

2017 Summer NABC

Appeals Casebook



Subject of Appeal:	Card Designation	Case:	N1
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Event	von Zedtwitz Life Master Pairs	Event DIC	McKenzie Myers
Date	07/21/2017	Session	First Qualifying


Auction

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

Explanation of Special Calls and Points of Contention

1: Game Forcing

Hand Record

Board	23	N	Fernando Piedra
Dealer	S	♠ Q652	
		♥ J752	
Vul	Both	♦ 1092	
		♣ 92	
W	Ken Wu		
♠	J10		
♥	A986		
♦	A65		
♣	QJ103		
		E	Gene Li
		♠	943
		♥	KQ10
		♦	KQ87
		♣	AK8
		S	Bartlomiej Igla
		♠	AK87
		♥	43
		♦	J43
		♣	7654

Final Contract	Result of Play	Score	Opening Lead
5♣ by W			♠

Facts Determined at the Table

The opening lead was a spade, and the defense took the first two tricks. At trick three, South led a spade and declarer ruffed it.

With the lead in dummy with three tricks remaining, dummy held the ♥10 and the ♦Q8. South held the only remaining trump, a good spade, and the ♦J.

At that point, declarer said "play a diamond". Dummy asked which, and declarer called for the queen. N/S then called the director and reported those facts. East initially told the director that declarer had called for a diamond, but then said he had said "diamond queen". West was adamant that he called for the diamond queen and denied that dummy had asked "which diamond?"

Director Ruling

The director ruled that the ♦8 was played from dummy to trick eleven per Law 46B2: "If declarer designates a suit but not a rank he is deemed to have called the lowest card of the suit indicated." He ruled that given dummy's interference in the play in violation of Law 43A1(c), it was impossible to prove that declarer's intent was incontrovertibly to play the ♦Q. Therefore, the exception listed in Law 46B ("except when declarer's different intention is incontrovertible") did not apply. The defenders took the ♦J and the last two tricks for down three.

Director's Ruling	5♣ by W, Down 3, N/S +300
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The Review

E/W appealed the director's ruling. All of the players attended the review at the end of the session.

The players told the reviewer that the play had been spade to South's ace; king of spades; low spade ruffed by declarer. Declarer played a club to dummy's ace and king, and a club back to his queen. He continued with a diamond to the king and a diamond back to his ace. He then played a heart to the king and queen to arrive at trick eleven and the ending described by the director.

Both declarer and dummy agreed that there was a delay after the word "diamond" that gave dummy time to ask which one, and essentially agreed with the N/S version of events. The reviewer explained to E/W that dummy's remark made it more difficult for the director to determine that a low diamond was not declarer's "incontrovertible intention". N/S said they would not have even called the director if declarer had made the correction without prompting from dummy, and that they were offended at his actions.

Panel Findings

The director panel appreciated that the laws' expectation is that the director be quite strict and clearly convinced before he allows a declarer to change a designated card under the "different intention is incontrovertible" clause. The default is that when declarer calls just a suit, he must play the lowest card of the suit. Often in these cases declarer may have missed the fact that the card he called is not really good, he may have gotten a trick ahead of himself and called the card he intended to the next trick, or he may have mistakenly thought he was playing a low card from dummy believing he had played a high one from his own hand already or was leading towards it. None of those factors seemed at all likely to the panel in this case.

This declarer apparently was taking great care to cash his tricks in the right order before a disastrous defensive ruff occurred. The panel could think of no confusion he might have been suffering to intend calling a low diamond to trick eleven. While dummy's statement was improper and made it much more difficult for the director to rule in declarer's favor, the panel did not believe that it was enough of a factor to outweigh the panel's conclusion that declarer never intended to call for a low diamond. The score was therefore changed to 5♣ by West, down two, N/S +200.

