. I see no practical alternative to a policy of awarding an adjusted score in all such situations; perhaps there should be a 15% floor on the assessed likelihood of a disaster in reverse forget situations.

Woolsey: I feel the poll was inadequate, because the pollees did not have the proper information. They should not have been forced to judge the meaning of 3NT. The Director/Panel should have confirmed in the E/W partnership agreements whether, when an 8+ major-suit fit has been determined, 3NT is in the picture as a final contract. If not, the case is closed. If 3NT is a possible contract, the pollees should be given the auction with the explanation that 3NT is an offer to play. Then, if a substantial minority chose to pass 3NT, that would be sufficient to adjust the result. My guess is that with 4 trumps (which presumably weren't guaranteed by the 2NT call) and a doubleton that 4♥ would be the overwhelming

choice even if the 3NT call were interpreted as an offer to play (bidding 4♥ looks clear to me), but I would prefer a poll with the right information.

I do not agree with the appeal without merit. While I don't agree with the appellants that it is right to impose a 18-19 count to the 3NT call, I do agree that the poll was flawed.

Subject of Appeal:	Misinformation	Case:	N2
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Event	Mitchell Open BAM Teams	Event DIC	Matt Koltnow
Date	11/26/2017	Session	First Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: Alerted, 16+ HCP
2: Alerted, Game Force, 5+ ♦
3: Explanation Requested

Hand Record

Board	1	N	Yuxiong Shen		
Dealer	N	♠	103		
		♥	J843		
Vul	None	♦	AK1097		
		♣	75		
W	Steve Weinstein			E	Roger Lee
♠	K842			♠	965
♥	1095			♥	AKQ7
♦	Q43			♦	8652
♣	J63			♣	108
		S	Zijian Shao		
		♠	AQJ7		
		♥	62		
		♦	J		
		♣	AKQ943		

Final Contract	Result of Play	Score	Opening Lead
3NT by S	Made 4	N/S +430	♠2

Facts Determined at the Table

The Director was called after dummy was tabled. No questions were asked immediately following the alerts of 1♣ and 2♦, but after the 3♥ bid East pointed to it and asked "what does that bid mean?" South thought the question referred to the alerted 2♦ bid and answered "8+ HCP and five cards". Both defenders heard "five hearts". Consequently, East passed and West led a spade against 3NT since he felt constrained from making his normal heart lead due to his partner's question. East told the Director he would have doubled 3♥ if he received the correct explanation that it was natural, but not promising five cards.

Additional Factors Determined Away from the Table

N/S were Chinese internationalists with limited English. The Director polled six players in an attempt to help determine responsibility for the misunderstanding that occurred. Three objected to the form of the question (pointing to the 3♥ call and asking specifically about the heart suit), preferring a more general question about the auction. Most were not satisfied with the answer given and would have asked follow up questions either to North or South before the opening lead. One polled player thought N/S were entirely responsible for the E/W misunderstanding.

Director Ruling

Law 21A states that no rectification or redress is due to a player who acts on the basis of his own misunderstanding. While both East and West seemed to understand that East was pointing to the 3♥ bid when the question was asked, South understood the question to be about the alerted 2♦ bid. Given the opinions of the majority of polled players as well as the fact that South was clearly not proficient in English, the Directors judged that E/W were

acting on the basis of their own misunderstanding and not entitled to redress. Therefore, the table result of 3NT by South, making four, N/S +430, was ruled to stand.

Director's Ruling

3NT by S, Made 4, N/S +430

The Review

E/W appealed the Director's ruling. All players and an interpreter attended the review. East's written reason for appealing was:

"I reject the framing of the problem as a misunderstanding. It was clear that the question was asked about 3♥ and not 2♦ as it is illogical to ask about 2♦ at this point in the auction with any hand. At a high level, it is clear to everyone that asking about 3♥ is just a formality since the auction is not unusual and must be in preparation of a lead directing double. The explanation '5+ hearts' could be made to deter such a double, although perhaps not intentionally done."

The Reviewer explained to the appellants that according to regulation the burden was on them to demonstrate that the Director's ruling was flawed in some way and, if that could not be shown, the appeal would likely fail.

In Reviewing the facts, East agreed that his question was something to the effect of "what does that bid mean?", although he did not recall the exact wording. West believed he asked "what is 3♥?" South said East simply pointed at the bid cards and looked at him but did not ask a question aloud. He also said he thought the question was about 2♦ and not 3♥ since 2♦ was alerted and 3♥ was not. West said the answer from South was "five card suit". West also said that East next asked about 2♦ and was told "8+ points". East agreed with that sequence of events.

East said he was under the impression from the exchange that 2♦ was artificial showing 8+ points of some kind and 3♥ clarified that it showed long hearts. The Reviewer suggested that starting his inquiry by asking about 3♥ seemed odd. East said that, in a high level game, there is no reasonable probability that he would want to know what 2♦ meant at that point in the auction after having passed without asking earlier. He said everyone at the table knew he was about to Double 3♥ for the lead barring an unusual answer to his question about what it meant.

West said that East's hand makes it very clear that if he had understood North to be showing five diamonds and four hearts he would have doubled and it is not right for E/W to suffer from South's inability to clearly explain what the bids meant. East and West said that at the table to them there was nothing ambiguous about what was asked and answered and therefore the Director's poll eliciting responses that more questions should have been asked was flawed. West also said he did not lead a heart because he thought it would be unethical to do so after his partner's question about the 3♥ bid.

The Reviewer asked South what he thought the sequence of events was. South said he answered "eight points, five cards" after East pointed to the bids and looked at him. North said through the interpreter that he did not hear a verbal question, but understood that the inquiry concerned the 2♦ bid since there would be no reason to ask about an apparently natural unalerted 3♥ bid. He did say that since the inquiry was not directed at him he was not paying too much attention to what East did or said.

Panel Findings

The Panel was troubled by the disagreement between the two sides about what was done and said at the table. In particular, that both sides adamantly disagreed whether a second question about 2♦ occurred, brought the validity of the Director's poll and the correctness of the ruling into question. The Panel decided that the best judge of fact was the Director at the table, so he was interviewed after the hearing about what he recalled.

He said that he did not recall any mention at the table of a second question being asked and believed that both sides agreed that the only answer given was "8+ HCP and five cards", and that E/W understood "cards" to be "hearts". He confirmed the accuracy of the description of the poll on the appeal form based on the facts as he knew them. The Panel confirmed that the players polled were all of expert level.

The Panel saw no reason to discard the facts as determined by the Director in light of what seems to have been a disagreement not stated at the table, and saw no flaws based on the procedure followed with those facts. Therefore the Panel upheld the ruling of 3NT by South, making four, N/S +430.

Panel Decision

3NT by S, Made 4, N/S +430

Panel Members

Reviewer	Matt Smith
Member	David Metcalf
Member	Kevin Perkins

Commentary

Goldsmith: We are seeing more and more appeals caused by language difficulties. We need to come up with some general guidelines to handle them. I suggest that in cases where language issues are significantly to blame for a misunderstanding, we ignore fault and try to restore equity. These are often cases of disputed facts in which the Director cannot determine the facts. Law 85B addresses these cases, but only says he should make a ruling that will permit play to continue.

This one would have been avoided if East had followed correct procedure and asked, "please explain the auction." Maybe we ought to replace the stop cards with ones that say that. It is especially important to follow this procedure when the pairs have no language in common. But most players do not do this, so it's hard to blame East for not doing so.

I'm 100% sure that East would have doubled 3♥ had he been told the meanings of all the bids in the auction. It's clear there was a misunderstanding about the question and answer, and it's clear that language issues are at least significantly to blame. So I'd shoot for equity. If there had been no misunderstanding, the result would have been N/S +400, so that is how I'd rule.

The Panel did well to use the Director's report to judge disputed facts, though there were details of little importance this time.

Marques: East should know better than pointing to a bid to get an explanation about it. The limited English of N/S no doubt contributed to the misunderstanding, but I blame it mostly on East, and therefore agree with the TD's approach to the ruling and final decision.

The argument from East is a bit odd: "... asking about 3♥ is just a formality and must be in preparation of a lead-directing double..." 2♦ was alerted and 3♥ not alerted. I don't see the need to ask about 3♥ at this point, but I see the dangers of asking! Kudos to West, for not leading a heart.

An excellent example of how "facts" tend to change with time, and a demonstration of the essential principle that very often the best judge of fact is the Director at the table, for he is the one closer to the events as they happened.

Meiracker: 2♦ was alerted, 3♥ was not, and there was a language problem, while the actions of East are dubious. I would think that the proper question is: "What have you learned?" This should be an appeal without merit.

Wildavsky: Good work by the TD and the Panel. They might also have noted that the laws grant players the right to ask only about the entire auction, not a particular call. ACBL regulations make an exception for calls that are alerted, and 3♥ properly received no alert.

I understand that E/W felt hard-done-by, but their suggestion that South could have known that his explanation could work to his advantage seems vanishingly unlikely.

Willenken: An easy case to let the table result stand. Everybody knows what an unalerted 3♥ means in this auction--length or strength in the heart suit. Furthermore, East's claim that "there is no reasonable probability that he would want to know what 2♦ meant at that point in the auction" and his claim that "he was under the impression from the exchange that 2♦ was artificial showing 8+ points of some kind and 3♥ clarified that it showed long hearts" are in direct tension with one another. Where is the merit?

Woolsey: I am rather shocked at East's actions. The 3♥ call was not alerted. Why should he think it is anything but natural, which it was? His questioning and the timing of it can only be UI to his partner. Furthermore, his statement that he would have doubled 3♥ if he knew it was a 4-card suit is totally self-serving. The opponents are in a game force, and for all he knows South has 4 hearts and is about to bid 4♥. There is no way he would have considered doubling 3♥.

N/S clearly did nothing wrong. They properly alerted the 2♦ call (since it isn't automatic that it is Game Forcing), and properly didn't alert the 3♥ call (since it is natural and what would be expected). East is totally out of line.

Kudos to West for not leading a heart. Had he done so, we would have been hearing an entirely different appeal.

