

# 1994 Spring NABC Appeals Casebook



## **2020 Editor's Note:**

The 1993-1995 NABC Appeals Committee Decisions casebooks, compiled by John Blubaugh, have not been published electronically previously. The documents in question only existed in hard copy form. The ACBL would like to thank Denise Raggo for transcribing the text of the originals into an electronic format, without which this document would not be possible.

ACBL Headquarters  
June, 2020

## **1994 NABC Appeals Chairman's Note:**

This is truly one of the most difficult sets of Committee problems I have seen in a long time. Overall, I feel the Committees did an excellent job of sorting through the problems and rendering reasonable decisions.

Despite a rather heavy case load, their efforts to document the cases as well as they did is admirable. We will try to continue improving our methods for accomplishing this. I hope everyone keeps in mind that it is not possible to assign a secretary to each Committee. It is sometimes difficult to assign willing and competent Committee members.

As we read through these decisions and the accompanying commentary, let's try to remember that the players who serve on these Committees perform a service that few competent bridge players are willing to volunteer for. Many of these decisions do not get resolved until 2:00 a.m. after the same long two sessions that exhausted the rest of us.

I also want to express my gratitude to John Blubaugh. Without his efforts during and since the NABC, this booklet would not have been available in such a readable form.

I also wish to remind the readers of this case book that the main purpose of assembling these cases and the expert comments on these decisions is to help us all in our efforts to continually improve the entire process. Perfection is not possible (the expert community could never agree on perfection any more in this area than they can in bidding) but we can certainly strive for more uniformity in how we approach the problems.

Sincerely,

Alan Le Bendig  
Co-Chairman, NABC Appeals Committee

## Our Expert Commentators:

**Karen Allison** was born in Brooklyn and is a graduate of Brooklyn College. She currently lives in Jersey City, NJ, with her two cats, Stella and Blanche. A former options trader, Karen is currently a bridge teacher and writer. When she isn't "catting" around she enjoys traveling, reading, the theater and concerts. She is a Vice-Chairman of the National Appeals Committee, has served on the National Laws Commission since 1982, and has worked on several revisions of both the Laws of Contract and of Rubber Bridge.

**Richard Colker** of Wheaton, MD is a psychology professor and psychology research investigator. Recorder for ACBL District 6, Appeals chair for the Washington Bridge League, vice chair for the National Appeals Committee, member National Ethical Oversight Committee, columnist for Washington BL Bulletin since 1988, Member IBPA.

**Bobby Goldman** was born in Philadelphia. He currently resides in Dallas with his wife Bettianne and his twelve year old son, Quinn. He is a Bridge Professional and Financial Analyst. His hobbies include tennis, volleyball, basketball and softball. While Bobby was a member of the original ACES from 1968 to 1974, he was a pioneer in writing computer programs that generate bridge practice hands and evaluate bidding probabilities. Bobby has won four World Championships and more than thirty National Championships.

**Alan LeBendig** was born in Cleveland. He currently resides in Los Angeles with his longtime companion Suzanne Trull and his son, Mark. He is the co-owner of the Barrington Bridge Club. His hobbies include playing Blackjack and surfing the Internet. Alan has been CoChairman of the National Appeals Committee since 1988. He is proudest of his second place finish in the 1993 Washington Life Master's Pairs and winning the 1993 Seattle North American Swiss Teams.

**Chip Martel** was born in Ithaca, New York. He is Department Chair and Professor of Computer Science at the University of CA at Davis, and currently resides in Davis, CA, with his wife Jan. His other hobbies include reading and bicycling. Chip is a member of the ACBL National Laws Commission, the current Drafting Committee for the new laws, and the ACBL Competition and Conventions Committee. He is proudest of his four World Championships, current ranking of fifth in the world, and seventeen National Championships. He was also the captain and coach of our only world championship Junior team, as well as for the Junior team which won a bronze medal.

**Jeff Meckstroth** was born in Springfield, Ohio. He currently resides in Tampa, Florida with his wife Shirlee and his two sons, Matt and Rob. He is a Bridge Professional who enjoys golf and movies in his spare time. Every year his name can be found near the top of the Barry Crane Top 500 list. Jeff is a Grand Life Master in both the WBF and ACBL. He has won four world titles (his first at age 25 in 1981) and numerous National Championships.

**Michael Rosenberg** was born in New York where he has resided since 1978. He is a stock options trader. His mother, father and sister reside in Scotland where he grew up. Widely regarded as the expert's expert, Michael won the Rosenblum KO and was second in the Open Pairs in the 1994 Albuquerque World Bridge Championships. He was the ACBL player of the year in 1994. His hobbies include tennis and music. He believes the bridge accomplishment he will be proudest of is still in the future. Michael is also a leading spokesman for ethical bridge play and for policies that encourage higher standards.

**Peggy Sutherlin** was born in Dallas. She currently resides in San Francisco with John, her husband of twenty-nine years. She has been a flight attendant for the past 35 years with American Airlines. Her main hobby is genealogy. Peggy has been Co-Chairman of the National Appeals Committee since 1990, and is a member of the ACBL Laws Commission. She is a WBF World Master, finishing second in the World Mixed Pairs in 1982, fourth in the 1987 Venice Cup, and has won several National Championships. She has served as a contributing editor to The Official Encyclopedia of Bridge.

**Dave Treadwell** was born in Belleville, New Jersey and currently resides in Wilmington, Delaware. He is a retired Chemical Engineer, a graduate of MIT, and was employed by DuPont for more than 40 years where his responsibilities included the introduction of Teflon to the marketplace. He has three grown children, three grandchildren and two great-grandchildren. His hobbies include blackjack. The bridge accomplishment he is proudest of is breaking the 20,000 masterpoint barrier. He believes bridge can be competitive and intellectual, but above all can be and must be fun.

**Howard Weinstein** was born in Minneapolis. He is a graduate of the University of Minnesota. He currently resides in Chicago where he is a stock options trader at the CBOE. His brother, sister and parents all reside in Minneapolis. His parents both play bridge and his father is a Life Master. Howard is a sports enthusiast and enjoys playing golf. He is a member of the ACBL Ethical Oversight Committee and has been a National Appeals Committee member since 1987. He has won three National Championships, and is proudest of his 1993 Kansas City Vanderbilt win.

**Bobby Wolff** was born in San Antonio, and is a graduate of Trinity U. He currently resides in Dallas. His father, mother, brother and wives all played bridge. Bobby is a member of the ACBL Hall of Fame as well as a Grand Life Master in both the WBF and the ACBL. He is one of the world's greatest players and has won ten World Titles and numerous National Championships. He served as the 1987 ACBL president and the 1992-1994 WBF president. He has served as tournament recorder at NABCs, and is the author of the ACBL active ethics program.

<b>Subject of Appeal:</b>	Tempo	<b>Event:</b>	Vanderbilt KO Teams	<b>Case:</b>	1
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### Auction

West	North	East	South
		1♠	Pass
2♣	Dbl	Pass	3♥
4♠	Pass <sup>1</sup>	Pass	Dbl
Pass	5♥	Pass	Pass
Pass			

### Explanation of Special Calls and Points of Contention

1: Break in Tempo

### Hand Record

<b>Board</b>		N		
<b>Dealer</b>	<b>S</b>	♠ Q9		
		♥ QJ754		
<b>Vul</b>	<b>E/W</b>	♦ KQ985		
		♣ 2		
<b>W</b>				<b>E</b>
♠ 8653				♠ AKJ74
♥ 109				♥ K8
♦ 102				♦ J97
♣ AKQ87				♣ 964
		S		
		♠ 102		
		♥ A632		
		♦ A43		
		♣ J1053		

Final Contract	Result of Play	Score	Opening Lead
5♥ by S	Down 1	E/W +50	

### Facts

East/West asked for relief, believing North's break in tempo suggested that action would be more successful than passing, and that many of South's peers would pass over four spades. As prescribed by Law 84E, the Director adjusted the score to 4♠ by East, making four, E/W +420. North/South appealed. South stated that the Double was a call based on the hand: two aces opposite a partner who is generally sound and uninfluenced by the break in tempo, and that against a 4♠ contract the ♦A was a likely lead, which would lead to one down.

### Committee Ruling

The Committee decided first that the break in tempo did suggest action, and that Pass was among South's logical alternatives. It then considered the opening lead problem, and decided that the ♥A would be led about two-thirds of the time, and the ♦A about one-third and directed that the board be scored as -420 twice, +50 once and sum of those IMPs divided by three. This resulted in North-South winning 3⅓ IMPs on the board.