Panel Decision	5♣ by W, Down 2, N/S +200
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Panel Members

Reviewer	Matt Smith
Member	Gary Zeiger
Member	Jenni Carmichael

Subject of Appeal: Misinformation	Case: N2
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Event von Zedtwitz Life Master Pairs	Event DIC McKenzie Myers
Date 07/22/2017	Session First Semifinal


Auction

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

Explanation of Special Calls and Points of Contention

1: 12-14 HCP
2: Hearts and a minor
3: Explained as Natural

Hand Record

Board	11	N	Adam Wildavsky
Dealer	S	♠ Q4	
		♥ Q109862	
		♦ (void)	
Vul	None	♣ A9832	
W	John Jones		
♠	K1082		
♥	AKJ3		
♦	853		
♣	Q6		
		S	Ron Gerard
		♠	93
		♥	54
		♦	Q642
		♣	KJ1074
		E	Rick Roeder
		♠	AJ765
		♥	7
		♦	AKJ1097
		♣	5

Final Contract	Result of Play	Score	Opening Lead
4♠X by E	Made 6	E/W +790	♥5

Facts Determined at the Table

The director was called at the end of the auction. East explained that 3♣ was actually transfer Lebensohl showing diamonds. South was offered the chance to change his final pass; he declined to do so. The director spoke to South away from the table to see what he would have done over a properly-alerted 3♣. He said he would not have bid 3♦. The director also spoke to North away from the table. He said he would not have doubled 4♠ with the right information.

Additional Factors Determined Away from the Table

Director Ruling

The director determined that there had been misinformation, and that with the proper information the auction would have gone somewhat differently. She judged that E/W would still get to 4♠, but it would not be doubled. Therefore, per Laws 21B3, 40B4, and 12C1c, the contract and result were changed to 4♠ by East, making six, +480.

Director's Ruling	4♠ by E, Made 6, E/W +480
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The Review

N/S requested a review of the ruling. Each pair spoke to the reviewer separately. E/W did not add considerable information; they felt that N/S were trying to have a bad score repaired by the director.

N/S made several points. They felt the director did not explore enough possibilities when making the ruling. They felt that if South had passed 3♣, it might have been the final contract. They also felt that with the right explanation, E/W

would reach 4♠ by East; N/S would now bid 5♣ and either play in 5♣X or defend 5♠X. They would defeat 5♠X by a trick after two diamond ruffs, using the ♣K as an entry for the second ruff. Another possible scenario included South's bidding 5♣ over 3♣ which might have led to 5♦ or 5♣X being the final contract.

Panel Findings

The reviewer spoke to several experts to explore the many avenues presented by the appellants. None thought the auction would end in 3♣; few considered bidding 5♣. They focused on double or 4♣. All thought the auction would continue as N/S described—the double or club bid would be passed back to East who would bid 3♠ or 4♣. They thought a 5♣ bid by South was quite likely, and that when that happened E/W would invariably compete to 5♠. North's double would make it certain that NS would indeed defeat 5♠X as suggested with two diamond ruffs and the ♣K scoring the first three tricks.

While results other than 4♠, making six (no chance to double meant N/S would likely defend as they did at the table), and 5♠X, down one, had non-trivial probability, the reviewer elected to amalgamate these outliers into a ruling of 80% of 5♠X by East, down one, N/S +100 and 20% of 4♠ by East, making six, E/W +480.

Panel Decision	80%: 5♠X by E, Down 1, N/S +100 20%: 4♠ by E, Made 6, E/W +480
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Panel Members

Reviewer	Matt Koltnow
Member	David Mecalf
Member	Matt Smith

Subject of Appeal: Misinformation	Case: N3
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Event Spingold Knockout Teams	Event DIC Matt Smith
Date 07/25/2017	Session Round of 64, First Quarter


Auction

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

Explanation of Special Calls and Points of Contention

1: Fit showing, No Alert

Hand Record

Board	5	N	Ron Bishop
Dealer	N	♠ J10854 ♥ 9 ♦ Q96 ♣ AK32	
Vul	N/S		
W	Reese Milner		E Hement Lall
♠ 63 ♥ AQ62 ♦ 10874 ♣ 1086			♠ (void) ♥ 108543 ♦ AKJ532 ♣ 74
	S John Duquette		
	♠ AKQ972 ♥ KJ7 ♦ (void) ♣ QJ95		

Final Contract	Result of Play	Score	Opening Lead
6♠ by S	Made 6	N/S +1430	♦

Facts Determined at the Table

East called the director after North bid 6♠. He took the director away from the table and told her that if 3♣ was spades, he wants to bid 7♦. If not, he wanted to Pass. The director asked East whether he asked what 3♣ was. He said he did not want N/S to exchange information. The director retrieved the N/S convention card and looked at it with East away from the table. Although fit-showing jumps were clearly marked in the Other Conventional Calls portion of the card, neither the director nor East were able to find it. The director indicated she did not have any more information than East had. East returned to the table and passed.