Subject of Appeal:	Tempo, Deceptive Action	Case:	N3
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Event	Mitchell Open BAM Teams	Event DIC	Matt Koltnow
Date	11/27/2017	Session	First Final


Auction

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

Explanation of Special Calls and Points of Contention

1: Disputed Break in Tempo
2: Agreed Break in Tempo

Hand Record

Board	21	N	Ron Gerard		
Dealer	N	♠ A62			
		♥ 63			
Vul	N/S	♦ A1092			
		♣ AQ97			
W	Nicholas Stock			E	Michael Yuen
♠	J753			♠	K984
♥	K104			♥	AJ9
♦	QJ63			♦	54
♣	42			♣	KJ86
		S	Adam Wildavsky		
		♠	Q10		
		♥	Q8752		
		♦	K87		
		♣	1053		

Final Contract	Result of Play	Score	Opening Lead
1NT by N	Down 3	E/W +300	♠4

Facts Determined at the Table

The Director was called at the end of the hand. All of the players agreed that West had taken about thirty seconds before making his final Pass. N/S also felt that West had hesitated slightly at his first turn to call, but E/W did not agree to this. East led the ♠4 and North played for West to have the King. North used his only entry to dummy to take a club finesse through West, which failed. This led to a result of down three. North felt West had no bridge reason to think as long as he had before passing and that it led North to misplay the hand.

Director Ruling

The Director spoke with West. West knew his partner had some values and felt that in a Board-A-Match event, it was a close decision whether to balance with such a light hand. He decided not to after giving it considerable thought. The Director ruled that this is a legitimate bridge reason to break tempo and ruled that the table result stood.

Director's Ruling	1NT by N, Down 3, E/W +300
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The Review

N/S requested a review of the ruling and were the only players who met with the Reviewer. North argued that the longer West thought, the more deceptive he was being. North also felt that many partnerships would not play Double as takeout, making the bid even more outlandish and should have been given much less consideration.

North was appealing based on Law 73E2: "If the Director determines that an innocent player has drawn a false inference from a question, remark, manner, tempo or the like, of an opponent who has no demonstrable bridge reason for

the action, and who could have been aware, at the time of the action, that it could work to his benefit, the Director shall award an adjusted score.”

Panel Findings

The Reviewer consulted with six experts, five of whom felt that Pass was the only option and no other option should be considered. The sixth expert considered bidding and felt it was close between Pass and Double. The Reviewer then consulted with eleven other players who had around 10,000 masterpoints, as that was closer to West's peer group. Of those polled, four of them doubled and another one gave it serious consideration prior to passing.

Given that a third of those polled considered taking an action, the Panel ruled West had a legitimate bridge reason to think and that the original ruling stood. The appeal was judged to have merit, as polling showed this to not be a clear cut bidding decision, with experience level being a relevant factor.

Experts Consulted: Curtis Cheek, Huub Bertens, Dan Korbel, Steve and Kitty Cooper, Hjördis Eythorsdottir

Panel Decision

1NT by N, Down 3, E/W +300

Committee Members

Reviewer	Jenni Carmichael
Member	Matt Smith
Member	Kevin Perkins

Commentary

Goldsmith: Did anyone ask West what he was considering doing? If he had 2♣ for takeout available, acting seems pretty reasonable.

I think the ruling is good. Why was there no poll done by the Director? If he had given the hand to five of West's peers and was told, "bidding would be absurd," by all of them, wouldn't he have ruled differently?

Marques: The TD's decision is correct, in my opinion. This looks like a typical "this is easy" case that, on second thought, needs a bit more digging to consolidate the decision. The crux of the case is simple: "Is there a bridge reason to think?" West gave his reason. The polling should have been done by the TD, to confirm his affirmative opinion, and if that had been the case probably the appeal would never have happened. Great job by the Reviewer.

Meiracker: I don't think that West was aware of the fact that he was misleading the declarer in playing 1NT. The poll between players who had around 10,000 masterpoints proved that West had a legitimate bridge reason to think.

Wildavsky: Having been an appellant, I cannot be objective about the matter. It does seem unfortunate that the TD did not ask E/W what West's Double of 1NT would have shown in their partnership, and that the Panel had no opportunity to ask. Many play the Double for penalties, a trap Pass with five good hearts.

Willenken: Good job by the Panel in trying to understand the thinking at West's level. I'd have been upset too if I were North, and hopefully N/S filed a recorder form in case West's hesitations are a matter of habit.

Woolsey: I wouldn't think that West had much of a problem. West apparently did. Regardless, I don't see what difference it makes. West can't possibly have any idea at this point in the auction that a huddle at this point would cause declarer to misguess the hand, so his huddle couldn't be with any attempt to deceive. Declarer draws his inferences at his own risk, and this time he misread the hand.

Thus, I definitely agree with letting the table result stand, although not necessarily for the reasons given.

Subject of Appeal:	Tempo (Illegal deception)	Case:	N4
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Event	Kaplan Blue Ribbon Pairs	Event DIC	Harry Falk
Date	11/28/2017	Session	First Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: Transfer to ♥
2: Balanced hand with 2-3♥ or 3♥ with a Singleton
3: Puppet to 2♦
4: Forced
5: Invitational, 6♥

Hand Record

Board	7	N	David Caprera		
Dealer	S	♠	10653		
		♥	QJ		
Vul	Both	♦	9752		
		♣	KQ7		
W	Barry Goren			E	Dror Padon
♠	A2			♠	K98
♥	K108			♥	A97653
♦	Q83			♦	K64
♣	A6432			♣	10
		S	Anne Brenner		
		♠	QJ74		
		♥	42		
		♦	AJ10		
		♣	J985		

Final Contract	Result of Play	Score	Opening Lead
4♥ by W	Made 5	E/W +650	♣Q

Facts Determined at the Table

The Director was called at trick five. After West won the opening club lead with the Ace, he ruffed a club in dummy, and cashed dummy's Ace. South broke tempo slightly. At trick four, declarer led another heart and South paused for one to five seconds before playing her last heart. Declarer played the 10, losing to the Queen.

Director Ruling

The one to five seconds' pause by South was considered a break in tempo. As there was no demonstrable bridge reason for the break in tempo, and an innocent West was damaged from drawing the false inference that South had a choice of plays, the Director adjusted the score to 4♥, making 6, EW +680.

Director's Ruling	4♥ by W, Made 6, E/W +680
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The Review

N/S requested a review of the ruling. They felt that one to five seconds should not be considered a break in tempo, and they further do not think that was what caused declarer to choose to finesse.

North, South and West met together with the Reviewer. At the review, N/S added that it would never be correct for South to play the Queen. Whatever she might have been thinking about, it was not playing the Queen. Therefore, an opponent using this information to decide his play could not be considered innocent.

West agreed that he erred; it had to be correct to play the King at trick four.

Panel Findings

Based on the input from the parties, the Reviewer felt that declarer used the information from the break in tempo at his own risk. Law 73D1 does not protect him in such a circumstance. At the same time, he felt that by the same Law, South needed to be more careful to play in tempo when following with her last card in a suit.

As such, the Reviewer restored the table result of 4♥ by West, making 5, EW +650. He gave a separate procedural penalty to NS of 1/6 board for failure to maintain even tempo, per Law 73D1, which says "it is desirable, though not always required, for players to maintain steady tempo and unvarying manner. However, players should be particularly careful when variations may work to the benefit of their side...."

Panel Decision	4♥ by W, Made 5, E/W +650 N/S: 1/6 Board Procedural Penalty
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Panel Members

Reviewer	Matt Koltnow
Member	Kevin Perkins
Member	Matt Smith

Commentary

Goldsmith: No one hitches there when they have Qx. Club players hitch when they don't have the queen. West should have got this one right.

I don't think a PP is appropriate. A player memo is. If this was an isolated event, it was surely an accident, and no punishment is appropriate. If this was part of a pattern, a much more substantial behavior change inducement is in order.

By the time this got to review, West agreed that he had no case. Why wasn't there an AWMW?

Marques: The TD at the table failed to see that because South had no demonstrable bridge reason to think, the break in tempo, in this case, does not carry any specific information. No player would think on the second heart trick with Q4 under K10 in dummy. South did not have a "choice of plays." Therefore, West took a guess at his own risk.

I find the procedural penalty harsh and the justification weak. It looks like it is based on the last sentence of the write-up: "Players should be particularly careful when variations may work to the benefit of their side." In this specific case, the variation in tempo could not work to the benefit of N/S, so why award a 1/6 of a board against them?

Meiracker: This is very difficult for a TD to judge - 1 second is nothing and 5 seconds is a lot, when playing a card.

West admitted he made an error!

I don't agree with the procedural penalty, because there is really no proof that South hesitated on purpose, to mislead the declarer.

Wildavsky: It would be unusual for a one-second pause to be judged out of tempo. Everyone seemed to agree that South appeared to have been considering a choice of plays, though, so perhaps it was closer to five seconds or perhaps it was otherwise clear to all concerned that South had a decision to make.

That said, I like the TD's decision and the Panel improved upon it. In my experience TDs do not award procedural penalties as often as they ought.

Willenken: Very strong decision including the PP. On the one hand, there would be no reason for South to hesitate with the trump queen, so there should be no score adjustment. On the other hand, huddles with no problem are damaging to declarer even if there is no chance of deception – they give the huddler extra time to think about the whole hand and therefore extra chance to conceal any defensive problems from declarer. Declarer is entitled to take advantage of the defense's need to think, so we cannot allow defenders to huddle over nothing plays in order to buy themselves extra time.

Woolsey: How can a 1 to 5 second pause ever be considered a BIT? Do we have to grab our card and bang it out instantly or risk being accused of coffehousing? That is ridiculous.

Even if there was a BIT, it can't mean anything other than that South was a bit slow pulling the card out. Everybody knows South doesn't have a problem whether South started with xx or Qxx. There is no possible intent to deceive. Declarer made his read and he was wrong. The Director's ruling was terrible, and it was good to see the Panel properly overriding it.

I do not agree with giving N/S a procedural penalty. That sets a very bad precedent, where players have to play instantly or risk getting a procedural penalty. That is not the way we want the game to be played.