### Committee Members

<b>Chair</b>	Henry Bethe
<b>Member</b>	Martin Caley
<b>Member</b>	Alan LeBendig
<b>Member</b>	Bill Pollack
<b>Member</b>	Larry Rock

## Commentary

**Allison:** I agree with the Committee decision rolling the contract back to 4♠. However, I am curious why North/South were given any benefit of the doubt about a defense. There seems to be a movement on committees to split results rather than assign a result. I'm not really comfortable with this.

**Colker:** While I respect the members of this Committee, this is exactly the type of ruling we cannot continue to make. The first part of the Committee's decision was right on target: "that the break in tempo did suggest action and that Pass was among South's logical alternatives." However, the manner chosen to resolve this situation was not only misguided but represents a prime example of why Bobby Wolff continues to be distressed about our failures concerning the ethics of the game. Law 12C2 specifically states that when assigning an adjusted score following an irregularity which resulted in unauthorized information (as from a break in tempo) the non-offending side should be given the most favorable result that was likely while the offending side should be given the most unfavorable result that was at all probable. Since by the Committee's own report that a diamond lead was likely (one-third of the time clearly qualifies as such), this result should have been the one assigned to both pairs (since no other result less favorable to the offenders is at all probable).

Splitting the ruling, as was done in this case, rewards the offenders over the long run by giving them a good result whenever: the Director isn't called, the Director fails to rule against them and the opponent's don't go to Committee, the Committee (mis)rules in their favor (still, unfortunately, a possibility), or (finally) the Committee gives them a better result than they were likely to have received had they acted in tempo (as in the present case). Such a ruling partially indemnifies unethical players against poor results by giving them a better score than they were headed for without the irregularity (in effect, a more average result). And remember, this only happens when the case gets to the Committee; otherwise they get the best result! I believe that in such cases we must consistently assign the offenders the most unfavorable result that was at all probable, as prescribed by law, and additionally we should assess a procedural penalty against them (which need not accrue to the opponents) so that they don't break even, even in the long run. In other words, we need to protect the field (and the ethics of the game) by making the expected result for the offenders negative, even considering the good results they often get away with.

Split rulings in assigning scores can be justified principally in two situations. The first is when neither party involved is at fault. The second is when the likely outcome of the hand depends on some purely probabilistic event, such as a two-way guess for a queen. In such situations, if the Committee can assess the relative likelihood of the various outcomes, a weighted average of the results can be taken. Otherwise, scores of Average, Average Plus, or Average Minus should be assigned to each side based on their culpability, or negligence, in the situation.

Oh, yes, one more thing. Don't delude yourself that you can "read" the people involved and decide when, and when not, to apply this principle. This procedure needs to be applied consistently and even-handedly, straight across the board! Committees shouldn't be in the business of reading minds. They must protect sensitive situations. Just as when a defender hesitates, with no reason to do so, before discarding and Declarer consequently plays him for a card he doesn't hold, if the defender could have known that hesitation could work to his advantage the score should be adjusted. The same principle should apply in cases like the present. If a player could have known that his tempo could influence his partner's action so as to avoid a poor result, then the offending players should be assigned the poorest result probable and a normal procedural penalty assessed on top of that.

**Goldman:** I don't understand why North didn't bid 5♥ to start. Nonetheless, unless South's Double was out of tempo, the result must stand.

North does not have indicative values (values that favor partner's action). South has a normal enough Double (but less than clear-cut) that may even succeed opposite North's mangy defensive hand. The fact that North now took out the Double is irrelevant without an out of tempo case against South. I would not allow the Double only if North's hand indicated he was thinking of doubling.

I think the Committee's approach to adjudicating the score was correct even though they are making estimates. However, we need consistency. Many Committees would have given the best possible result to East/West.

As the adjudication process shows, South took a losing action that gained coincidentally. I think the Committee deserved a procedural penalty. I believe South hated it when North bid 5♥.

**LeBendig:** This is one of four different cases in this book where Committees offered some type of split decision. I can't say I am totally comfortable with that concept, but at the same time I do not find it impossible to accept. The only part of this case that was difficult was the score correction.

I am well aware that Law 12C2 calls for "the most favorable result that was likely for the non-offenders and most unfavorable result that was at all probable for the offending side." In cases in which there are a very limited number of choices and the Committee feels the choices are very close (such as in this case) some type of weighted average does not seem inappropriate. It makes the Committee members feel like they are doing a better job of restoring equity. It is also worth noting that this method seems to have gained acceptance from the players since it was used in a rather noted Vanderbilt case in Pasadena in 1991. That was not the first time this resolution was used, but it was the first time such a treatment became public knowledge. Until such time as it is proven that this is in direct conflict with the Laws, I suspect we will continue to see Committees occasionally resorting to such solutions.

I am very much in favor of seeing Committees issuing more procedural penalties. However, I don't feel we should automatically issue such a penalty just because a Committee has voted that they are going to overturn a bid. Only when the bid took blatant advantage of the unauthorized information should such a penalty be used. I don't think anyone would

feel that South's Double falls into that category. It should be noted that when a Committee makes a decision in a team event, it should always do so without any knowledge of what occurred at the other table. This way the decision can be based on the events at that table only. That is why North/South ended up winning IMPs on this board. It was certainly less than they won at the table.

**Meckstroth:** This ruling seems reasonable but should North/South be winning IMPs for this?

**Rosenberg:** South's 3♥ bid did not indicate an intention to take action over the likely 4♠ bid by North/South. I prefer to give the full benefit to East/West since I don't like the split rulings and I have no sympathy for South's action. I believe South took advantage of the break in tempo. I would return the contract to 4♠ by East-West, +420 (grudgingly allowing the diamond shift).

**Treadwell:** I fail to see how Pass can be a reasonable alternative. Partner has made a takeout double and I have two cashing aces when my only previous bid could have shown only a lot of hearts. Action is mandatory and Double stands out over 5♥. The information conveyed by hesitations, if any, must not prevent partner from taking clear cut action particularly when Pass is illogical. I fail to see how the Committee's action gives IMPs to North/South.

**Weinstein:** A good ruling. Had this occurred in a Swiss or matchpoint event, I'd give North/South -420. Maybe it shouldn't matter and 420 should be awarded to both sides anyway.

**Wolff:** A good ruling and the IMPage is correct if N/S -420 was the result at the other table.

<b>Subject of Appeal:</b>	Tempo	<b>Event:</b>	NABC Open Pairs	<b>Case:</b>	2
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### Auction

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

### Explanation of Special Calls and Points of Contention

1: Alerted, positive ♦ response
2: Break in Tempo

### Hand Record

Board		N			
<b>Dealer</b>		<b>N</b>	♠ (void) ♥ AQJ5432		
<b>Vul</b>		<b>Both</b>	♦ AK5 ♣ AK5		
<b>W</b>				<b>E</b>	
♠	K96542			♠	Q1073
♥	10976			♥	8
♦	8			♦	764
♣	J8			♣	Q10743
		<b>S</b>			
		♠	AJ8		
		♥	K		
		♦	QJ10932		
		♣	962		

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

### Facts

East/West maintained that the entire auction was slow but the bid of 6♥ was still slower, an obvious break in tempo.

### Committee Ruling

The Committee allowed the result, 7♥ by North, making seven, N/S +2210, to stand. The Committee Chairman did not document the Committee's reasoning.

### Committee Members

<b>Chair</b>	Mike Aliotta
<b>Member</b>	Ed Lazarus
<b>Member</b>	Michael Huston
<b>Member</b>	Martin Caley
<b>Member</b>	Gail Greenberg

### Commentary

**Allison:** I think the hesitation ruled out a hand like Kx AQJT9x Axx AK in North and I am not comfortable with this Committee ruling.

**Colker:** Given the level of the event, I would have strongly pressed (unless East/West convinced me they were novices playing way over their heads) for a frivolous appeal penalty for East/West. Didn't North open a strong 2♣? Didn't he then open a small slam in his own suit, opposite my potential void, and don't I have the king of that suit? Couldn't he have been thinking about which red suit (or No Trump) to bid the slam in with no seven level aspirations?

**Goldman:** I agree.

**Meckstroth:** Why didn't the Chairman document the reasoning?

**Rosenberg:** I'm not sure about this one. Bridge logic dictates a 7NT bid by South, but I always worry that a prompt 6♥ call might have been followed by an unthinking Pass. However, the huddle itself did not pass a clear message so I probably would have ruled the same way.

**Sutherlin:** The Committee should not allow the 7♥ bid after the break in tempo. North was in charge of placing the contract.

**Treadwell:** The information conveyed by the hesitation is so vague that South, quite properly, was allowed to make the obvious 7♥ call.