The director was later informed of an additional fact. At West's turn, before he bid 5♦, he turned to South to ask about the 3♣ bid. East interjected, "Don't ask, because it was not Alerted."

Additional Factors Determined Away from the Table

The director polled nine players regarding the UI available to North from South's failure to alert 3♣. None bid 6♠ immediately, but all felt a 5♥ cuebid was nearly automatic which would lead to 6♦ by South and 6♠ by North.

The director asked about East's decision to bid 7♦. All of them knew or suspected that 3♣ was a fit-showing jump. Half had sympathy for East's difficult decision; the other half felt he knew what he needed to before deciding whether to bid 7♦.

Director Ruling

As there were several opportunities for East to get the information he wanted from the opponents, the director felt it was not appropriate to go beyond helping East look at the convention card. Per the Alert Procedures and the General Conditions of Contest, a player, who by experience or expertise believes that the opponents have failed to properly Alert a

call, is required to protect themselves. The proper way to do this is to ask for an explanation as, per Law 16B, the explanation is Unauthorized Information for the opponents. The table result was allowed to stand.

Director's Ruling

6♠ by S, Made 6, N/S +1430

The Review

E/W requested a review of the ruling. East, North, and South attended the review. N/S felt the ruling spoke for itself. East felt that he did nothing wrong. When at the critical moment in the auction he asked for the director's help, he made it clear he was not trying to take a double-shot. He was willing to commit to either 7♦ or Pass upon confirmation of the meaning of 3♣. He suggested that a critical piece of information was whether 3♣ was an artificial spade raise or a fit-showing jump, even though the director had not understood that as part of his request for help. East felt let down; he asked the director for one piece of information, yet the director did not make it clear the onus was on him to make the determination which affected his choice of call.

Panel Findings

The reviewer spoke to six experts to find out whether East had done enough to protect his position. One player thought this player was being ethical—he called the TD at the critical point and made clear his intention to commit to one action versus another depending on a piece of information he wanted the TD to help him find. The other five were surprised that East did not recognize the fit-showing jump as standard expert practice. They ranged from surprised to appalled that a player would instruct his partner not to ask the question mid-auction, particularly when his next call might well depend on the answer to that question.

The reviewer convened a panel of three additional directors. They voted unanimously to rule 6♠ by South, making six. East simply did not ask the question whose answer he required. They voted unanimously to give E/W a procedural penalty of 4.5 IMPs for his illegal admonition to West to not ask a question during the auction. They voted 2-1 that the appeal was without merit.

Experts Consulted: Drew Cannell, Geir Helgemo, Tor Helness, Mark Itabashi, Dan Korbel, and Ulf Nilsson

Panel Decision

6♠ by S, Made 6, N/S +1430 E/W 4.5 IMP Procedural Penalty
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Committee Members

Reviewer	Matt Koltnow
Member	Jenni Carmichael
Member	McKenzie Myers
Member	David Metcalf

Subject of Appeal:	Misinformation	Case:	N4
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Event	Freeman Mixed BAM Teams	Event DIC	Matt Koltnow
Date	07/27/2017	Session	Second Final


Auction

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

Explanation of Special Calls and Points of Contention

1: 15-17 HCP
2: Explained as ♥ & minor
3: Lebensohl
4: Changed explanation

Hand Record

Board	15	N	Cheri Bjerkan		
Dealer	S	♠	AJ109		
		♥	QJ1043		
Vul	N/S	♦	J5		
		♣	85		
W	Gloria Bart			E	Les Bart
♠	KQ3			♠	8752
♥	A6			♥	K7
♦	AK42			♦	Q1086
♣	7432			♣	KJ9
		S	William Pettis		
		♠	64		
		♥	9852		
		♦	973		
		♣	AQ106		