Subject of Appeal:	Unauthorized Information	Case:	N5
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Event	Kaplan Blue Ribbon Pairs	Event DIC	Harry Falk
Date	11/28/2017	Session	First Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: 15-17 HCP

Hand Record

Board	20	N	David Bakhshi
Dealer	W	♠ 9742	
		♥ K96	
Vul	Both	♦ A8	
		♣ KJ72	
W	Alex Hudson		
♠	Q53		
♥	AQ85		
♦	QJ10		
♣	AQ10		
		E	Jonathan Steinberg
		♠	J1086
		♥	J432
		♦	K62
		♣	65
		S	Stan Tulin
		♠	AK
		♥	107
		♦	97543
		♣	9843

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

Facts Determined at the Table

The Director was called after E/W had left the table. E/W claimed South had asked a question about spades prior to the opening lead. South cashed both top spades, and North broke tempo slightly, following with the Nine. South continued a diamond to the Ace and trumped the spade return. North later scored the ♣K and the ♥K for down one.

The Director spoke to each partnership three times. Each time, E/W said that South asked about Spades before the opening lead was made. In conversations with N/S, one time North remembered himself to have been the one asking questions, while South asked nothing. During a different conversation, South remembered asking about Spades, but only after the opening lead was already face down on the table.

Additional Factors Determined Away from the Table

The Director polled five players with the North hand as an opening lead problem on the given auction. Three players would lead a heart, and two players would lead a spade.

Director Ruling

When the opposing sides cannot agree on the facts, the TD is obliged to make a ruling based upon the weight of the evidence he is able to collect, per Law 85. In this case, he determined that South asked a question about spades before the opening lead was chosen. By Law 16B, that question was deemed to be UI for North. It was further deemed to suggest a spade lead. Polling data showed that a heart lead was slightly more likely than a spade lead, so the result was adjusted by Law 12C1 to 60% of 2♥ by West, making two, E/W +110 and 40% of 2♥ by West, down one, N/S +100.

Director's Ruling	60% 2♥ by W, Made 2, E/W +110 40% 2♥ by W, Down 1, N/S +100
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The Review

N/S requested a review of the ruling. They felt the ruling was made on an incorrect set of facts. The Reviewer spoke to both sides together. North, East, and West attended the review.

North reported that the Director spoke to him and his partner four or five rounds after this hand had been played. His description of the first conversation was corroborated by the Director; the TD had some of the facts confused and asked some irrelevant questions. North stated that he asked about the relative meanings of 2♣-2♦-2♥ vs. 2♣-2♦-2♠, such as what sorts of garbage or invitational holdings might be available to be shown. North knew East had less than invitational values, but he wanted to know whether 5-4, 4-4, or 4-5 were all possibilities.

North thinks South asked about Stayman before the lead was faced. North disputes the assessment of a demonstrable suggestion to the UI from his tempo at trick two. His partner had played the Ace followed by the King. That can only show a doubleton, which means that his play must be suit preference.

East said that South asked about 2♥. He only remembers South having asked questions, and he stated that North never spoke.

West remembered North to have asked whether his bid could be 5-4 or 4-5. He remembers South to have asked which major West would bid first with 4-4. Both East and West thought that the opening lead was not on the table before South asked East his questions

Panel Findings

The Reviewer had a lot of conflicting facts, including testimony from East and West which contradicted each other. By Law 85, he had to come up with a set of facts upon which to make a decision. What seemed most likely from the testimony was that North asked questions of West at about the same time South was asking questions of East. These questions likely happened before the opening lead was selected, which meant that by Law 16B, they were unauthorized information to North.

The Reviewer polled five players with the auction and presented the opening lead as a problem. Three players led a heart; two led a spade. The players were asked a follow-up question. If you asked whether responder could be 5-4, 4-5, or 4-4 and partner subsequently asked which major would responder bid first with 4-4, would that help you select a lead? One player said that question was too deep for him, three of them said that it would not affect their decision, and one said that he felt there was a slight suggestion that a spade might work better than a trump (he had chosen a trump lead to start with). The Reviewer concluded that the UI did not demonstrably suggest a spade over a heart. Law 16B therefore did not apply, and the table result of 2♥ by West, down one, N/S +100, was restored.

Experts Consulted: Barry Rigal, Craig Kavin, John Diamond, Roger Clough, and Brian Platnick

Panel Decision	2♥ by W, Down 1, N/S +100
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Panel Members

Reviewer	Matt Koltnow
Member	Jenni Carmichael
Member	Gary Zeiger
Member	Kevin Perkins

Commentary

Goldsmith: The Director's ruling is illegal. If a spade lead was deemed to be a violation, it cannot be part of a weighted score.

It's hard to make a ruling without knowing what really happened. Normally, when the facts are in dispute, we believe the Director, but this time, he appears to have been confused.

I like the Panel's ruling. It seems likely that if South clearly asked about spades, and then North led a spade, then the Director would have been called immediately, not after the round.

Marques: A canceled score (due to UI) should not be included in any weightings (referred to as a 'Reveley Ruling'). Under the 2007 laws, there were minutes by the WBF Laws Committee that expressed this. The new laws (2017) incorporate this explicitly (Law 12C1c).

Therefore, the TD's decision is illegal. Either UI was used or not. If yes, the decision should be 2♥ making. If not, 2♥ down one.

This case is yet another example of the speed at which the perception of the facts changes. It's a pity that the collection of facts by the TD at the table took so long. By the time he heard all parties, each player had a different version of what happened. The Reviewer did an excellent job gathering the sparse bits of evidence, and his assessment of the

facts seems very reasonable. Given the facts as assessed, the Reviewer's poll had the right questions, and I think that it came to the right conclusion, that a spade lead was not demonstrably suggested.

Meiracker: The TD made a decision, but the facts were not very clear. The Reviewer did a better job and the change back to the table result seems fair to me, because the polled players stated that the questions asked would not affect their decision of what to lead.

Wildavsky: The TD misapplied the laws. When UI makes an action illegal per Law 16 the illegal action must not be included in the weightings mandated by Law 12. Because the Panel found different facts than the TD they did not need to weight any scores so did not need to correct that aspect of the ruling.

Usually the Panel would defer to the TD on findings of fact but here he clearly did not understand the case and so did a poor job.

Both the TD and the Panel might have given themselves an easier task had they noted that, if South asked questions while his partner was on lead, this would have been improper and E/W ought to have called the TD then and there. Not everyone does, but when the parties disagree as to the facts, the failure to call the TD promptly is a useful piece of evidence, one that cannot be disputed.

Willenken: A reasonable eventual Panel decision, but why wasn't highly experienced South given a PP for asking questions in a situation where clearly he should have known better?

Woolsey: First of all, the Director's ruling of 60% 2♥ making and 40% 2♥ down 1 is an illegal ruling. This is not what weighted averages are about. They are used when it is decided that the result must be adjudicated because of an improper action, but the proper adjudication is not clear. For example, suppose it were determined that the spade lead was illegal, but on a heart lead it wasn't clear whether 2♥ would make or not -- then a weighted average based on an estimate of the fate of 2♥ might be in order. But a weighted average is never used until the proper adjustment is made. If the spade lead is found to be legal (no UI, the UI doesn't suggest the spade lead, or there is no LA), then the table result stands. If the spade lead is found to not be legal, the hand is adjudicated depending upon the likely fate of the contract after the heart lead. But we do not take a weighted average of how likely the spade lead is with no UI. Either the spade lead is legal or it isn't. This is an important concept, which I fear many Directors do not understand.

The facts are unclear. However, if South was asking questions he is clearly out of line, particularly if he was asking specifically about the spade suit. This is a common auction known to any expert. Virtually everybody responds hearts first. Most important, when did South ask these questions? He wasn't on lead. He surely wasn't seriously considering acting over 2♥. The only motive for such questions, particularly anything mentioning the spade suit, could be to call partner's attention to spades. So, if it were determined that South was asking these questions, I would ban the spade lead, and assign South a procedural penalty.

Subject of Appeal:	Break in Tempo, Unauthorized Information	Case:	N6
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Event	Keohane NA Swiss Teams	Event DIC	Tom Marsh
Date	12/01/2017	Session	First Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: Agreed Break in Tempo

Hand Record

Board	28	N	Steve Ramos		
Dealer	W	♠	A10864		
		♥	10		
Vul	N/S	♦	AJ9742		
		♣	9		
W	Robert Cappelli			E	Frank Treiber
♠	752			♠	KQ
♥	KJ543			♥	A98762
♦	Q6			♦	10
♣	KQ6			♣	J1053
		S	Murat Veysoglu		
		♠	J93		
		♥	Q		
		♦	K853		
		♣	A8742		

Final Contract	Result of Play	Score	Opening Lead
4♠ by S	Made 4	N/S +620	♦10

Facts Determined at the Table

The Director was called after North bid 4♠ and was told that South's second Double was after a pause of thirty seconds. All of the players agreed to the long hesitation. He instructed the pairs to play the hand, and then call him again if they believed they had been damaged.

Additional Factors Determined Away from the Table

The Director polled six players on North's action after the Double. Three passed and three bid 4♠, although none of the polled players duplicated North's first four calls of the auction. The Director also polled the defense to 4♥X and found that four out of four players found the club ruff necessary to beat that contract.

Director Ruling

The Director determined that the unmistakable hesitation before South's second Double suggested doubt and provided Unauthorized information. Law 16B states that a player may not choose a call that is demonstrably suggested over another by unauthorized information if the other call is a logical alternative. The poll showed that Pass was a logical alternative, so the contract was adjusted to 4♥X by East, down one, N/S +100, per Law 12C.

Director's Ruling	4♥X by E, Down 1, N/S +100
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The Review

N/S appealed the Director's ruling. All four players attended the review. N/S's written reason for appealing was:

"North had a very distributional hand that was unsuitable for defense and he did not base his decision to bid 4♠ on the hesitation prior to South's Double."

The Reviewer explained to the appellants that according to regulation the burden was on them to demonstrate that the Director's ruling was flawed in some way and if that could not be shown the appeal would likely fail.

In going over the facts with the players, it was confirmed that South's original Double ostensibly promised four spades; 2♦ promised heart support; 3♥ showed extra length; and there was a thirty second pause before South's second Double.

North said he was hoping his partner would bid 4♠ when 4♥ was passed around to him, but he was prepared to live with a Pass. When South doubled, North said that showed extra values he thought would make 4♠ more likely to make. He said he did not want to bid 4♠ earlier as many of the polled players did because he did not want to overstate his hand and cause partner to bid a bad slam.