**Weinstein:** I strongly disagree with the Committee's ruling. Bidding 7♥, though probably the correct call, is not 100% clear-cut and is certainly suggested by the huddle. There is no excuse for a huddle such as North's in an uninterfered with Blackwood auction. North must have his next bid planned in advance.

**Wolff:** Good ruling.



<b>Subject of Appeal:</b>	Tempo	<b>Event:</b>	NABC Silver Ribbon Pairs	<b>Case:</b>	3
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### Auction

West	North	East	South
Pass	1♥	3♣	3♦
Pass	4♥	Pass	4NT
Pass	5♦	Pass	5♥ <sup>1</sup>
Pass	6♥	Pass	Pass
Pass			

### Explanation of Special Calls and Points of Contention

1: Break in Tempo

### Hand Record

<b>Board</b>		N			
<b>Dealer</b>	<b>W</b>	♠	AQ7		
		♥	KJ95432		
<b>Vul</b>	<b>None</b>	♦	J4		
		♣	3		
<b>W</b>				<b>E</b>	
♠	8654			♠	109
♥	Q10			♥	87
♦	Q832			♦	106
♣	Q107			♣	AJ98654
		S			
		♠	KJ32		
		♥	A6		
		♦	AK975		
		♣	K2		

Final Contract	Result of Play	Score	Opening Lead
6♥ by N	Made 6	N/S +98 0	

### Facts

East/West claimed that South hesitated before bidding 5♥. North maintained he would have corrected 5♠ to 5NT if partner had signed off.

### Committee Ruling

The Committee felt this was a hesitation Blackwood auction. The North player had no justification for continuing to 6♥. when his partner signed off. The Committee considered declaring the appeal frivolous but decided against it. The result was changed to 5♥ by North, making six, N/S +480.

### Committee Members

<b>Chair</b>	Peggy Sutherlin
<b>Member</b>	Marinesa Letizia
<b>Member</b>	Sharon Osberg

### Commentary

**Allison:** I think that even in a senior event, the appeal is without merit and the pair should be penalized. This is a good case to publicize as well.

**Colker:** Why wasn't the frivolous appeal penalty imposed? Better yet, why wasn't an additional procedural penalty imposed on North/South for such a flagrant ethical violation? I don't think that the level of the event justifies letting North/South off without a serious lesson in ethical accountability.

**LeBendig:** The Silver Ribbon Pairs consists of regional winners playing in a national final. If they don't already know the difference between right and wrong, it's time they learned in a way they won't forget. This appeal was clearly frivolous and the 6♥ bid took blatant advantage of unauthorized information. The latter certainly deserved a procedural penalty. I might have felt a warning was satisfactory on the matter of the appeal.

**Meckstroth:** Good ruling. I think a penalty for bringing a frivolous appeal was warranted.

**Rosenberg:** This appeal was worse than frivolous. North should have been censured even if North/South had not appealed. How good a player was North? This determines the approach. If North was inexperienced or unknown, then explain calmly and gently. If this was a player who should have known better, send him to Singapore.

**Treadwell:** An obvious correct decision. In a flight A event, a procedural penalty for a frivolous appeal would have been in order, but I agree with the Committee, it was not warranted in this event. I hope the Committee, as an educational measure, warned the appellants that a procedural penalty had been considered.

**Weinstein:** I agree with the ruling. I do not understand North's comment or its relevance. Unless North/South made a stronger case than indicated, I would assess a frivolous appeal penalty.

**Wolff:** I agree with the ruling, but in an NABC+ event North should be disciplined.

<b>Subject of Appeal:</b>	Tempo	<b>Event:</b>	Vanderbilt KO Teams	<b>Case:</b>	4
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**Auction**

West	North	East	South
			Pass
1♦	Dbl	1♥	4♠
Pass <sup>1</sup>	Pass	5♦	Pass
Pass	Dbl	Pass	Pass
Pass			

**Explanation of Special Calls and Points of Contention**

1: Break in Tempo

**Hand Record**

<b>Board</b>		N			
<b>Dealer</b>	<b>S</b>	♠	KJ104		
		♥	A1076		
<b>Vul</b>	<b>None</b>	♦	KQ		
		♣	Q42		
<b>W</b>				<b>E</b>	
♠	A72			♠	3
♥	KJ93			♥	Q842
♦	AJ654			♦	10983
♣	6			♣	AJ98
		S			
		♠	Q9865		
		♥	5		
		♦	72		
		♣	K10753		

Final Contract	Result of Play	Score	Opening Lead
5♦X by W	Made 5	E/W +550	

**Facts**

North/South claimed that West hesitated before passing the 4♠ bid

**Committee Ruling**

The Committee fully believed that the East player would bid in this auction most of the time. However, the Committee elected to disallow the 5♦ bid because, by the current guidelines, a bid by East could be more attractive than a Pass as a result of the agreed upon hesitation by West. The result was changed to 4♠ by South, down one, E/W +50.

**Committee Members**

<b>Chair</b>	Karen Allison
<b>Member</b>	Robert Gookin
<b>Member</b>	John Solodar
<b>Member</b>	Gail Greenberg
<b>Member</b>	David Roundtree

**Commentary**

**Allison:** I was, and remain, comfortable with this Committee's decision.

**Goldman:** If the Committee thought East would have bid "most of the time," I can't see why North/South got a fully adjusted score.

**Meckstroth:** Good ruling.

**Rosenberg:** Was there a skip bid warning? If not, I'd rule for East/West. If so, then the ruling was good. East had a good defensive hand and could not expect 5♦ to make.

**Weinstein:** Good ruling. East's bid was certainly not clear and was suggested by the huddle.

**Wolff:** I would probably have allowed East/West +100 because of the club ruff available for the defense, although East might play the Jack, otherwise I agree.

<b>Subject of Appeal:</b>	Tempo	<b>Event:</b>	Board-A-Match Teams	<b>Case:</b>	5
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### Auction

West	North	East	South
	1♣	2♥	3♦
4♥	5♣	Pass	Pass
5♥ <sup>1</sup>	Pass <sup>2</sup>	Pass	6♣
Pass	Pass	Pass	

### Explanation of Special Calls and Points of Contention

1: Break in Tempo
2: Break in Tempo

### Hand Record

Board		N	
<b>Dealer</b>	<b>N</b>	♠ K	
		♥ K4	
<b>Vul</b>	<b>None</b>	♦ 6	
		♣ KQJ765432	
<b>W</b>			
♠ Q1087642			
♥ Q65			
♦ A93			
		♣ (void)	
		<b>S</b>	
		♠ A93	
		♥ J8	
		♦ KJ1042	
		♣ A108	
			<b>E</b>
			♠ J5
			♥ A109732
			♦ Q875
			♣ 9

Final Contract	Result of Play	Score	Opening Lead
6♣ by N	Made 6	N/S +920	

### Facts

East/West felt that the hesitation by North made bidding 6♣ easier for South. North/South believed that 6♣ could have been beaten by good defense and they deserved their result.

### Committee Ruling

The Committee allowed the result, 6♣ by North, making six, N/S+920, to stand. The Committee Chairman did not document the Committee's reasoning.

### Committee Members

<b>Chair</b>	Dorothy Truscott
<b>Member</b>	Russ Arnold
<b>Member</b>	Judy Wadas

### Commentary

**Allison:** I believe the hesitation by North definitely made bidding (rather than Doubling) more attractive to South. The contract should have been 5♥X by West. The likely result was N/S +300.

**Colker:** This was a tough decision. First, even without North's break in tempo, South must act (North opened the bidding and South holds a full opening bid including two and one-half quick tricks). Second, from his 5♣ bid North must have lots of clubs, so South's ♣Axx may have no defense value -- which makes the Double (versus 6♣) less attractive. Third, the more clubs North holds the less attractive a Double by South looks, and North's huddle over 5♥ appears to suggest extra club length and limited defensive values -- since 5♥ was not Doubled. Thus, Double appears to be the "losing" action South would presumably be forced to take in light of the unauthorized information from North's huddle.

But would North ever pass this Double (given his hand), or would he pull to 6♣? All in all, I can't say conclusively what would have happened after a balancing Double from South. However, since North/South caused this problem, I would tend to rule against them and disallow South's 6♣ bid. The defense to 6♣ isn't easy, and no clear mistake was made by East/West, so they shouldn't be punished by being forced to defend this difficult contract double-dummy. A fair ruling at Board-A-Match seems to be three-quarters to East/West and one-quarter to North/South, or even one-half to East/West and one-quarter to North/South (a one-quarter board procedural penalty to North/South on top of an Average/Average result). I would also be careful to adjust this result upward for East/West if their teammates at the other table had a clear win on the board.