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

Facts Determined at the Table

The director was called prior to South's third call. South had corrected his explanation of North's 2♥ call as showing the majors instead of hearts and a minor. East/West were taken away from the table by the director. East was offered the opportunity to change his final pass, but he declined. He said if he had received the correct explanation at his first turn to call, he would have doubled, showing interest in penalizing one or both of the majors per the E/W agreements. With the incorrect explanation, he could not double as that would be penalty for Hearts under his partnership agreements.

West stated, that with the proper explanation, she would not have bid 3NT over 3♥. The director and players returned, to the table, and South was allowed to make his final call. The director instructed the players to play out the hand, and call him back if E/W believed that they had been damaged by the misinformation, which they did.

Director Ruling

As the incident occurred in the final session, there was insufficient time to poll players about the likely course of the auction with the correct explanation of the 2♥ bid. After discussion with the rest of the directing staff, it was ruled that after 1NT-2♥-X, the most likely course of the auction would continue with South passing and West calling 3NT, resulting in the same final contract and result. While E/W did receive misinformation, it would not have caused any greater damage than the normal course of the auction. Therefore the ruling was to allow the table result to stand.

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

E/W requested a review of the ruling. They believed additional polling would show that there were more possible results than just the 3NT result posited by the directing staff.

Panel Findings

The reviewer polled additional players with the E/W hands, the E/W systemic agreements, and the correct explanation of the 2♥ overcall. 50% of the players bid 3NT directly with the East hand, 50% doubled. Following a double, one third of the players bid 3NT with the West hand, while two thirds only bid 2NT. None of the players continued to 3NT with the East hand over a 2NT call.

Based upon the poll, it was determined that one third of the time the result on the hand would be 2NT, down 1, while two thirds of the time the table result would occur. The reviewer ruled that, with a favorable adjustment for the non-offenders, the result would be 50% 3NT by West, down 3, N/S +300, and 50% 2NT by West, down 1, N/S +100. The adjusted score resulted in the appellants gaining ¼ of a board.

Panel Decision	50% 3NT by W, Down 3, N/S +300 50% 2NT by W, Down 1, N/S +100
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Panel Members

Reviewer	Kevin Perkins
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Subject of Appeal:	Misinformation	Case:	R1
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Event	1 st Saturday Daylight Swiss	Event DIC	Bernie Gorkin
Date	07/22/2017	Session	First Session


Auction

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

Explanation of Special Calls and Points of Contention

1: Could be short
2: Michaels; no Alert
3: E- ♦ raise, W- pick a major

Hand Record

Board	6	N	13,800 MPS			
Dealer	E	♠ K74	♥ 9			
Vul	E/W	♦ 10932	♣ KQ1073			
W	9700 MPS			E	5400 MPS	
♠	AJ985			♠	103	
♥	Q108752			♥	KJ643	
♦	4			♦	AJ86	
♣	J	S	5300 MPS		♣	62
		♠	Q62			
		♥	A			
		♦	KQ75			
		♣	A9854			

Final Contract	Result of Play	Score	Opening Lead
4♥X by W	Made 4	E/W +790	♦K

Facts Determined at the Table

West corrected his partner's failure to Alert 2♦ before the opening lead was made and the director was summoned. Away from the table, South said he would not have doubled and might have bid 5♣. The hand was played and West made 4♥X, E/W +790.

Additional Factors Determined Away from the Table

The director polled six players as to their action with the South hand. Four felt that the hand had a clear pass over 4♥, one waffled between 5♣ and passing, and the other bid 5♣. No one doubled.

Director Ruling

The director ruled that South's double was cancelled per Laws 12B1 and 21B3 and adjusted the score to 4♥ by West, making 4, E/W +620.