Panel Findings

The Panel decided to try to find peers of North who would duplicate his first four actions. Many players were asked, but none were found who agreed with how he bid the hand to the point of South's second Double. One player was found who agreed with his first three calls, but that person bid 4♠ directly over 4♥. When that person was asked what they would do if they had chosen to Pass at their fourth turn and partner had doubled, they said they would Pass.

While it proved impossible to poll the hand perfectly, the Panel did not find evidence to overturn the original ruling and in fact found some evidence to support it. The Panel thought it was significant that, unlike almost all of his peers, North had shown a willingness to defend 4♥ undoubled when he passed 4♥.

The ruling of 4♥X by East, down one, was upheld. Due to the difficulty finding peers of this North, the appeal was found to have merit.

Panel Decision	4♥X by E, Down 1, N/S +100
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Panel Members

Reviewer	Matt Smith
Member	Jenni Carmichael
Member	Kevin Perkins

Commentary

Goldsmith: North had two aces. That's plenty of defense. This is an easy ruling. It would have been embarrassing if either the Director or Panel had ruled differently.

The OS was clearly in the wrong and appealed to get their infraction allowed. This is the sort of appeal for which AWMWs were invented.

Marques: "North did not base his decision to bid 4♠ on the hesitation prior to South's Double." It seems to me that N/S don't understand the base structure of UI rulings. The relevant question is whether the agreed hesitation demonstrably suggests bidding 4♠ over less favorable logical alternatives (in this case, over "Pass"). Even if 4♠ is the most popular call and Pass is chosen only by a minority of players, as long as Pass is a logical alternative and the Double suggests bidding then 4♠ will be disallowed if successful.

I understand the problem that the TD and the Reviewer faced in finding players that replicated North's auction. When this happens, an inferior but manageable alternative is to give the hand as a bidding problem, as the TD did, and try to extract the relevant information from the pollees' reasoning. Nice job and good decision by the TD. A third question in the initial poll would consolidate it nicely ("If partner hesitates before doubling, what does it suggest?") but the answer is so evident that the question is not really necessary.

Anyway, the smoking gun in this particular case is the strange willingness of North to play 4♥ undoubled when he "had a very distributional hand that was unsuitable for defense."

I don't think that the alleged difficulty in finding peers of a given player should be an argument in favor of the merit of an appeal. For me, this is a AWMW.

Meiracker: The TD and the Panel polled players and the result was that Pass is a logical alternative. So 4♥X down 1 was the result!

Wildavsky: A perfect ruling by the TD. The appeal had no merit, and the difficulty in finding players who would reproduce North's actions does not make the appeal meritorious.

Willenken: North passed over 4♥, indicating willingness to defend. South, who was not limited to a weak hand on the bidding, made a penalty Double. We don't need a poll to know that Pass is a LA for North-- remember what the "L" stands for. This appeal was meritless.

Woolsey: While I might not agree with North's previous actions, that doesn't matter. However, his action of passing and then pulling the Double to 4♠ is totally inconsistent. If he was willing to defend 4♥ undoubled, why should he suddenly decide to bid 4♠ when his partner says he thinks 4♥ is going down? Only because the slow Double tells him that partner not only has values, but these values are outside of hearts. This isn't close. The Director and Panel are dead right.

Subject of Appeal:	Break in Tempo, Unauthorized Information	Case:	N7
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Event	Reisinger BAM Teams	Event DIC	Matt Koltnow
Date	12/01/2017	Session	First Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: Could be short, Precision
2: Break in Tempo

Hand Record

Board	30	N	Jared Lilienstein
Dealer	E	♠	Q86
		♥	642
Vul	None	♦	732
		♣	AK54
W	Brad Moss		
♠	KJ3		
♥	A1087		
♦	Q10		
♣	J1072	E	Joe Grue
		♠	A1075
		♥	KJ
		♦	J654
		♣	Q98
		S	Michael Polowan
		♠	942
		♥	Q953
		♦	AK98
		♣	63

Final Contract	Result of Play	Score	Opening Lead
1NT by W	Made 2	E/W +120	♦7

Facts Determined at the Table

The Director was called at the end of play by E/W to report that South had broken tempo briefly over the 1♦ bid. A kibitzer at the table agreed that South broke tempo over 1♦. E/W thought that the break in tempo suggested a diamond lead over another lead that could have resulted in more tricks for E/W.

Additional Factors Determined Away from the Table

The Director gave the North hand as a lead problem to six players in the event not scheduled to play the board. Some chose to lead the ♣K or a small club, others chose a spade. When asked if they thought a break in tempo over the 1♦ bid suggested anything useful to them, they all thought it did not.

Director Ruling

The Director ruled that the unauthorized information from the break in tempo did not demonstrably suggest one action over another and ruled that, per Law 16B1, the table result stood.

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

E/W appealed the Director's ruling. The Reviewer spoke to East and West together with the kibitzer arriving at the end of the interview, and later to South (North and South sat out the second session and North was unavailable).

E/W were told that by regulation they were expected to show some error that the Director made in order to win their appeal.

West said the hesitation over 1♦ took 6-7 seconds; East said 5-7 seconds. They said that in their experience whenever a player hesitates over a nebulous 1♣ or 1♦ opening they always have that suit. Given that West bid hearts and East bid spades, from North's point of view all South could have been thinking about was diamonds.

E/W were surprised at the poll result. West thought it should have been polled as "if this is your hand and partner thought over 1♦, what is the most likely thing that would show?" They also thought that no one would lead a diamond on this auction and noted that their teammates, on the identical auction at the other table, led a high club.

The kibitzer said she thought South took 12-15 seconds over 1♦.

South agreed that he did not bid immediately over 1♦ but that the reason he did was his habit of maintaining an even tempo at all times. He said that whatever time he took was normal for him whether he has a problem or not, which could be confirmed by his first call on the first board of the round against the same pair (there was no video of this table). He argued that he had nothing to think about over 1♦ in any case.

Panel Findings

The Panel reviewed the facts of the case and agreed with the Director that the balance of evidence indicated that South broke tempo over 1♦. While the Panel understood the E/W concern that the hesitation might show diamond values and that North's lead was not one selected by any of the polled peers, after confirming with the Director how the poll was conducted and who was consulted it found nothing wrong with the process. Since the poll results clearly showed that the hesitation did not demonstrably suggest a diamond lead, the table ruling was upheld.

The appeal was found to have merit.

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

Reviewer	Matt Smith
Member	Jenni Carmichael
Member	Kevin Perkins

Commentary

Goldsmith: There's no way South takes 5-7 seconds before every call. If he did, E/W would have claimed he broke tempo before his last Pass. A BIT there clearly calls for a diamond lead. Furthermore, if he took six seconds before every action, he'd never finish a session.

I, too, am surprised by the results of the poll. I wonder if the poller mentioned that 1♦ was announced as "could be short." If South has a natural 2♦ overcall available, the inference that he has diamonds is reduced substantially.

The process the Directors followed seems solid, and with the data they had, the ruling seems pretty clear-cut.

I think a player memo is appropriate here. South probably just lost focus, and North just made a random opening lead that worked, but if there is a pattern of such events working out every time, we want to know it.

Marques: My lingering question after reading the write-up is about what the pollees were told concerning the 1♦ opening bid. If they were just told "could be short," I would call it "not good enough." If the information was something like "opponents are playing Precision, one diamond is nebulous, could be short," and the pollees are familiar with the method, I have no further remarks.

The write-up mentions that the Panel was satisfied with the way that the poll was conducted, so I have to presume that the pollees got the right information. The answers are surprising, but all consistent, and therefore I don't see any other choice than to confirm the TD's decision.

Meiracker: This is a difficult decision. When players were polled, nobody leads a Diamond, but they all stated that a hesitation doesn't give away any information. South has not really a problem with a balanced hand and a 9 count and we don't know the length of the hesitation.

Wildavsky: I agree with the TD and Panel decisions. The Panel should not have had to consult the TD to determine how he performed the poll, though. Per the ACBL Handbook, all polls must be conducted in writing. The reason is precisely to give an appeals committee or Panel the information they need to determine whether the poll addressed the proper concerns.

Willenken: Reasonable ruling on the merits, but a long hesitation with a balanced nine HCP is beyond the pale here. I would have liked to see a 1/6 board PP to N/S following the wise path of the Panel in case 4.

Woolsey: This hand bothers me. Certainly, the ruling that there is nothing in the UI as such which suggests a diamond lead is correct. What bothers me is South's actual hand. South doesn't have anything resembling a problem over the 1D opening, Precision or not. An expert or even a beginner has a totally routine Pass. Yet, the testimony is that South broke tempo over 1♦.

How long should South pause? It is clear that South should not bang out an insta-Pass. That transmits as much information as a slow Pass. It is proper for South to pause a bit. Just how long he paused I don't know. My guess is nothing out of the ordinary, in which case the table result stands. But if he really made a meaningful BIT, then he was very out of line and I don't like allowing the diamond lead.

Subject of Appeal:	Unauthorized Information	Case:	N8
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Event	Reisinger BAM Teams	Event DIC	Matt Koltnow
Date	12/01/2017	Session	First Qualifying

Auction

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

Explanation of Special Calls and Points of Contention

1: Semi-forcing
2: 6+ ♠ minimum, or 16+ HCP
3: 8+ HCP
4: 16+ HCP, shape descriptive
5: Relay bid
6: Shape Descriptive
7: Asked for explanation

Hand Record

Board	21	N	Alejandro Bianchedi	
Dealer	N	♠ AQ98432 ♥ AK65 ♦ A ♣ 4		
Vul	N/S			
W	Jerry Stamatov		E	Divan Danailov
♠ J10 ♥ Q92 ♦ Q83 ♣ AQ972			♠ 76 ♥ J104 ♦ J10752 ♣ J83	
		S	Agustin Madala	
		♠ K5 ♥ 873 ♦ K964 ♣ K1065		

Final Contract	Result of Play	Score	Opening Lead
4♠ by N	Made 5	N/S +650	♣3

Facts Determined at the Table

The Director was called at the end of the play. During the auction, all bids from 2♣ through 3♠ were alerted. The bids of 2♥, 2NT, and 3♠ had defined the North hand as holding 16+ HCP, with six or more spades and four hearts. The Director was told that, over the 3♣ bid, West asked the meaning of the entire auction to that point. N/S thought the timing of the question suggested a club lead, and without it they would have scored another trick.