**LeBendig:** I feel that this deserved a dual adjustment. I do feel some players would have seriously considered Passing an in-tempo Double. Therefore, North/South should defend 5♥. On the other hand, allowing 6♣ to make appears to have required a terrible defense. Unless East/West were very inexperienced, I feel they should have been -920.

**Martel:** A slow forcing pass rarely conveys much unauthorized information. In fact, since North was unlikely to be thinking about bidding 6♣, if anything the slow pass suggested that North was reluctant to invite 6♣. Thus the Committee made a good ruling, but I think it is important to stress why it was a good ruling. It would also have been nice to know how 6♣ was made.

**Meckstroth:** I don't like the 6♣ bid after hesitation. Again, why is there no documentation??

**Rosenberg:** The fact that 6♣ could have been beaten by "good" defense is irrelevant. This factor should only prevail in the event of an egregious error by East-West by their standards. This does not apply here. South's "normal" action was to Double 5♥, in my opinion. North's huddle probably suggests bidding especially if North made a fast 5♣ bid. Therefore, I'd return the contract to 5♥X by West, N/S +300.

**Weinstein:** A good ruling. North's Pass is clearly forcing and the Pass, not the tempo, suggests a problem. Even if Pass is not forcing, how could North possibly not have a problem before Passing on this auction? The huddle does not, in itself, suggest a course of action.

**Wolff:** East/West should be -920 (if East led the ♥A, the ♥5 by partner should suggest the diamond switch, any other lead beats the hand legitimately). North/South should be +300 because of the hesitation. If the combined total (in a Board-A-Match event) is less than one board that's fine. It can never equal more than a board.

<b>Subject of Appeal:</b>	Tempo	<b>Event:</b>	Stratified BCD Pairs	<b>Case:</b>	6
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### Auction

West	North	East	South
		Pass	Pass
1♦	Pass	Pass	1♥
2♣	2♥	Pass <sup>1</sup>	Pass
2♠	Pass	Pass	Pass

### Explanation of Special Calls and Points of Contention

1: Break in Tempo

### Hand Record

Board		N	
<b>Dealer</b>	<b>E</b>	♠ KQ2	
		♥ Q985	
<b>Vul</b>	<b>None</b>	♦ Q82	
		♣ J97	
<b>W</b>			
		♠ J109	<b>E</b>
		♥ J	♠ 6543
		♦ AK765	♥ A76
		♣ AKQ10	♦ 1093
			♣ 842
		<b>S</b>	
		♠ A87	
		♥ K10432	
		♦ J4	
		♣ 653	

Final Contract	Result of Play	Score	Opening Lead
2♠ by W	Made 2	E/W +110	

### Facts

North/South claimed there was a considerable break in tempo by East before passing 2♥. They believed the 2♠ bid that followed was a result of this hesitation.

### Committee Ruling

The Committee felt that at this level West would always take another bid regardless of the break in tempo. The result, 2♠ by West, making two, E/W +110, was allowed to stand.

### Commentary

**Allison:** In my mind, it was unacceptable for a Committee to determine that a player would always take another bid. Furthermore, it was irrelevant -- the issue was what other players would consider doing. The hesitation in this case removed any risk from West in his odd two spade bid. I'd revert the contract to 2♥ by South, E/W +50.

**Colker:** This was a good ruling. Pass (by West) over 2♥ would be cowardly and beneath consideration.

**LeBendig:** I would have to hear testimony to know what level player I was dealing with here. It seems that Pass would not be a logical alternative to a player with a moderate amount of experience. A good way to tell the experience level here would have been to ask what they would have bid with a 2-1-6-4 equal hand and see if they got it right.

**Martel:** Clearly East's huddle made it more attractive for West to reopen. Since West had already bid twice in the face of a partner who had shown a weak hand, passing out 2♥ was a logical alternative. To say that "at this level" West would always have bid seems to be asking Committees to make impossible evaluations. Certainly my experience is that weak players do not always bid in these situations if their partners take no interest in the proceedings.

**Meckstroth:** Good ruling.

**Rosenberg:** I sympathize with West and the Committee, but it is not clear to me that West would have acted, and therefore, I would not allow the bid. Nobody knows if West would have bid. We know he was helped by the break in tempo. Does "at this level" refer to the two level, or the ability of the player? I would return to 2♥ by South, E/W +50.

**Weinstein:** I disagree. While West's bidding was reasonable, it was not clear cut and was definitely suggested by the huddle. I would award 2♥ by South, E/W +50.

**Wolff:** I disagree that in a lower level game West would always bid again, especially 2♣. I would rule 2♥ by South, E/W +50.



<b>Subject of Appeal:</b>	Tempo	<b>Event:</b>	NABC Mixed Pairs	<b>Case:</b>	7
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### Auction

West	North	East	South
	1♥	2♣	2♥
2NT	Pass	3♣	3♥
Pass	Pass	4♣	Pass
Pass	Dbl <sup>1</sup>	Pass	4♥
Dbl	Pass	Pass	Pass

### Explanation of Special Calls and Points of Contention

1: Alleged Break in Tempo

### Hand Record

Board		N	
<b>Dealer</b>	<b>N</b>	♠ A63 ♥ AK962 ♦ Q108 ♣ 98	
<b>Vul</b>	<b>None</b>		
<b>W</b>			<b>E</b>
♠ K98 ♥ Q754 ♦ KJ5 ♣ 763			♠ 1075 ♥ 8 ♦ 63 ♣ AKQJ1054
		<b>S</b>	
		♠ QJ42 ♥ J103 ♦ A9742 ♣ 2	

Final Contract	Result of Play	Score	Opening Lead
4♥X by N	Made 4	N/S +590	

### Facts

East/West claimed that North broke tempo before the Double of 4♣. North maintained that the pause was no longer than he had paused to make every other bid in the auction. North pointed out that the Director was not summoned after the alleged "hitch" but only after Dummy was tabled.

### Committee Ruling

The Committee felt, given the testimony of the parties involved, the Double occurred in a proper tempo and no unauthorized information was involved. The score, 4♥X by North, making four, N/S +590, was allowed to stand.

### Committee Members

<b>Chair</b>	Howard Weinstein
<b>Member</b>	Phil Brady
<b>Member</b>	Bob Glasson
<b>Member</b>	David Roundtree
<b>Member</b>	Bruce Reeve

### Commentary

**Allison:** I believe that the auction belies the North/South claim of no hesitation. South, with an ace and a useful spade holding, and only three hearts should expect to defeat 4♣ and not to make 4♥. +100 to North-South (East guessing diamonds).

**Colker:** If the Double was judged by the Committee to have been in tempo, then no other ruling is either proper or possible.

**Martel:** This brings up a common situation where the Committee must resolve a dispute in facts as to whether or not a huddle occurred. This was, of course, difficult for the Committee and harder for us. Still, in my experience that the side that claims a huddle is almost always correct (the other side is often less aware, or conveniently doesn't notice). On this hand North seems to have a pretty marginal double, and South an extremely unlikely pull (a fast Double and would never be pulled with this hand). Thus, it is likely that the Committee did the wrong thing here.

**Meckstroth:** It is hard to make a ruling when the hesitation is disputed.

**Rosenberg:** I am skeptical about this ruling. If there was no break in tempo, South would normally Pass. Why should a Double encourage South to bid 4♥, which he could have bid on the previous round? The fact that North took time before passing over 2NT and 3♥ only makes it clearer that pulling the Double is the winning action. If all of North's calls had been in tempo, South would have probably Passed. Only if North can demonstrate the Double of 4♣ was his normal tempo (including when he Doubles for penalties in ambiguous auctions) would I accept this ruling as correct. I would return to 4♣X by East, N/S +100 (declarer guessing diamonds).

**Weinstein:** Although the usual presumption is that, if alleged, a huddle occurred, this case was different. North maintained that he took at least a couple of seconds to make each of his earlier passes (which was obviously clear-cut) establishing what his normal tempo was in a competitive auction. He attempted to make the Double in that same tempo (about three seconds based upon testimony). The other side did not strongly dispute North's contention that his other bids were of a similar tempo. Indeed, if North had Doubled in less time than he took for other clear actions, South should have the obligation to pull the Double unless Passing is clear-cut. I fondly await the first Committee ruling forcing the pull of a "fast double." [A nice write-up. too bad it wasn't included in the original Committee ruling - Editor]

**Wolff:** If there was no tempo infraction then the +590 stands. If possible, separate Committees or the Director should determine the facts.