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

N/S appealed the ruling and all four of their team members attended the review. South and the table director disagreed as to South's answer to the table director's questions away from the table. The table director felt that South had indicated that his first choice was to pass and his second choice was to bid 5♣. South, however, said that the table

director had only asked him if he would take his double of 4♥ back and did not ask him about any other calls. He therefore answered that he definitely would not have doubled (and would have passed) but mentioned that he would like to bid 5♣.

In addition, the reviewer confirmed that the table director had not mentioned to those participating in the poll that the original 1♣ bid might have been short. South felt that given that North was guaranteed to have at least 5 clubs for his raise of the could-be-short 1♣ bid, this made bidding 5♣ more attractive than if 1♣ could not be short.

Panel Findings

The reviewer polled the South hand to nine additional players who had similar masterpoint holdings to South with the additional information that 1♣ could have been short. Seven bid 5♣ and two doubled. All were suspicious of the auction as given. However, all but one of the polled players agreed that 5♣ was more attractive given the correct EW explanation. In addition, four of the players mentioned that they would have doubled 3♦ on the actual auction, increasing the likelihood that even if South didn't bid 5♣, North would have bid 5♣ knowing his side had fits in both minors.

The panel agreed that North/South would most likely have wound up in 5♣. There was some discussion as to whether 5♣ would have been doubled (it was not at the other table) and as to whether 5♣ would go down 1 or 2. An expert player was consulted and confirmed the panel's initial judgment that 5♣ was likely, but not absolutely certain, to be doubled and that the most likely result was down 1.

The panel therefore adjusted the score per Law 12C1c to 75% of 5♣X by South, down 1, E/W +100, and 25% of 5♣ by South, down 1, E/W +50.

Experts Consulted: David Berkowitz

Panel Decision	75% 5♣X by S, Down 1, E/W +100 25% 5♣ by S, Down 1, E/W +50
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Panel Members

Reviewer	Eric Bell
Member	Matt Koltnow
Member	Ken Van Cleve

Subject of Appeal:	Disputed Claim	Case:	R2
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Event	1 st Sunday Open Pairs	Event DIC	Jeff Jacob
Date	07/23/2017	Session	First Session


Auction

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

Explanation of Special Calls and Points of Contention

1: Forcing

Hand Record

Board	28	N	10,900 MPS		
Dealer	W	♠	AQ5		
		♥	92		
Vul	N/S	♦	AJ76		
		♣	6543		
W	1700 MPS			E	2300 MPS
♠	J10432			♠	(void)
♥	A104			♥	J7653
♦	Q			♦	K105
♣	KQJ2			♣	A10987
		S	8800 MPS		
		♠	K9875		
		♥	KQ8		
		♦	98432		
		♣	(void)		

Final Contract	Result of Play	Score	Opening Lead
2♣ by W	Made 4	E/W +130	♣3

Facts Determined at the Table

N/S called the director when West claimed. The play had gone: trump lead won with dummy's 7; diamond to the queen and North's ace; club 4 won with declarer's jack; heart 4, 9, jack won with South's queen; heart 8 return won with the ace; heart 10 to South's king; diamond 2 ruffed with West's queen; club king overtaken by dummy's ace. At this point, declarer claimed stating that dummy was good. No mention was made of the outstanding trump in North's hand.

Director Ruling

The director believed that overtaking the club king with the ace made it clear that declarer was aware of the outstanding trump. He ruled the result to be 2♣ by West, making four, E/W +130, per Law 70C.

Director's Ruling	2♣ by W, Made 4, E/W +130
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The Review

N/S appealed the ruling, and all four players attended the review. North said the sequence of play and declarer's failure to mention the trump suggested West might have forgotten about it.

West stated he was careless in not mentioning that he would draw the last trump, but he knew it was there since South had shown out on the first round of trump.

Panel Findings

The panel agreed that overtaking the club king with the ace was strong evidence that West had remembered the outstanding trump, but not conclusive. Three professionals were consulted because of their experience watching less accomplished players declare a hand. One expert agreed that overtaking the club king with the ace suggested declarer might have remembered the remaining trump, but it was not clear. Two other experts insisted that overtaking proved nothing. They thought it was totally random chance whether playing the ace proved anything.