Director Ruling

The Director ruled that, because West had asked a legal question following an Alertable bid and was careful not to ask specifically about the 3♣ bid, there was no unauthorized information transmitted and the table result stood, per Law 20F1.

Director's Ruling	4♠ by N, Made 5, N/S +650
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The Review

N/S appealed the Director's ruling. The Reviewer spoke to North and South together, and later to East and West together. N/S were told that by regulation they were expected to show some error that the Director made in order to win their appeal.

South said after 3♣, West asked about the whole auction and he thought it was apparent he wanted to Double. He said neither opponent had asked any questions before that point. He thought that East's club lead against 4♠ was reasonable but made much easier after the timing of West's question.

West said he did not ask about the early alerts because he thought he was familiar with the N/S methods. When they kept alerting, he was no longer sure what their bids meant. He said he wanted to know the meaning of the auction not for the purpose of doubling 3♣ (since he thought the most likely contract of 3NT would be declared on his right), but because he wanted to be prepared in case their bidding went beyond 3NT. Despite that, he offered that he understood why the opponents after seeing his hand thought he was showing interest in the club suit.

West also said he thought that his partner's most likely winning lead with declarer being a probable 7-4 in spades and hearts was a short suit club rather than a lead from his longer diamond suit. East agreed with West regarding the lead and thought a diamond lead was more likely to give up a trick.

Panel Findings

Law 20F1 states: "During the auction and before the final Pass any player may request, at his own turn to call, an explanation of the opponents' auction." Later in the same section is a statement that notwithstanding that right, Law 16 (unauthorized information) may apply. Further, ACBL management policy for Directors states: "The Tournament Director will rule that no unauthorized information has been transmitted by a player who asks in the proper manner about an alerted call at his or her turn immediately following the alert (unless that player shows a pattern of being selective about which alertable calls are questioned)." Since West was selective about when he asked, the Panel believed unauthorized information from the question was possible.

Four expert players were given East's hand as a lead problem to 4♠. Two led a diamond; one thought it was a guess between clubs and diamonds but leaned towards a club; another led a club thinking that his relative minor length made declarer more likely to be shorter in diamonds than clubs.

After choosing their lead three of those players were asked if they thought a question about the whole auction by partner at the point 3♣ was bid was suggestive of anything. All three thought it showed interest in doubling 3♣, and two added that the probable reason it was not doubled was hearing that North could still have a strong hand containing four clubs. Three other players were given the auction without a hand and asked if they thought the question was suggestive. All thought the question indicated an interest in doubling 3♣.

As a result of the polling, the Panel decided that East did have unauthorized information from his partner's question; that information suggested a club lead; and a diamond lead was a logical alternative. The score was adjusted to 4♠ by North, made six, N/S +680, per Law 12C1.

Experts consulted: Ron Pachtmann, Piotr Pawel Zatorski, Johan Sylvan, Louk Verhees, Allan Graves, Mark Itabashi, and Roy Welland.

Panel Decision

4♠ by N, Made 6, N/S +680

Panel Members

Reviewer	Matt Smith
Member	Jenni Carmichael
Member	Kevin Perkins

Commentary

Goldsmith: Why didn't West Double? If "shape descriptive" means naturalish, North can't have long clubs. South is pretty unlikely to have a redouble after starting with a semi-forcing 1NT. What was West hoping to hear that would cause him to Double? If not this, then why ask?

The reasoning behind the Panel's ruling is sound, but if a player can't ask about the whole auction without giving UI, this game is pretty tough. I guess you just have to Double unless you are given information that makes it clear not to, and in those cases, partner's not going to lead the suit once he hears the explanation anyway.

Marques: West's statements are a bit self-serving. I see no reason to expect 3NT to be the final contract, having heard the start of the auction (and West was apparently aware of at least part of N/S methods).

The TD went by the book, and I understand why. It is difficult to go against a player who apparently followed what Law 20F1 states. West asked about the whole auction, not a single call, and that is what he is supposed to do. However, the UI did not arise from the question itself, but from its selectiveness.

It was good that the Panel decided to poll about what could be deduced from West's actions, and even if the main question in the poll can be considered a little biased, the responses by the pollees overwhelmingly demonstrate that UI was transmitted. The conclusion is easy. I'm with the Panel on this one.

Meiracker: The poll showed that the Panel decision was right. The timing of West's question demonstrably suggested a club lead, and other leads were logical alternatives.

Wildavsky: Excellent work by the Panel, correcting an injustice. Repeating the speculation regarding West's failure to Double 3♣ is unnecessary, though. We can and should find West's explanation regarding the reason for his question and its timing 100% candid and still adjust the score.

Willenken: Correct ruling as far as it goes, but we need a better overall answer when players are using relay systems without screens. In such auctions, it is highly likely that the defensive side will want to make a lead-directing double at some point if they know what the auction means. As things stand currently, they would need always to ask about every bid in order to find all their doubles without transmitting UI-- an untenable approach from a time perspective.

Woolsey: It doesn't matter that West worded his question in a general form. Unless West is asking about every alertable bid when it is his turn, he can't selectively time his asks without risking giving his partner UI. That is exactly what happened here. The Director was wrong, and the Panel 100% right.


Subject of Appeal:	Contested Claim	Case:	N9
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Event	Reisinger BAM Teams	Event DIC	Matt Koltnow
Date	12/01/2017	Session	Second Qualifying

Auction

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

Hand Record

Board	12	N	Bill Bailey
Dealer	W	♠ AK852	
		♥ (void)	
		♦ 73	
Vul	N/S	♣ QJ7432	
W	Aleksander Dubinin		
♠	QJ96		
♥	QJ		
♦	AQJ52		
♣	85	E	Andrei Gromov
		♠	43
		♥	AK107632
		♦	K8
		♣	K10
		S	Max Schireson
		♠	107
		♥	9854
		♦	10964
		♣	A96

Explanation of Special Calls and Points of Contention

1: Shows Hearts, Alerted

Final Contract	Result of Play	Score	Opening Lead
4♥ by W	Down 2	N/S +100	♠A

Facts Determined at the Table

The Director was consulted after the E/W compared with their teammates but within the allowable period to request a ruling.

The play to 4H was:

- Trick 1: ♠A - ♠3 - ♠7 - ♠6
- Trick 2: ♣Q - ♣K - ♣A - ♣5
- Trick 3: ♠10 - ♠J - ♠K - ♠4
- Trick 4: ♣J - ♣10 - ♣6 - ♣8
- Trick 5: ♠8 - ♥A - ♠9 - ♠9
- Trick 6: ♥2 - ♥4 - ♥Q - ♣5
- Trick 7: ♥J -

At this point, West claimed conceding a trump. He thought he started with only eight combined trumps. South showed his remaining three trumps, and since he had not yet played to trick seven this confirmed West's misremembering of the trump suit. The players agreed to down two.

Director Ruling

Law 68B indicates that declarer had conceded a trump trick to South, and the defenders had agreed to it per Law 69A. The Director was unable to cancel the concession by the standard of Law 71B, "if a player has conceded a trick that could not be lost by any normal line of play of the remaining cards." That law is footnoted with "normal" includes play that would be careless or inferior for the class of player involved." Playing a spade would be merely careless if declarer thought he had an inescapable trump loser, as would playing a diamond to the king and tossing a small trump on the table. The result of 4♥ by West, down two, N/S +100 was ruled to stand.

Director's Ruling

4♥ by W, Down 2, N/S +100

The Review

E/W appealed the Director's ruling. All four players and the N/S captain attended the review. E/W were told that by regulation they were expected to show some error that the Director made in order to win the appeal.

E/W said that after the ♥Q won and North showed out, West showed the ♥J with the expectation that the hand was now over. West said that he had probably miscounted his trump fit as being 6-2 at that moment, but it was not important since it was obviously easy to cross to dummy with the ♦K and draw two more trumps with the king and the ten. The table was five minutes late and there was some confusion about recording the score, but both East and West believed after seeing three hearts to the nine remaining in South's hand there was an inescapable trump loser and that the result was down two. E/W thought that South should have realized that he did not have another trick coming.

South said that while his memory of what happened was not perfect, he thinks West initiated the claim since it would have been unusual for him to have claimed without knowing at that point what was going on with the diamond suit. North also recalled that West initiated the cessation of play and South reacted to it by showing his cards.

Panel Findings

The Panel agreed with the Director that it was clear that West had claimed/conceded, and at the point he did, he seemed to have lost touch with the number of outstanding trumps. If he had a clear understanding of what was happening, he would not have offered or agreed to down two. While in the rush and confusion of a late finishing round, N/S accepted a trick (conceded by much more experienced opponents) that they might have questioned under more normal circumstances. Accepting that trick did not rise to a violation of Law 79A2: "A player must not knowingly accept either the score for a trick that his side did not win or the concession of a trick that his opponents could not lose."

The Panel did not find the E/W argument compelling and agreed with the Director that it would not be worse than "careless or inferior" for a player who had lost track of how many trumps were outstanding to play the remaining cards in a way that would result in the defense scoring another trump trick for down two.

The ruling of 4♥ by West, down two, N/S +100 was upheld. The appeal was found to have merit.

Panel Decision

4♥ by W, Down 2, N/S +100

Panel Members

Reviewer	Matt Smith
Member	David Metcalf
Member	Jenni Carmichael

Commentary

Goldsmith: I think playing on in any way other than crossing to the ♦K and playing trumps from the top would be weird. I don't think any other line is near "careless or inferior." "Bizarre, irrational, and ridiculous" is about right. Down one.

I have no problem with N/S's accepting the trick. They were rushed, and the claim took place in the middle of a trick, adding to the confusion. They ought to, however, have lobbied for the score to have been changed when they found out about the problem later.

Marques: The standard of "normal, careless or inferior for the class of player involved" is in question here. It's a recurring theme, and it's rarely clear-cut where to draw the line because we are stepping into the frontier between what is merely careless and what is beyond that.