<b>Subject of Appeal:</b>	Tempo	<b>Event:</b>	Stratified BAM Teams	<b>Case:</b>	8
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### Auction

West	North	East	South
1♣	Pass	1NT	Pass
Pass	Dbl	Pass	2♥ <sup>1</sup>
Dbl	2♠	Pass	Pass
Pass			

### Explanation of Special Calls and Points of Contention

1: Break in Tempo

### Hand Record

<b>Board</b>		N			
<b>Dealer</b>	W	♠	A765		
		♥	107		
<b>Vul</b>	N/S	♦	AK52		
		♣	A95		
W				E	
♠	KQ3			♠	J82
♥	AKQ5			♥	J43
♦	643			♦	J108
♣	732			♣	Q1084
		S			
		♠	1094		
		♥	9862		
		♦	Q97		
		♣	KJ6		

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

### Facts

East/West claimed that the agreed upon break in tempo made North's 2♠ bid much easier. NorthSouth maintained that North would have bid 2♠ without the pause.

### Committee Ruling

The Committee felt that the pronounced hesitation by South before bidding 2♥ was difficult to interpret but might have suggested a bid by North. Since Pass was a logical alternative, the score was changed to the probable result of 2♥X by South, down one, E/W +200.

### Commentary

**Allison:** Fine Committee work.

**Martel:** Certainly the huddle made North's 2♠ bid easier (although it was not unattractive even without the huddle; even without the double), and since Pass by North clearly merits consideration, South's huddle probably invalidates it. Still, I am somewhat uneasy with this ruling. My "gut" feeling is that E/W Average Plus and N/S Average Minus is a more equitable ruling,

**Goldman:** I might have made North Pass without the Double, but there is too little linkage between the huddle and 2♠ in light of the Double.

**Meckstroth:** Good ruling. People need to learn to bid in tempo.

**Rosenberg:** Good ruling.

**Weinstein:** Excellent ruling.

**Wolff:** Good ruling.

<b>Subject of Appeal:</b>	Tempo	<b>Event:</b>	Board-A-Match Teams	<b>Case:</b>	9
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### Auction

West	North	East	South
	Pass	3NT <sup>1</sup>	Dbl
4♥	Pass	5♦	Dbl <sup>2</sup>
Pass	5♠	Pass	Pass
Pass			

### Explanation of Special Calls and Points of Contention

1: Alerted, Gambling 3NT
2: Break in Tempo

### Hand Record

Board		N	
<b>Dealer</b>	<b>N</b>	♠ J98652	
		♥ 96542	
<b>Vul</b>	<b>None</b>	♦ 97	
		♣ (void)	
<b>W</b>			
♠ 7			
♥ AKQJ83			
♦ 52			
♣ 9743			
		<b>S</b>	
		♠ AKQ43	
		♥ 7	
		♦ 4	
		♣ AKQ652	

E	
♠ 10	
♥ 10	
♦ AKQJ10863	
♣ J108	

Final Contract	Result of Play	Score	Opening Lead
5♠ by N	Made 5	N/S +450	

### Facts

East/West felt that the slow Double of 5♦ may have influenced North to bid 5♠.

### Committee Ruling

The Committee felt that 5♠ was a logical bridge action but Pass was a logical alternative. Since the slow Double might have suggested bidding, the Committee changed the contract to 5♦X by East, down two, N/S +300.

### Commentary

**Allison:** Fine Committee work.

**Colker:** People have to learn to make “sensitive” bids in tempo -- or suffer the consequences!

**LeBendig:** This was a very close call. The fact that made 5♠ a lock was the tempo of the Double. Therefore, we cannot permit the 5♠ bid. The 5♦ bid should not have been a surprise and South should have been more prepared to deal with it.

**Meckstroth:** This one is close. I like to rule in favor of the non-offenders in most close decisions.

**Rosenberg:** Good ruling. North had a doubleton diamond, and his heart and club holding suggest defending. South could have been far more distributional.

**Weinstein:** A good ruling. I have empathy for North/South since I wasn't quite convinced the slow Double (as opposed to an in tempo Double) suggested bidding, that was until I saw South's hand.

**Wolff:** Good ruling.

<b>Subject of Appeal:</b>	Tempo	<b>Event:</b>	Stratified Pairs	<b>Case:</b>	10
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### Auction

West	North	East	South
1♠	1NT	Pass <sup>1</sup>	2♣
Pass	2♦	Pass <sup>2</sup>	Pass
Dbl	Pass	2♠	Pass
Pass	Pass		

### Explanation of Special Calls and Points of Contention

1: Break in Tempo
2: Break in Tempo

### Hand Record

Board		N	
<b>Dealer</b>	<b>W</b>	♠ AK52	
		♥ K	
<b>Vul</b>	<b>N/S</b>	♦ Q976	
		♣ A1073	
<b>W</b>			
♠ Q10983			
♥ AQ10			
♦ A3			
♣ K84			
		<b>S</b>	
		♠ 7	
		♥ 9863	
		♦ K10854	
		♣ 652	
			<b>E</b>
			♠ J64
			♥ J7542
			♦ J2
			♣ QJ9

Final Contract	Result of Play	Score	Opening Lead
2♠ by W	Made 2	E/W +110	

### Facts

North/South claimed there were two breaks in tempo by East. East/West denied the break in tempo. East/West maintained that East looked at South's convention card after the 1NT bid and then passed in tempo. The Director testified that after he left the table to consult on the ruling, a kibitzer who was at the table came over and said that he felt there were two clear hesitations by the East player.

### Committee Ruling

The Committee changed the result to 2♦ by North, making four, N/S+130.

### Commentary

**Colker:** I agree with the ruling but I would also have imposed a three matchpoint procedural penalty on East/West for West's balancing after East's table action. Offenders cannot be permitted to so much as break even after ethically dubious actions. They must be penalized on top of being assigned the most unfavorable result possible.

**Goldman:** Good reversal.

**LeBendig:** This was a good example of blatant use of unauthorized information. If East/West were fairly inexperienced, a warning may have sufficed. Otherwise, a procedural penalty was in order.

**Martel:** As in Case Seven, there is a dispute in facts. As asserted in Case Seven, when there is a dispute it usually turns out that the side that claimed a huddle is correct.

**Meckstroth:** If the hesitations were verified, I would not allow the balance.

**Rosenberg:** Good ruling. East's hand suggests that he huddled, and West's Double was weird. Even if East "only" looked at the convention card, why did he need to? A 1NT overcall is standard, so there is no reason to look.

**Treadwell:** I assume South's 2♣ call was a transfer to diamonds. In any event, it certainly was correct to bar East/West from profiting by East's hesitations.

**Wolff:** Good ruling.

<b>Subject of Appeal:</b>	Tempo	<b>Event:</b>	NABC Open Swiss Teams	<b>Case:</b>	11
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### Auction

West	North	East	South
1♥	Pass	2NT	Pass
4♦	Pass	4♠	Pass
5♣	Pass	5♦	Pass
5♥	Pass	5♠	Pass
6♥ <sup>1</sup>	Pass	7♥	Pass
Pass	Pass		

### Explanation of Special Calls and Points of Contention

1: Break in Tempo

### Hand Record

Board		N		
<b>Dealer</b>	<b>W</b>	♠ 1098		
<b>Vul</b>	<b>NS</b>	♥ Q62		
		♦ J832		
		♣ 942		
<b>W</b>				<b>E</b>
♠ (void)				♠ AKQ42
♥ J10985				♥ AK3
♦ AQ1064				♦ K75
♣ AQJ				♣ 108
		<b>S</b>		
		♠ J7653		
		♥ 74		
		♦ 9		
		♣ K7653		

Final Contract	Result of Play	Score	Opening Lead
7♥ by W	Made 7	E/W +1510	

### Facts

North/South claimed that West hesitated before bidding 6♥. East maintained that he was unaware of any break in tempo.

### Committee Ruling

The Committee changed the result to 7♥ making seven one third of the time and 6♥ making seven two thirds of the time. The Committee Chairman did not document the Committee's reasoning.

### Committee Members

<b>Chair</b>	Claire Tornay
<b>Member</b>	Tom Clarke
<b>Member</b>	Jo Morse

### Commentary

**Allison:** The Committee must make a finding vis-a-vis the hesitation. It sounds like they were begging the question. If there was a hesitation, then East may not bid 7♥. Period. This is a procedural point missed by many Committees - the need to make a finding whether of hesitation or any other violation of procedure of Law where the opponents are at issue as to the facts.