By majority decision, the panel decided per Law 70C that declarer might have been unaware of the outstanding trump. One trick was awarded to N/S, for a result of 2♣ by West, making three, E/W +110

Panel Decision

2♣ by W, Made 3, E/W +110

Panel Members

Reviewer	Gary Zeiger
Member	Matt Koltnow
Member	Eric Bell

Subject of Appeal:	Break in Tempo, Unauthorized Information	Case:	R3
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Event	2 nd Friday Open Pairs	Event DIC	Alex Bealles
Date	07/28/2017	Session	First Session


Auction

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

Explanation of Special Calls and Points of Contention

1: Semi-forcing
2: RKC Blackwood
3: 0 or 3 Keycards
4: Agreed Break in Tempo

Hand Record

Board	23	N	1000 MPS		
Dealer	S	♠ 107	♥ J1082		
Vul	Both	♦ KQJ87	♣ A7		
W	3700 MPS			E	8000 MPS
♠ 985	♥ K765			♠ 2	♥ AQ93
♦ 94	♣ QJ65			♦ 6532	♣ 10843
				S	500 MPS
		♠ AKQJ643	♥ 4		
		♦ A10	♣ K92		

Final Contract	Result of Play	Score	Opening Lead
6♠ by S	Made 7	N/S +1460	♠5

Facts Determined at the Table

The director was called at the end of the auction. N/S did not dispute an obvious break in tempo.

Additional Factors Determined Away from the Table

The Director polled six players about their action over the 5♠ sign off, without telling them about the hesitation. Five out of six players passed, which established pass as a logical alternative to 6♠.

Director Ruling

Based upon the poll results, the director ruled that the hesitation demonstrably suggested the 6♠ call. The Director adjusted the result to 5♠ by South, making seven, N/S +710, per Laws 16B and 12C.

Director's Ruling	5♠ by S, Made 7, N/S +710
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The Review

N/S requested a review of the ruling, and all four players attended the review. The facts, including the BIT were agreed. South stated that the TD's poll was invalid, because it missed a central issue: North would not have bid over 4♠ with an aceless hand. South did not know why North had signed off in 5♠.

North agreed he should have bid slam. He also pointed out that if the pollees were in the 500-1000 master point range, this was not a valid peer group. Living where they do, N/S do not have as many opportunities to attend tournaments so their experience level is higher than their masterpoint holdings indicate.

E/W said that without the BIT, NS could have been missing two aces. The BIT removed any doubt.

Panel Findings

The Reviewer decided to test the N/S hypothesis about North not bidding over 4♠ without an ace. In addition to further polling the actual hand, he composed a hypothetical hand of 10x-KQJx-KQxxx-xx, and polled ten players with masterpoint holdings from 1000 to 3000. The responses included 4NT, 5♠, and pass. Three out of ten bid 4NT. Given the actual hand, one player passed, and one bid 6♠. The others cue bid 5♠.

Since the poll results invalidated the N/S claim regarding North holding an ace, the Panel upheld the TD ruling: 5♠ by South, making 7, N/S +710.

The Panel decided that the Appeal had merit, as the TD had not investigated South's reason for bidding over 5♠.

Panel Decision	5♠ by S, Made 7, N/S +710
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Panel Members

Reviewer	Gary Zeiger
Member	Matt Koltnow
Member	Jenni Carmichael

Subject of Appeal:	Disputed Claim	Case:	R4
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Event	6K Mini-Spungold KO Teams	Event DIC	Terry Lavender
Date	07/27/2017	Session	Round of 16, Second Quarter

Auction

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

Explanation of Special Calls and Points of Contention

Hand Record

Board	20	N	4900 MPS		
Dealer	W	♠	J107		
		♥	105		
Vul	Both	♦	3		
		♣	AKJ7643		
W	600 MPS			E	3600 MPS
♠	AK			♠	Q9632
♥	Q7			♥	J93
♦	J109742			♦	AKQ8
♣	Q82			♣	9
		S	2400 MPS		
		♠	854		
		♥	AK8642		
		♦	65		
		♣	105		

Final Contract	Result of Play	Score	Opening Lead
5♦ by W			♣K

Facts Determined at the Table

After losing trick one declarer won the king of spades at trick two, pulled trump, cashed the ace of spades and stated "I have to give you two hearts". Declarer immediately added: "No, one heart goes on the queen of spades in dummy." Both sides agreed to the facts except the defenders thought there was a few seconds pause before the clarification. Both the claimer and his partner felt there was no pause.