In this particular case, however, I think that the TD and the Panel got it right. This player, having miscounted trumps, "knows" that South is always gonna make a trump trick. For him, there is no difference between playing spades or diamonds. I'm comfortable with "careless" here. Good decisions by the TD and the Panel.

Meiracker: After a pair compared with his teammates and at this moment declarer discovers that he misclaimed, the TD can only apply Law 71B, "if a player conceded a trick that could not be lost by any normal line of play." Normal can be careless or inferior.

West thought he had eight trumps together, so could easily just give up the trick by playing low from East.

Wildavsky: Good decisions. I do not see the merit in the appeal.

Willenken: A clearcut ruling. Where is the merit?

Woolsey: Clear down 2. Declarer had miscounted trumps and thought he had a trump loser. There is no particular reason to think he would have crossed to the king of diamonds and played his top trumps in his confused state of mind.

Subject of Appeal:	Misinformation	Case:	R1
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Event	1 st Sunday Daylight Open Pairs	Event DIC	Dianne Barton-Paine
Date	11/26/2017	Session	Second Session


Auction

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

Explanation of Special Calls and Points of Contention

1: Could be short
2: Limit raise or better for clubs
3: Stoppers in majors
4: No Alert, disputed meaning

Hand Record

Board	15	N	9900 MPS
Dealer	S	♠ 987	
		♥ A1052	
Vul	N/S	♦ A854	
		♣ 94	
W	400 MPS		
♠ A432			
♥ J876			
♦ KJ2			
♣ KJ		E	400 MPS
		♠ KQ5	
		♥ KQ3	
		♦ 6	
		♣ A108763	
		S	13,900 MPS
		♠ J106	
		♥ 94	
		♦ Q10973	
		♣ Q52	

Final Contract	Result of Play	Score	Opening Lead
3NT by W	Made 4	E/W +430	♠9

Facts Determined at the Table

North led the ♠9 and N/S called the Director as soon as dummy appeared. N/S said that East indicated that his bid showed shortness in diamonds. This was disputed by E/W who said that they had no agreement as to what 3♦ meant. South said away from the table that he would have doubled 3♦ if he had been Alerted that 3♦ was artificial. During the play of the hand, West guessed clubs incorrectly, finessing into South. N/S stated that if North had led a diamond in response to her partner's Double, and South made the same misguess in clubs, they would have defeated 3NT.

The Director later spoke to East and West individually, and both indicated that they thought the 3♦ bid asked for a stopper but that they had not discussed this bid. West indicated that she was as completely surprised as everyone else when her partner put down a singleton diamond.

Director Ruling

The Director ruled that E/W did not have an agreement as to the meaning of the 3♦ bid, and therefore no misinformation had been given. The table result of 3NT by West, making 4, E/W +430, was ruled to stand.

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

N/S appealed the ruling and were the only players who met with the Reviewer. South argued that East's hand indicated that he thought that the partnership had some understanding of what 3♦ was since he clearly did not mean the 3♦ bid as natural. N/S felt that East had an obligation to correct what he thought was a failure to Alert by his partner before the opening lead was made.

Panel Findings

The Panel judged that East's hand, as well as East and West's both saying independently that they thought 3♦ asked for a diamond stopper, indicated that East likely thought that his 3♦ bid had a meaning which had not been disclosed by his partner. They therefore felt that East should have corrected what he thought was his partner's failure to Alert his bid, per Law 20F5b.

The Reviewer polled ten players of comparable experience level to South as to their bid over the 3♦ call:

- 1) when they were not told anything about 3♦;
- 2) when they were told East/West had no agreement as to what 3♦ was;
- 3) when they were told that 3♦ asked for a stopper.

Five players passed 3♦ in all three cases; two players doubled in all three cases; two players passed in case (1) but doubled in cases (2) and (3); and one player passed in cases (1) and (2) but doubled in case (3).

The Panel then considered whether a Double of 3♦ by South would tip West off to the correct play in the club suit. The Reviewer polled 5 players of comparable experience to West as a play problem in 3NT given the auction plus a Double of 3♦ by South. Three of the five players polled correctly finessed clubs into North—one specifically citing that South's Double indicated that he was likely the danger hand in diamonds—and two did not, taking the club finesse into South. Therefore the Panel considered that while the Double might make West more likely to take the correct line, it was not automatic.

The Panel awarded a weighted score per Law 12C1c: 70% of 3NT by West, making four, E/W +430, and 30% of 3NT by West, down 2, N/S +100.

Panel Decision	70% 3NT by W, Made 4, E/W +430 30% 3NT by W, Down 2, N/S +100
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Panel Members

Reviewer	Eric Bell
Member	Gary Zeiger
Member	Jenni Carmichael

Commentary

Goldsmith: I think N/S's claims are totally ridiculous, bordering on a ZT violation. E/W are an inexperienced pair. They had no idea what they were doing and said so. East just figured that if he's forcing to game and not bidding 3NT, he probably doesn't have a diamond stopper by bridge logic. So he performed an experiment. His partner had an obvious 3NT bid no matter what 3♦ meant, so he did something normal.

Furthermore, N/S were not damaged. Let's say South doubled and got a diamond lead. Declarer would cross to a spade and get clubs right, finessing through the danger hand. This produces 11 tricks, six clubs, four spades, and a diamond.

The Panel miscounted declarer's tricks. This appeal ought to get two AWMWs.

Marques: I have some problems with this one. First, both East and West stated that they had no agreement about the meaning of 3♦. I don't think that a player who makes an undiscussed call hoping that his partner will understand it, and manages to catch partner on the same wavelength, has an obligation to disclose what he meant if, in fact, they had no agreement about it. The proper course of action is, IMHO, a player memo recording the coincidence.

Also, and this is my main issue with the case, I find it very hard to believe that a very experienced South expects 3♦ to be natural. I think that the poll should be planned aiming to establish what do the pollees think when they were not told about the meaning of 3♦. Did they ask questions? Did they assume it was asking for a stopper? Did they think it was natural? I made my small private poll, and the most frequent answers were "singleton," or "asking for a stopper." Even when told that the player in question had only 400 MPs, nobody believed it to be natural.

South claims damage from the lack of alert. I don't think there is any damage, but even if there was, the TD got it right, in my opinion.

Meiracker: E/W both said that the 3♦ bid asked for a stopper, so N/S were right to appeal the ruling, there is an agreement. The Reviewer polled 10 players and it resulted in a weighted score.

Wildavsky: At first, I preferred the Panel's decision to the TD's, but Chris and Rui's comments convince me that I was mistaken. East and West each guessed the meaning of 3♦ at the table. Their guesses happened to agree, but that does not mean that they had an agreement beforehand. If they have never discussed the call then not only do they not need to

alert it, they should not alert it. It would not have been improper for East to say something before the opening lead, but he was under no obligation to do so.

Even if one preferred the Panel's decision, their weighting is incorrect. If the declarer guesses clubs successfully he will score 11 tricks, not 10. If the resulting weighted matchpoint score for N/S is less favorable than the result they achieved at the table then the score would not be adjusted, matching the effect of the TD's ruling.

Also, it is not the Double that would clue declarer in to the winning play in clubs, but the diamond lead itself. South is now the danger hand regardless of whether 3♦ was doubled.

Willenken: This level of player generally has no idea what is standard after the first round of the auction or so, and they are certainly unlikely to have any specific agreements. Therefore I prefer no adjustment here-- when beginners fix experienced players, that is the rub of the green.

Woolsey: South certainly got MI. While it isn't etched in stone that South would have doubled 3♦, he might have. Had he done so, North presumably would have led a diamond. After the auction was over, East should have spoken up about the meaning of his 3♦ call. Therefore, a potential adjudication is called for. The Director's ruling is wrong.

This is exactly the sort of hand that may call for a weighted score, since it is not clear how the play would have gone in 3NT. The Panel made a reasonable attempt to judge this from polling, and came up with reasonable percentages.

There is one major flaw, however. If declarer gets a diamond lead and gets the clubs right (which he can do by crossing to a spade, leading a club to the jack, cashing king of clubs, etc.), he won't make 10 tricks. He will make 11 tricks. Therefore, assuming that declarer will get the clubs right 70% of the time (a reasonable assumption considering that South will be the danger hand), the proper adjudication for N/S is 70% -460, 30% +100. If this weighted average produces a better matchpoint score for N-S than the table result, N/S get that better score (and E/W the reciprocal). If this weighted average produces a worse matchpoint score for N/S than the table then the table result stands, since the NOS cannot have their score be worse than the table result.

One further point, and this is an important point. E/W should get a procedural penalty for East not speaking up before the opening lead. This is what procedural penalties are for -- when somebody does something they know they shouldn't do. East knows he is supposed to speak up here. If Directors would start giving out procedural penalties when players fail to disclose their partner's failure to alert (when they are the declaring side) after the auction is over but before the opening lead is made, this kind of failure to speak up will stop quickly.

Subject of Appeal:	Misinformation, Unauthorized Information	Case:	R2
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Event	10K IMP Pairs	Event DIC	Scott Humphrey
Date	11/28/2017	Session	First Final


Auction

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

Explanation of Special Calls and Points of Contention

1: Alerted; 16+ HCP
2: Spade raise, no Alert

Hand Record

Board	2	N	4700 MPS		
Dealer	E	♠	A9		
		♥	Q95		
Vul	N/S	♦	A9		
		♣	AQ10983		
W	1400 MPS			E	1100 MPS
♠	KQJ653			♠	10874
♥	K87			♥	A104
♦	QJ8			♦	K103
♣	J			♣	642
		S	5500 MPS		
		♠	2		
		♥	J632		
		♦	76542		
		♣	K75		

Final Contract	Result of Play	Score	Opening Lead
4♠ by W	Made 4	E/W +420	♥5

Facts Determined at the Table

South called the Director before his final Pass. South had asked about the meaning of 2♥ at that point, which prompted E/W to agree that there had been a failure to alert. When South tried to comment further, the Director asked him not to say anything at the table.

After South's final Pass, the Director asked to speak to South away from the table. He told the Director he might have doubled 2♥ if he had been alerted, but after considering it further he told the Director he probably would not have doubled. After the hand, North argued that if his partner had been alerted to 2♥ and not doubled, he would have been much less inclined to lead the heart that allowed the contract to make.