**Colker:** (Question: Was 2NT by East artificial -- e.g. Jacoby? Such information should be included, if possible). This was another instance of the inappropriate use of result averaging in score adjustment. If the Committee felt that the huddle could have influenced East's action (which, I feel, was clear in this case), and that a pass over 6♥ would have been seriously considered by some number of East's peers (which, by the Committee's own ruling, must have been the case;



they weighted pass a two-thirds action, and I agree that it is the likely action), then the 7♥ bid should not have been allowed, period! The result should have been reverted to 6♥ making seven, +1010 to East/West. In addition, a one-quarter board procedural penalty should have been imposed on East/West (but not accruable to North/South) for their infraction. We cannot continue to allow those taking dubious ethical actions to break even. We must penalize them, not just attempt to restore some sort of equity. Equity should be restored in cases of infractions not involving ethically questionable actions. This is not such a case.

**Goldman:** I would need more information to voice an opinion.

**LeBendig:** Given the fact of the break in tempo over 6♥, I think the Committee was overly generous in their allowing the 7♥ bid under any circumstances. I realize there would be no appeal had it gone down. That does not alleviate the fact that they should not have been there. Once it did make, North/South should not have suffered the consequences.

**Rosenberg:** If West did hesitate before bidding 6♥, then East must pass. Why didn't East bid 7♥ on the previous round? I don't like split rulings and I see no need for one here. I'd change the result to 6♥ making seven, +1010 for East/West.

**Sutherland:** I would not allow East to bid 7♥.

**Treadwell:** On the question of bids after a hesitation, a Committee should always strive to allow or disallow a bid and should try to avoid an intermediate position. However, there is a rather compelling bridge argument for East's 7♥ bid based on the legal information available to him, and, hence, I agree with the intermediate position taken by the Committee. In effect, they penalized East/West a bit, but not unduly, for West's unwarranted hesitation.

**Weinstein:** In this case, East claimed he was always bidding seven anyway and was just looking for the best spot. However, the 7♥ call is obviously unclear and is definitely suggested by the huddle. I strongly disagree with the Committee ruling. Either there was or there wasn't use of unauthorized information. East/West should clearly be -980 (not 1010 since they would never take the line to make seven in six hearts). North/South (I was North) perhaps should not be entitled to full, if any, redress since they received substantial equity in defending 7♥. The Director was called at the time of the 7♥ call, but allowed the play to proceed. After the hand, the contract was reversed to 6♥ by the Director. Bobby Goldman has suggested that equity should be a factor in determining the non-offending side's adjusted score, a concept which I strongly agree with in theory. Anyway, I could have made this whole Committee (including some truly bizarre testimony by East) irrelevant if I had trusted the bidding and led a heart from Qxx. I wonder what the Committee ruling would/should have been if a heart lead had given East/West the contract?

**Wolff:** Normal playing luck for North/South -1510; this is obvious if it was determined that there was no tempo break. However, it also applies even if there was a tempo break because of the necessity to protect the field, since if seven goes down, we don't hear of the case. This is important reasoning for our future. If there was a tempo break my fractions would be different for East/West e.g. 7♥ making one third of the time, 6♥ making seven one third of the time, and 6♥ making six one third of the time (averaging the three match point scores). The reason? How should the hand be played with a spade lead?

<b>Subject of Appeal:</b>	Tempo	<b>Event:</b>	NABC Women's Swiss Teams	<b>Case:</b>	12
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### Auction

West	North	East	South
Pass	Pass	3♠	Dbl
4♠	Dbl <sup>1</sup>	Pass	6♣
Pass	Pass	Pass	

### Explanation of Special Calls and Points of Contention

1: Alerted, Break in Tempo

### Hand Record

Board		N			
Dealer	W	♠	A97		
Vul	N/S	♥	52		
		♦	Q974		
		♣	10543		
W				E	
♠	J84			♠	KQ10652
♥	Q106			♥	987
♦	J652			♦	103
♣	A97			♣	86
		S			
		♠	3		
		♥	AKJ43		
		♦	AK8		
		♣	KQJ2		

Final Contract	Result of Play	Score	Opening Lead
6♣ by S	Made 6	N/S +1370	

### Facts

North's Double was Alerted but no explanation was requested. The convention cards were marked showing Responsive Doubles were played through 3♠. The Double was made out of tempo and other bidding cards were fingered before the Double was made.

### Committee Ruling

The testimony indicated there was a short pause (four or five seconds) including touching the bidding box (perhaps moving fingers on bids). The Alert was not investigated but was meant to show cards. This agreement was not well documented in a new partnership. The Committee felt that the 6♣ bid was strange but not particularly indicated by the break in tempo. The Committee allowed the result, 6♣ by South, making six, N/S +1370, to stand. North/South was given a one Victory Point penalty for a violation of Law, extraneous information given by improper use of a bidding box.

### Committee Members

<b>Chair</b>	Bobby Goldman
<b>Member</b>	Jan Shane
<b>Member</b>	Neil Silverman

### Commentary

**Allison:** If there was a tempo break with Double, then South may not bid. A slow Double certainly lends safety to bidding versus passing.

**LeBendig:** I like the way the Committee reasoned that the tempo in no way suggested that 6♣ was going to be the winning action. This is crucial in these decisions. Certainly no one would suggest that South would ever consider Passing. The penalty was well placed.

**Meckstroth:** Good ruling in a tough case. It was definitely proper to give the penalty.

**Rosenberg:** An Alert after a slow Double brings up the question: can we be sure there would have been an Alert after a fast double? This is a complicated and annoying problem. South had a tough problem over a card-showing double. It was close to bid, but what? If I believe that this pair might have Doubled 4♠ with values in spades only, then I would have forced South to Pass, especially in view of North's improper use of the bidding box. North/South should change their convention card so that it accurately reflects their agreement regarding negative doubles. The Victory Point penalty for improper use of the bidding box was a huge mistake by the Committee. This sets a precedent for players to call the Director whenever anything happens, regardless of whether there is damage, in an attempt to get the opponents penalized (which would benefit the appealing pair indirectly). I would return the contract to 4♠X by East, N/S +800.

**Treadwell:** A well-reasoned decision, including the one Victory Point penalty for fooling with the bidding box.

**Weinstein:** I disagree with the Committee's ruling. Though I sort of agree that 6♣ was not necessarily indicated by the break in tempo, but the unauthorized information provided by the touching of the bids in the bidding box clearly suggests bidding and not passing the Double. North is less likely to have wasted spade values among his assets when he is considering a suit call. I would adjust the score to East/West -800, North/South +800.

**Wolff:** Excellent ruling.

<b>Subject of Appeal:</b>	Tempo	<b>Event:</b>	Stratified Play Through Swiss Teams	<b>Case:</b>	13
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### Auction

West	North	East	South
1♠	4♣	4♠	5♣
Pass	Pass	5♠	Pass <sup>1</sup>
Pass	6♣	Dbl	Pass
Pass	Pass		

### Explanation of Special Calls and Points of Contention

1: Break in Tempo

### Hand Record

<b>Board</b>		N			
<b>Dealer</b>	<b>W</b>	♠	5		
		♥	9		
<b>Vul</b>	<b>E/W</b>	♦	Q863		
		♣	AK98642		
<b>W</b>				<b>E</b>	
♠	AJ9873			♠	KQ1042
♥	K83			♥	QJ752
♦	KJ5			♦	1094
♣	3			♣	(void)
		S			
		♠	6		
		♥	A1064		
		♦	A72		
		♣	QJ1075		

Final Contract	Result of Play	Score	Opening Lead
6♣X by N	Down 1	E/W +100	

### Facts

East-West felt South's slow pass of 5♠ influenced North to bid 6♣.

### Committee Ruling

The Committee felt the hesitation did not suggest action as opposed to inaction. The Committee felt North was always going to bid 6♣.

### Commentary

**Allison:** What North was "always" going to do is irrelevant. It is what players of his ability would consider doing that should be done. With no defense at the six-level, I think North would think of Pass, and it should have been imposed on him.

**Colker:** In fact, bidding 6♣ was the losing action, as opposed to Passing and leading a diamond or the singleton heart, either of which would have beaten five spades one trick! Of course, the more likely club lead allows 5♠ to make! All things considered, the ruling seems quite reasonable.

**Goldman:** If there was a hesitation, it did suggest action and it was not normal to bid over 5♠. Since 5♠ goes down on several variations, I'm not sure a better result than the actual result can be awarded.

**LeBendig:** It's easy to see that 5♠ may have gone down one. But at the same time, it seems likely that the tempo was unlikely to mean anything other than South wanted to bid 6♣. At matchpoints, I would want to rule result stands but protect East/West to Average Plus. At IMPs, 6♣ was a much more likely bid if one takes insurance into consideration. If North referred to that in his presentation, I would probably have felt as the Committee did.