Director Ruling

Originally, the table director ruled that the defense was due the two tricks. After consulting with other directors, it was ruled that the clarification was timely and that if normal play had continued the declarer would have pitched a heart on the queen of spades (citing Law 69B2). The ruling was changed to 5♦ by West, making five, EW +600.

Director's Ruling	5♦ by W, Made 5, E/W +600
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The Review

N/S appealed the ruling and all four players attended the review. The defenders felt that declarer's original statement should stand and that declarer should be held to it. There were no substantial differences in the facts presented by both sides.

Panel Findings

The panel agreed with the ruling that the clarification, without any outside influence, was a correction of a misstated claim and that had normal play continued the declarer, having entries to the dummy, would have jettisoned a heart on the queen of spades. Although the spade suit broke 3-3 and declarer could have gotten rid of both hearts this was not part of his clarification so he was not due this, per Laws 69 & 70. The ruling of 5♦ by West, making five, EW +600 was upheld. The appeal was judged to have merit.

Panel Decision

5♦ by W, Made 5, E/W +600

Panel Members

Reviewer	Karl Miller
Member	Matt Koltnow
Member	Kevin Perkins

Subject of Appeal:	Break in Tempo, Unauthorized Information	Case:	R5
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Event	2 nd Sunday Fast Pairs	Event DIC	Alex Bealles
Date	07/30/2017	Session	First Session


Auction

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

Explanation of Special Calls and Points of Contention

1: Jacoby 2NT raise
2: Asked about 3♥
3: Disputed Break in Tempo

Hand Record

Board	25	N	1600 MPS		
Dealer	N	♠ J1084			
		♥ (void)			
Vul	E/W	♦ A94			
		♣ QJ10742			
W	1400 MPS			E	3500 MPS
♠ K7	♠ AQ93				
♥ A1098743	♥ KJ652				
♦ KQ53	♦ J76				
♣ (void)	♣ A				
		S	1000 MPS		
		♠ 652			
		♥ Q			
		♦ 1082			
		♣ K98653			

Final Contract	Result of Play	Score	Opening Lead
7♥X by E	Down 1	N/S +200	♣6

Facts Determined at the Table

The director was called after South's pass on the third round of the auction. West explained that South had asked several questions about East's 3♥ bid on the previous round before making her 4♣ bid. She had now broken tempo before passing following 6♥. N/S disputed the BIT.

Additional Factors Determined Away from the Table

Four players with similar masterpoint holdings were polled and all passed with the North hand. All felt that a BIT by South suggested bidding 7♣.

Director Ruling

Based upon the player poll, the Director ruled that North had violated Law 16B1 following the BIT. Per Law 12C, the director adjusted the result to 6♥ by East, making 6, E/W +1430.

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

N/S appealed the ruling and all four players attended the hearing, which was held just before the start of the second session.

North said that South did not break tempo after 6♥. She asked for an explanation of 3H and then bid 4♣. He was going to go to 7♣ if the opponents bid 6♥ regardless because of the favorable vulnerability. South said she did not break tempo, she bid right away.

West said there was a BIT that was a lot longer than the 10 seconds required after a skip in the level of bidding – closer to 20 seconds. East agreed that there had been a long wait before South bid. At first he was a little uncertain when it happened, but eventually decided it was not after the 3♥ bid because of the questions South asked, so it had to be after the 6♥ bid.

Panel Findings

The reviewer polled three more players in the 1,000 to 1,500 masterpoint range and all passed 6♥. Two thought a BIT after 6♥ strongly suggested bidding 7♣. One agreed, but thought there might be a small possibility South was considering doubling.