Additional Factors Determined Away from the Table

The Director was concerned that South's actions may have been suggestive of a heart lead by North. He gave the North hand to three players and asked them what they would lead after an auction in which 2♥ was alerted. All three thought the lead very difficult. Two selected the ace of spades, and one selected the ace of clubs. When asked whether a non-alert of 2♥ would affect their decision all said it would make no difference to them. They also offered that if partner showed any interest in the missed alert that would suggest a heart lead.

Director Ruling

Based upon the poll results, the Director decided there was no link between the failure to alert during the auction and North's choice of opening lead. The score of 4♠ by W, making 4, E/W +420, was ruled to stand, per Law 40B3

Director's Ruling	4♠ by W, Made 4, E/W +420
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The Review

N/S appealed the Director's ruling. North, South, and West attended the review. N/S explained that the Double showed 16+ HCP and to make a takeout action with less they overcall 1NT. West said that he knew that 2♥ was a constructive raise but forgot to alert it.

The Reviewer asked South what caused him to ask about the unalerted 2♥ bid prior to his last Pass. He said that West's pause before jumping to 4♠ made him think perhaps 2♥ was some kind of a raise and an alert had been missed. The Reviewer told him that while his question was legal according to law, such questions can transmit unauthorized information to partner (Law 20F3) and they are particularly dangerous in cases where such a question is followed by the final Pass of the auction with partner on lead.

North said that he had a difficult lead, but in deciding what to do he considered that if his partner had known that 2♥ was artificial he might have been able to Double for a heart lead, but his Pass with no alert did not allow for that clear inference. He said he definitely would not have led a heart if partner had the chance to Double 2♥ but chose not to do so.

North said he was not influenced by South's actions that might have suggested a heart lead. He questioned whether the Director had polled a sufficient number of players.

West said he was concerned that North's choice of lead might have been influenced by South's actions.

Panel Findings

The Panel considered the number and expertise of the players polled by the Director. Two of the players polled were of significantly greater experience and masterpoints than represented by North's 4700 points. For that reason, those two players were excluded from consideration and further polling was conducted.

Five more players with approximately the same masterpoints as North were polled. Two led the ♠A regardless of whether partner's Pass was over an alerted 2♥, and one other led the ♠A regardless. A fourth player said he would lead a heart in any case but was less inclined to do so if partner had not doubled an alerted 2♥. The final polled player led the spade ace if his partner had not doubled an alerted 2♥, but a heart if the alert came at the end of the auction.

These opinions were added to the statements of the peer polled by the Director. Since one of the pollees was mostly in agreement with what North said, and another agreed with him completely, the Panel decided there was damage as a result of the late alert since a non-heart lead would likely result in 4♠ going down one. The Panel decided that as a result a weighted score per Law 12C1c was appropriate. The score assigned was 1/3 4♠ by W, down one, N/S +50, and 2/3 4♠ by West, made four, E/W +420.

Panel Decision	2/3: 4♠ by W, Made 4, E/W +420 1/3: 4♠ by W, Down 1, N/S +50
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Panel Members

Reviewer	Matt Smith
Member	Mike Roberts
Member	Jeff Jacob

Commentary

Goldsmith: So South would have doubled with ♥J832, but not ♥J632? I don't buy it. Result stands.

Marques: South has no other call than Pass, in his last turn of bidding, and decides to ask *before* his call, when he could easily have seen the dummy after the opening lead. Then North produces the heart lead... In a way, South brought this upon himself. Even if North's arguments make sense, South's actions do suggest an interest in a heart lead. West failed to alert, but South created UI.

The initial poll by the TD seems limited for an opening lead investigation. The Reviewer poll should also have addressed the UI from South's actions, and the "final polled player" sounds like an outlier to me. I think that the Panel was generous with N/S. IMHO, I don't think that N/S were damaged by the lack of alert more than by South's actions.

Meiracker: When the TD or Panel assigns a weighted score the adjustment will give the benefit of the doubt to the non-offending side. For example, in a 50-50 % decision the non-offenders will get 60% and the offenders 40% of a score.

In this case, the non-offenders only got 1/3 4♠ down 1 and 2/3 4♠ making, because South's questions could have led North in the direction of a Heart lead.

Wildavsky: I'd have tried to find a way to give both sides the worst of it. E/W might well have gained through providing misinformation, and North might well have taken advantage of unauthorized information.

Willenken: Good job all around, and very astute understanding by the Director that while E/W had provided MI, N/S may well have provided UI.

Woolsey: The Director was clearly wrong concluding that the failure to alert had nothing to do with the opening lead. If the 2♥ bid had been properly alerted North would have the information that South doesn't have a strong heart holding from South's failure to Double. That information would make a heart lead less attractive.

How much would that change things? North would have to defend very badly to allow 4♠ to make if he avoids a heart lead. Thus, the decision must be based on an estimate of how likely North would be to avoid the heart lead with the correct information. The Panel apparently concluded that North would have led a heart anyway 2/3 of the time. I don't understand where they got this weighting from, particularly since it was clear from the poll that a heart lead wasn't too popular (although certainly reasonable) alert or not. Of course, the fact that North did lead a heart has to make some difference. I guess I would have put it at 50-50 for my weighting.

Subject of Appeal:	Disputed Claim	Case:	R3
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Event	Mini Blue Ribbon Pairs	Event DIC	Peter Wilke
Date	11/29/2017	Session	Second Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: 10-15 HCP, 6+ ♣, or 5+ ♣ & 4 card major

Hand Record

Board	10	N	3400 MPS		
Dealer	E	♠	AJ64		
		♥	32		
		♦	10732		
Vul	Both	♣	J52		
W	2800 MPS			E	1900 MPS
♠	109875			♠	Q3
♥	AJ754			♥	109
♦	4			♦	K95
♣	63			♣	AKQ1087
		S	500 MPS		
		♠	K2		
		♥	KQ83		
		♦	AQJ86		
		♣	95		

Final Contract	Result of Play	Score	Opening Lead
4♦X by S			♣3

Facts Determined at the Table

The Director was called in the following two-card ending with declarer needing the last two tricks. The lead was in Dummy.

	♠ 6	
	♥ —	
	♦ 7	
	♣ —	
♠ 9		♠ —
♥ A		♥ —
♦ —		♦ —
♣ —		♣ 10 8
	♠ —	
	♥ K	
	♦ 8	
	♣ —	

Declarer claimed the last two tricks. Declarer and dummy said that declarer's statement was "I have a diamond and a heart." Declarer said that with trumps drawn, he intended to crossruff the last two tricks, though he did not use the term "crossruff." West said that declarer said he had a diamond and the "good king of hearts," which if played in that order would give the defense one more trick

Director Ruling

The Director ruled that the declarer's claim was valid but poorly stated. With trump known to be drawn, drawing both of the declaring side's trump at once to play the king of hearts was below what was allowed by Law 70A. He awarded both tricks to the declarer, making 4, N/S +710.

Director's Ruling	4♦X by S, Made 4, N/S +710
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The Review

E/W appealed the ruling and all four players attended the review. The players could not agree on the order of tricks played to lead up to the ending. All four players agreed that:

- 1) The opening lead was a club.
- 2) Declarer drew trump early in the hand.
- 3) A heart was led to the queen and West ducked.
- 4) After drawing trump, declarer did not run his trump at any point as if to set up for a squeeze or a similar play;
- 5) West won trick 10 with the jack of hearts and led the ten of spades to dummy's jack at trick 11, putting declarer on the board in the two-card ending in which the claim happened.

All four players agreed that declarer certainly knew there were no more trump outstanding. E/W insisted that declarer's statement (the "good" king of hearts) indicated that he had forgotten that the ♥A was still out. South said that he had stated what cards were left in his hand as he faced them and never intended that statement to indicate his line of play.

Panel Findings

The Reviewer polled three players in the three-card ending described by the players and told them that the king of hearts was high and that trumps were in. Each of the players won the jack of spades at trick 11 and crossruffed the last two tricks. When asked about the king of hearts, all three players indicated that they had two trump and did not need the heart king.

The Panel felt that although the declarer might well have forgotten that the ace of hearts had not been played, with all four players admitting that declarer certainly knew there were no more trumps out, it fell beneath the standard of "careless or inferior" play cited in the footnote to Law 70A not to crossruff the last two tricks. The table ruling was ruled to stand.

E/W were given an Appeal Without Merit Warning. The Panel found no information to support the argument that the table ruling was incorrect

Panel Decision	4♦X by S, Made 4, N/S +710
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Panel Members

Reviewer	Eric Bell
Member	Matt Koltnow
Member	David Metcalf

Commentary

Goldsmith: If South really said, "I have a diamond and the good king of hearts," that's a claim statement that he intended to take those tricks. Furthermore, if he thought the ♥K was good, it is not careless or inferior to play a diamond; that play will clearly work. Down one. The Directors' polls were invalid, because they couldn't poll anyone who had made that claim statement. Of course, nearly no one would, but this South did.

Marques: It's a matter of judgment about what was the claim statement and, in the TD's opinion, the intention of declarer. I'm ok with judging that declarer wanted to crossruff, and awarding the two tricks to him, as I would be ok giving one to the defense. In this case, the poll looks like overkill with doubtful conclusions, because if the TD judges that the player said "a diamond and the good king of hearts," then compare with Case N9... why wouldn't it be careless to play the diamond first? Were any of the polled players told to be careless and play in an inferior way? I have serious doubts that the poll was valid, the way it was apparently made, and I completely disagree with the AWMW

Meiracker: The claim was poorly stated but correct. This is an example of an AWMW

Wildavsky: Declarer claimed in a simple position where he had the rest of the tricks. He could equally well have just shown his hand. He was attempting to speed up the game and his opponents' obstinacy ending up slowing it down instead.

I don't think the Panel's poll was useful. It asked the pollees to assume that the ♥K was high, a fact in dispute. If declarer, in fact, believed the ♥K was high then he might equally have led either card to trick 12, regardless of the poll results. On the facts as presented, though, I see no compelling evidence that he believed it or stated it.

I would rule N/S +710, though for a different reason than the TD and the Panel.

Willenken: I agree with the ruling but not the AWMW. The evidence indicates that South made a sloppy claim statement which E/W misconstrued. Therefore, E/W could easily have believed that the Director was wrong on the law.