**Martel:** It is true that South's huddle over 5♠ could be either considering bidding on or Doubling 5♠. However, it rated to be a hand which wanted to bid on. Also it showed that South did not have a weak hand where he bid 5♠ to preempt East/West out of a slam or a pushy 5♣ where he expected to go three down and was now happy to have a chance to set 5♠. Since North's 6♣ bid is a weird action (this was a fairly normal 4♣ bid, and it was not normal to save in six over five) which was only likely to be a big success if South had good offense, it should not have been allowed after the huddle.

**Meckstroth:** I would not allow the 6♣ bid after the hesitation.

**Sutherlin:** 6♣ should not have been allowed. North had preempted and should have been through bidding when South chose to defend.

**Treadwell:** From a bridge standpoint, North violated a basic precept: a preemptor makes his preemptive bid and thereafter leaves subsequent decisions for partner except under unusual circumstances. The North hand is a bit unusual but not sufficiently so to allow the 6♣ bid after partner's hesitation. The Committee should have rolled the contract back to 5♠ and then decided what the chances were that North would lead his ♥9 to beat the contract. E.g. if they considered there was a 10% chance of this happening, East-West would get 90% of +650 less 10% of -100 for +575.

**Weinstein:** I disagree. Although the huddler could have been thinking of Doubling, it was more likely he was considering bidding. I do not believe North had a clear 6♣ call and he could have been influenced by the huddle.

**Wolff:** I disagree with the ruling. It's important to be consistent and a logical alternative for North, after preempting 6♣, was to Pass 5♠. I would give East/West Average Plus and North/South Average Minus because of the uncertainty of the defense against 5♠.

<b>Subject of Appeal:</b>	Tempo	<b>Event:</b>	NABC Open Swiss Teams	<b>Case:</b>	14
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### Auction

West	North	East	South
1♦	1♠	Pass	2♥
4♦	Pass	Pass <sup>1</sup>	4♥
5♦	Dbl	Pass	Pass
Pass			

### Explanation of Special Calls and Points of Contention

1: Break in Tempo

### Hand Record

<b>Board</b>		N			
<b>Dealer</b>	<b>W</b>	♠	109652		
		♥	105		
<b>Vul</b>	<b>Both</b>	♦	A		
		♣	AJ1082		
<b>W</b>				<b>E</b>	
♠	AJ			♠	873
♥	A			♥	J87
♦	KQJ87642			♦	53
♣	94			♣	KQ763
		S			
		♠	KQ4		
		♥	KQ96432		
		♦	109		
		♣	5		

Final Contract	Result of Play	Score	Opening Lead
5♦X by W	Made 5	E/W +750	

### Facts

NorthSouth claimed that East hesitated before passing 4♦. This was agreed to by East/West.

### Committee Ruling

The Committee felt that the admitted hesitation could have suggested that bidding 4♦ would work better than Passing. Since Pass was a logical alternative, the Committee reverted the contract to 4♥ by South, making four, N/S +620. The misdefense of 5♦X was considered but the Committee did not think the error egregious enough to break the hesitation connection given the level of the players involved.

### Committee Members

<b>Chair</b>	David Roundtree
<b>Member</b>	Peggy Sutherland
<b>Member</b>	Abby Heitner
<b>Member</b>	Lynn Deas
<b>Member</b>	Karen Allison

### Commentary

**Allison:** The Committee did fine.

**Goldman:** West only had nine tricks and only two defensive tricks and decided to take a save that was known to be good. His partner's failure to bid a game suggested 5♦ would not make. In fact, it was a save. The huddle would more suggest a few scattered cards that might beat 4♥. Further, 4♥ was not cold and goes down on normal enough play. I believe it was

unreasonable to change North/South from -750 to +620 with all the factors against it. I would let the result stand or do some splitting if it was a pair game.

**Meckstroth:** Good ruling.

**Treadwell:** I agree with the decision but I am puzzled about the consideration given to the misdefense (?) of 5♦. If the 5♦ bid was not allowed, what did it matter that it could have beaten one trick?

**Weinstein:** Good ruling, though N/S +650 was likely on many lines of play.

**Wolff:** I disagree. East/West should IMP -620 versus the other table's result and then East/West should IMP +750 versus the other table's result and divide by two.

<b>Subject of Appeal:</b>	Tempo	<b>Event:</b>	NABC Open Pairs	<b>Case:</b>	15
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### Auction

West	North	East	South
	2♣	Pass	2NT <sup>1</sup>
Pass	3♣ <sup>2</sup>	Pass	3♥
Pass	3NT	Pass	4♦
Pass	4NT <sup>3</sup>		
Pass			

### Explanation of Special Calls and Points of Contention

1: Alerted, three controls
2: Break in Tempo, Stayman
3: Fast Break in Tempo

### Hand Record

Board		N	
Dealer		N	♠ KQ ♥ AK9 ♦ Q9 ♣ KQJ1098
Vul		N/S	
W			E
♠ A76 ♥ 64 ♦ 876543 ♣ A6			♠ J108532 ♥ 1085 ♦ 2 ♣ 543
		S	
		♠ 94 ♥ QJ732 ♦ AKJ10 ♣ 72	

Final Contract	Result of Play	Score	Opening Lead
4NT by S	Made 6	N/S +690	

### Facts

East/West claimed that 3♣ was bid very slowly and was explained as Stayman when the hand was over. East/West maintained that North bid 4NT very quickly at his turn. East/West felt they had misdefended by one trick as a result of the break in tempo and the misinformation. The Director adjusted the result to 4NT by South, making five, N/S +460.

### Committee Ruling

The Committee members were divided on some issues, but, were in full accord on reporting the fast 4NT bid and the other bidding issues to a recorder. The Committee felt the auction would have stopped at no higher than 5NT in any case and the Committee would have allowed the score of +690 for North-South if such an adjudication had been requested. Goldman felt that the rapid 4NT bid was a blatant foul under Law 16. He felt this was exacerbated by system uncertainties and possible Alert related unauthorized information and as such warranted a procedural penalty of a quarter of board. Goldman also favored adjusting the trick score to the result obtained at the table. Since these positions tended to counterbalance, Goldman was satisfied to go along with the majority. The Committee upheld changing the result to 4NT by South, making four, N/S +630.

### Committee Members

<b>Chair</b>	Alan LeBendig
<b>Member</b>	Bart Bramley
<b>Member</b>	Bobby Goldman



## Commentary

**Allison:** I agree with Bobby Goldman's assessment of this situation. I would not have been unhappy with a Committee that enforced 6NT, down one, on North/South after two tempo violations.

**Colker:** I agree with Bobby that the fast 4NT bid was an egregious breach of ethics. I fail, however, to see the connection between the bidding problems and misinformation on the one hand, and the misdefense on the other. West had all the relevant cards, he knew that South had the ♦AK (for his three controls), and he could see the dummy which had made all of the questionable calls; unless West claimed that he would have led a spade had he known that 3♣ was not Stayman. But in this case the contract should have been held to 3NT making four (+630 to North-South) not five! I think the result should have been either the one achieved at the table (+690 to North-South), or 3NT, making four (+630 to North-South, if the claim of a spade lead by West was accepted), but definitely not 3NT, making five. Nothing justifies allowing West to do later what he should clearly have seen to do at the time, but didn't! However, I would also have assessed a one-quarter board procedural penalty against North/South, as Bobby suggested, for the 4NT performance by North! Committees should make ruling statements about ethically dubious actions loudly and clearly, not circuitously.

**LeBendig:** I remember feeling later that night that no matter what else was done, there should have been a procedural penalty issued. I will not make that error again.

**Meckstroth:** North/South's actions warranted a procedural penalty.

**Treadwell:** I agree with Goldman's view that the defense was so inept that East/West should stay at -690 but that North/South should receive a procedural penalty for a blatant violation of Law 16.

**Weinstein:** I really don't like North/South's tempo. I believe South had lots of unauthorized information (faster than proper tempo receives too little attention) and though a Pass of 4NT is possible, it is certainly conceivable to bid. North presumably shows a balanced 22 to 23 count. How can South not at least try again with 5NT or even bid 6NT? I would not have disagreed with a procedural penalty though I believe a score adjustment was warranted. In any case, assuming 4NT was allowed to stand by the Committee that, requested or not, the score should have been -690 for East-West. I don't know the opening lead but from West's viewpoint, cashing the ♠A could not cost.

**Wolff:** East/West should be -690 because of the grossly unacceptable defense and North/South +690, but with a full board penalty for blatant impropriety.