The Panel was troubled by E's initial uncertainty about when the BIT happened, but eventually was convinced by his reasoning. No independent witness was at the table when the alleged BIT took place, so the Panel had to figure out what happened. Looking at the South hand and at the vulnerability it seems almost certain South would pause for some time before taking action. The Panel decided there was an unmistakable break in the tempo of the auction.

Therefore, the Panel confirmed the table director's ruling, 6♥ by East, making 6, E/W +1430. The appeal was judged to have merit because of E's uncertainty of when the BIT occurred.

Panel Decision	6♥ by E, Made 6, E/W +1430
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Panel Members

Reviewer	Charlie MacCracken
Member	Scott Humphrey
Member	Marc Labovitz

Subject of Appeal:	Break in Tempo, Unauthorized Information	Case:	R6
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Event	10K Mixed Swiss	Event DIC	Candace Kuschner
Date	07/30/2017	Session	First Final


Auction

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

Explanation of Special Calls and Points of Contention

1: Artificial, forcing
2: Limit Raise or better
3: Comment made by North

Hand Record

Board	21	N	7900 MPS
Dealer	N	♠ KJ98765	
		♥ A6	
		♦ (void)	
Vul	N/S	♣ AK82	
W	7200 MPS		
♠	10		
♥	KJ8543		
♦	Q8764		
		♣	Q
		E	4500 MPS
		♠	42
		♥	109
		♦	KJ1092
		♣	7543
		S	5700 MPS
		♠	AQ3
		♥	Q72
		♦	A53
		♣	J1096

Final Contract	Result of Play	Score	Opening Lead
7♠ by N	Made 7	N/S +2210	♥10

Facts Determined at the Table

The director was called at South's fourth turn to bid. Following 7♦, South paused to think and North said, "It doesn't matter what you do, I'm bidding 7♠." The director allowed South to now bid, and she Doubled. The auction continued with North making his announced call, and the director instructed the players to play the hand and to call him back at the end of the hand if they felt damage had occurred.

Additional Factors Determined Away from the Table

Six players were given the South hand and, while there was some variation in the actual auction, five passed. Pass was deemed to be a logical alternative.

Director Ruling

While South had not yet hesitated over 7♦ when the director was called, North's comment made South's actions moot. The ruling presumed South would have hesitated and doubled. Accordingly, as North had Unauthorized Information from the hesitation, and per Law 16, could not choose from among Logical Alternatives an action suggested by the UI. Per Law 12C, the result was adjusted to 7♦X by West, down 4, N/S +800.

Director's Ruling	7♦X by W, Down 4, N/S +800
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The Review

N/S appealed the ruling. After he completed the Appeal form the table Director realized that there was no unauthorized information unless South had actually broken tempo. Thus the only question before the Panel was how long South took before North's outburst. All four players attended the hearing shortly before the second session.

After the 7♦ bid North knew South had little if any wasted diamond values. North and South both said South thought for about four seconds before North's comment. South said that after the hand was over she learned that she should have passed with first round diamond control.

East, being timed by a watch, said there was a seven second BIT. West thought it was longer.

Panel Findings

Seven experienced players were consulted about the length of time South should be allowed to think when this level of bidding is reached before she was judged to be giving UI. The experts gave answers as low as 6-8 and as high as 12-15 seconds with 10 seconds being about average. Two pointed out that South's Pass should be automatic (showing first round diamond control), but South did not learn that treatment until after the hand was over – as evidenced by her actual call. South's seven seconds (by her opponent's estimate) was well under the time most players espoused, so there was no noticeable BIT, Law 16 was not violated and North was allowed to bid whatever he chose. The table result of 7♠ by North, making seven, N/S +2210 was restored.

However, North's statement about bidding 7♠ was completely out of line. His team was given a four VP procedural penalty.

Experts consulted: Bob Bitterman, Marge Gwozdzwinsky, Barbara Heller, Jerry Helms, John McAllister, Jacob Morgan and Gene Saxe

Panel Decision	7♠ by N, Made 7, N/S +2210 N/S: 4 VP Procedural Penalty
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Panel Members

Reviewer	Charlie MacCracken
Member	Marc Labovitz
Member	Ken Van Cleve