Woolsey: Obviously there is nothing wrong with this claim. E/W fully deserve their AWMW.

Subject of Appeal:	Break in Tempo, Unauthorized Information	Case:	R4
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Event	Wednesday A/X Swiss Teams	Event DIC	Guy Fauteux
Date	11/29/2017	Session	Second Session


Auction

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

Explanation of Special Calls and Points of Contention

1: Agree Break in Tempo

Hand Record

Board	27	N	Markland Jones		
Dealer	S	♠	63		
		♥	K10654		
		♦	A8		
Vul	None	♣	Q1073		
W	Bernie Greenspan			E	Greg Michaels
♠	AJ1074			♠	Q952
♥	(void)			♥	Q973
♦	KQ432			♦	J6
♣	A96			♣	K54
		S	Patricia Dovell		
		♠	K8		
		♥	AJ82		
		♦	10975		
		♣	J82		

Final Contract	Result of Play	Score	Opening Lead
5♥X by N	Down 4	E/W +800	♠2

Facts Determined at the Table

The Director was called after play of the hand was completed. All players agreed during the auction that East had demonstrably broken tempo before his Pass of 5♥. N/S questioned West's call after the break in tempo. North said that he had played for the hearts to be in the West hand instead of in the East hand and went down one extra trick. The Director determined that Pass in this situation was not forcing according to the E/W methods.

Additional Factors Determined Away from the Table

The Director polled five players with the West hand after 5♥ was passed around to them. All players took action: 4 players doubled 5♥ and the other bid 5♠.

Director Ruling

Since no player in the poll passed, the Director ruled that Pass was not a logical alternative for West as defined by Law16B1. Polling did not indicate a clear reason why the break in tempo would suggest doubling 5♥ rather than bidding 5♠, so the Director allowed the table result to stand.

Director's Ruling	5♥X by N, Down 4, E/W +800
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The Review

N/S appealed the ruling and all four players attended the review. North said that he understood why the table Director had removed Pass as an option, but he thought the hesitation automatically suggested doubling rather than

bidding 5♠ to cater to whatever holding East had. He also said that E/W had said that West's Double was a "do something intelligent" action Double (E/W confirmed this) and that had he known this, he would have played the hand a trick better. North said his primary interest was that he should be allowed to go -500 rather than -800 if E/W were allowed to Double. North confirmed that he had not asked about E/W's agreements while he was declaring.

Panel Findings

The Reviewer polled seven additional players about their action with the West hand after 5♥ was passed around to them. All seven doubled. Four of the pollees said that they thought East's Pass was forcing, but all players polled agreed they could not see defending 5♥ undoubled with the E/W cards whether Pass was forcing or not. When asked if partner's break in tempo made Double more attractive than 5♠ or vice-versa, five of those polled indicated they did not think it suggested one action over the other. The other two said it did not clearly suggest one action, but they thought if anything the break in tempo made 5♠ more attractive than Double; they felt partner was more likely to be thinking about bidding 5♠ himself than doubling.

The Panel did not feel that E/W's agreement that the Double was "do something intelligent" was sufficiently highly unusual or unexpected as to warrant any kind of Alert for the declarer. Further, the declarer made no effort to find out about the E/W agreements before or while he was playing the hand. The Panel therefore discounted North's argument that he should be allowed to go -500.

The table result was allowed to stand. The Panel voted to assess an Appeal Without Merit Warning to N/S, whom they felt did not introduce any new information to support their decision to appeal.

Panel Decision	5♥X by N, Down 4, E/W +800
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Panel Members

Reviewer	Eric Bell
Member	Matt Koltnow
Member	David Metcalf

Commentary

Goldsmith: Good ruling. I don't like the AWMW. According to the silly rules the Directors claim are necessary for an appeal to have merit, the appellants did produce new evidence. They asked for -500 based on a non-alert. They had asked for this earlier, but the Director didn't address this issue.

That shouldn't be anything like the appropriate criterion for AWMWs. They should be given when most would think, "what a silly appeal," or when the appellants are the offending side, were ruled against, and tried to get an obvious infraction allowed.

Marques: Good ruling overall. I have some reservations just because it is not clear in the write-up if the TD analyzed the possibility of 5♥X-3 or not. The Panel did, and I agree with the conclusion that North should have protected himself by asking some questions about E/W methods. If the TD addressed this question, the AWMW is well deserved. Otherwise, it is not.

Meiracker: I agree with the TD and Panel, the Reviewer polled 7 additional players, they all doubled. The AWMW is a little bit too much after all the work the Panel did.

Wildavsky: E/W would likely have made 5♠, so the question of whether the hesitation suggested Double over 5♠ does not seem relevant. That said, the rulings look right to me, and I agree that the appeal lacked merit. If North wanted to know the meaning of the Double he could have asked. Holding 18 HCP between the two hands he would have been surprised not to have been doubled, regardless of where the outstanding trump were.

That said, the Reviewer's poll looks flawed. It does not matter whether those polled considered East's Pass forcing since E/W agreed that it was not. Per Law 16, logical alternatives are judged in the context of the methods of partnership.

I'd like to know how the play went. The appeal might have been circumvented by noting that on normal defense declarer will be down four even if he starts hearts with the king.

Willenken: If the Panel really believes that West's Double was 'do something intelligent', I have a nice bridge for sale here in NYC. Given the obvious dishonesty of that claim, I'd be loath to give E/W their full result, but I suppose the Laws require it here.

Woolsey: This is a perfect polling hand. If there were some passers (or even some who considered passing), that would indicate that pass is a LA. That appears not to be the case.

I would think that the UI suggested doubling over bidding 5♠. East could hardly have been thinking about bidding 5♠, so he must have been thinking about doubling. If there had been some votes for 5♠ then I would have adjudicated the result to 5♠. However, the overwhelming vote for Double settles the case.

I do not agree with AWMW in a situation like this. While the initial polling of a small number of players suggested that the Double was legit, a further polling might have led to a different conclusion.

Subject of Appeal:	Break in Tempo	Case:	R5
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Event	2 nd Thursday Open Pairs	Event DIC	Jeanne van den Meiracker
Date	11/30/2017	Session	Second Session


Auction

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

Explanation of Special Calls and Points of Contention

1: Keycard Gerber for hearts
2: Two Keycards without ♥Q

Hand Record

Board	7	N	300 MPS		
Dealer	S	♠	QJ873		
		♥	86		
		♦	K54		
Vul	Both	♣	A63		
W	5000 MPS			E	2200 MPS
♠	A642			♠	K10
♥	J			♥	AKQ109754
♦	AQ86			♦	3
♣	KJ54			♣	82
		S	400 MPS		
		♠	95		
		♥	32		
		♦	J10972		
		♣	Q1097		

Final Contract	Result of Play	Score	Opening Lead
6♥ by E	Down 1	N/S +100	♠9

Facts Determined at the Table

The Director was called after the play of the hand finished. After winning the ♠K, declarer cashed seven hearts and lead up to the ♣KJ in Dummy. South fidgeted, looked at the board, hesitated a moment more, and then played the ♣10. Declarer played the king losing to the ace and subsequently lost the ♣Q for down one. All agreed to the facts

Director Ruling

South had no discernible bridge reason for his actions and could have known at the time of the action that they could work to his benefit. Therefore, an adjusted score of 6♥ by East, making 6, E/W +1430, was awarded per Law 73E2: "If the Director determines that an innocent player has drawn a false inference from a question, remark, manner, tempo or the like, of an opponent who has no demonstrable bridge reason for the action, and who could have been aware, at the time of the action, that it could work to his benefit, the Director shall award an adjusted score."

Director's Ruling	6♥ by E, Made 6, E/W +1430
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The Review

N/S appealed the ruling. Each said that South did not fumble for nearly as long as declarer said he did. South said that the opponents had been intimidating them during the round.

Panel Findings

The Panel agreed that South had no demonstrable bridge reason for his actions and the score of -1430 was clear for N/S. There was discussion on whether E/W should be awarded the full score or some percentage of it. The Director polled one player. That polled player was adamant that the break in tempo gave declarer no chance to get it right and the jack would be the normal play due to the 1♠ overcall. The declarer had stated that he intended on playing the jack before the hesitation but changed his mind based on the huddle. The Panel therefore upheld the original ruling of 6♥ by East, making 6.

The Panel unanimously felt that the appeal was without merit and felt the Appeal Without Merit Warning issued was not enough in this case. After being told several times that ignorance of the law was not a valid excuse for an appeal and South stating that he wanted to go ahead with the appeal because "a procedural penalty couldn't hurt their game", the Panel decided to assess a ¼ board procedural penalty to NS for blatantly abusing the appeal process. In addition a player memo was filed to record this in case similar actions are taken by this pair.

Panel Decision	6♥ by E, Made 6, E/W +1430 N/S: ¼ board Procedural Penalty
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Panel Members

Reviewer	Karl Miller
Member	Eric Bell
Member	David Metcalf

Commentary

Goldsmith: The ruling is obvious. The AWMW is obvious. The player memo is great. (Good job there, Panel!) The PP is not appropriate. It makes it look as if the Directors don't want to do appeals, and that players are wasting their precious time. Let's just bring back player appeal committees if the Directors hate doing appeals so much that they have to penalize beginners who have no idea what's going on.

Marques: What else is there to say? South deserved everything he got.

Meiracker: I was involved in this case as the DIC. I know that South was claiming that he didn't know the Law, so he thought he could hesitate as long as he wants.

Wildavsky: Excellent work all around. The TD might have applied a procedural penalty as well. South did not help his cause with his "Tu quoque" contention regarding intimidation, but he had no case to begin with.

Willenken: Great job here including the PP.

Woolsey: It is clearly right to throw the book at N/S. This is as blatant a coffeehouse as there could be, My only question is what score to assign to E/W. As I understand things, one draws inferences from mannerisms of the opponent at one's own risk. That would appear to mean that when declarer read from the table action that South had the ace of clubs, he did so at his own risk. It doesn't seem to me that he is entitled to +1430 for misguessing. Since this is a pair game, I believe it is proper to give a split ruling with both pairs getting the worst of it. However, maybe that isn't what the rules are saying.