<b>Subject of Appeal:</b> Tempo	<b>Event:</b> Flight B Grand National Open Pairs	<b>Case:</b> 16
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### Auction

West	North	East	South
	1♠	Pass	2♠
Pass	Pass	3♥	3♠
Pass <sup>1</sup>	Pass	4♣	Pass
4♥	Pass	Pass	Pass

### Explanation of Special Calls and Points of Contention

1: Break in Tempo

### Hand Record

<b>Board</b>		N		
<b>Dealer</b>	<b>N</b>	♠ AKQ76		
		♥ QJ9		
<b>Vul</b>	<b>None</b>	♦ 9875		
		♣ 10		
<b>W</b>				<b>E</b>
♠ 3				♠ 1095
♥ 108652				♥ AK73
♦ A102				♦ J6
♣ QJ54				♣ AK32
		S		
		♠ J842		
		♥ 4		
		♦ KQ43		
		♣ 9876		

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

### Facts

North/South felt that the slow Pass of 3♠ may have influenced East to bid again.

### Committee Ruling

The Committee felt that West's slow Pass over 3♠ provided unauthorized information to East. The result was changed to 3♠ by North, making three, N/S +140.

### Commentary

**Allison:** East should have been castigated for his 4♣ bid, flight B or no. This was not his first event and it was well past time for him to learn what was right. He seems to have learned very well what was not right! If East/West brought the appeal, (and I can't imagine a Director ruling to allow 420 to stand) then this should have been treated as an appeal without merit.

**Colker:** A good ruling. This one which 100 out of 100 Committees should get right!

**Goldman:** A good ruling.

**Meckstroth:** Good ruling.

**Treadwell:** A good decision. A show-case hand for when you may not bid after a hesitation even though "I was always going to bid 4♣!!"

**Weinstein:** I agree. I also would have had this hand recorded and assigned a procedural penalty against East/West. If East/West was the protesting pair, I would also have assigned a frivolous protest penalty. I understand this was flight B, but this was a good time to enlighten East/West.

**Wolff:** Good ruling.

<b>Subject of Appeal:</b> Tempo	<b>Event:</b> NABC Open Pairs	<b>Case:</b> 17
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### Auction

West	North	East	South
	1♥	1♠	1NT
2♠	Pass	Pass	2NT
Pass	Pass	Dbl	Pass
3♣ <sup>1</sup>	Pass	Pass	Pass

### Explanation of Special Calls and Points of Contention

1: Break in Tempo, Fast Bid

### Hand Record

Board		N			
Dealer		N	♠ KJ92 ♥ AQ874 ♦ K3 ♣ 83		
Vul		N/S			
W				E	
♠ (void) ♥ J102 ♦ 764 ♣ KQJ10952				♠ A8643 ♥ 953 ♦ AQ9 ♣ 76	
		S			
			♠ Q1075 ♥ K6 ♦ J10852 ♣ A4		

Final Contract	Result of Play	Score	Opening Lead
3♣ by W	Made 3	E/W +110	

### Facts

North/South claimed that East had detected West's psyche or he would have bid 3♣. This would have led to 4♣ down one by East/West.

### Committee Ruling

This write-up was provided by Committee member Michael Huston. The Committee Chairman did not document the Committee's reasoning. The Committee determined that East/West was a partnership that had played together only a few times. They had their card marked with frequent psyches. West psyched once in each of the first two sessions of this event. East psyched not at all. There was an insinuation of unauthorized information against East/West but the Committee received no evidence to support it. Frequency of psyches was not an issue. The only issue for the Committee was the fielding of a psyche. This involved the passing of 3♣ rather than running back to 3♠.

The majority found that the bridge logic for passing 3♣ was clear. 3♣ was a run from 2NTX, therefore an offering of a home in which to reside. East had heard her LHO bid no trump behind her twice. She had reason to fear three spade losers in a spade contract. If she assumed (reasonably) six clubs in partner's hand, she had no reason to run 3♣ where she may have been doubled.

The majority found the Pass of 3♣ was founded on sound bridge logic. The majority understands there is a minority report being written, but the reasoning supporting the minority report was not presented to the Committee during its deliberations, except that one of the minority remained uneasy about the unsupported insinuation of unauthorized information.

There was a note on the appeal form indicating the 3♣ bid was very rapid. The note was written by the Director who put it there at the request of North/South. The Director did not inform East/West that this factual allegation was being made and the Director received no evidence at the table to support it. North/South were not present at the hearing and the issue was not discussed in screening when North/South were present. East/West testified that West's three calls were all of the same tempo.

The Committee allowed the result, 3♣ by West, making three, E/W +110, to stand. Mike Aliotta and Gail Greenberg dissented.

**Dissenting Opinion:** Gail Greenberg presented the following dissent:

My dissent is not based on opposition to the Committee's decision to allow East's Pass of 3♣. Strictly on a bridge level, relating to this hand alone, the Pass was stand out. 3♣ could not have been a game try. Even if partner had three spades, the suit would break badly, and East's suit was empty, the missing honors were all stacked behind her. 3♣ was not yet doubled. 3♠ most likely would be doubled. East had only five spades, which she had already promised, and she had two clubs. The Pass was close to automatic.

However, East and West had frequent psyches marked on their convention card. They psyched earlier in the same event. They agreed that West had psyched quite regularly in the course of the five or six times the pair had previously played together. The bid of 3♣ was claimed by the opponents to be out of tempo and "very rapid", a claim the East/West pair repudiated. Because East was far more aware of the likelihood of her partner's having psyched than were her opponents, random opponents were at considerable disadvantage.

I dissent only because, since there is no longer a recorder system, I want the hand to be on the record. The next time East fields her partner's psyche, the bridge logic may well be less clear cut. A future Committee must have access to previous hands of this nature in order to decide how severe to be in case of a future hand in which the bail out bid is not defensible.

## Committee Members

<b>Chair</b>	Mike Aliotta
<b>Member</b>	Ed Lazarus
<b>Member</b>	Gail Greenberg
<b>Member</b>	Martin Caley
<b>Member</b>	Michael Huston

## Commentary

**Allison:** So what bridge logic caused East to Double 2NT? Sure seems something was not Kosher with this pair! Bravo to Gail Greenberg for insisting that this be recorded.

**Colker:** I think the ruling was correct, as was Gail's minority opinion that the hand be recorded. Also, since it appears that only the West member of the East/West pair was a frequent psycher, this information should have been readily available to the opponents by a notation on the convention card and in any explanations given to them verbally.

**Goldman:** My experience suggests that 2♠ with a void and 3♣ with the actual holding were not bid in the same tempo. 3♣ certainly does not promise six clubs. I would tend towards 4♣X, -100. But I would have to hear the testimony.

**LeBendig:** The East player here was from another country and the Committee estimated her skill level to be about the 1000 masterpoint plateau. As I listened to the testimony, I felt there would not be many players at this level that would Pass 3♣ despite what was clear bridge logic for doing so. When you combine what was a "tough" Pass with a history of psyching, the combination becomes too much. I must side here with the minority. The next day Martin Caley (voted with the majority) and I took an informal poll of players at this level and found an overwhelming majority that bid 3♠. He then confided to me that he felt he may have erred.

**Meckstroth:** Tough case. I don't like what I see from East/West at all. I would be inclined to punish this type of action even though passing 3♣ was normal.

**Sutherland:** I disagree with the decision.

**Treadwell:** I agree with the Committee decision and also with Greenberg's dissent. Bridge logic dictated allowing the 3♣ bid to stand but the psychic tendencies of the West player should be made a matter of record.

**Weinstein:** I don't see an adjustment unless one of the previous psyches was a raise of an overcall or opening bid with severe shortness. I agree with recording the hand and would read East/West the riot act about the frequent psyching and the private understandings that may result.

**Wolff:** Without a proven fast 3♣, I agree with the majority opinion. However, Gail Greenberg's dissent is worth noting. There is still a recorder system, but psyches are no longer required to be recorded. Consequently, we should either reinstitute the recording of psyches (not necessarily my choice) or mandate a special ethical responsibility to those who psyche by deciding doubt against them. Without one of these solutions, or another that someone may think of, we pass control to the potential dark side.

<b>Subject of Appeal:</b> Unauthorized Information	<b>Event:</b> Stratiflighted B/C Pairs	<b>Case:</b> 18
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### Auction

West	North	East	South
			1♣
Pass	1♥	Pass	2♠ <sup>1</sup>
Pass	4♥	Pass	4NT
Pass	5♥	Pass	5♠
Pass	5NT	Pass	Pass
Pass			

### Explanation of Special Calls and Points of Contention

1: Alerted, Splinter

### Hand Record

Board		N			
Dealer		S	♠ J743 ♥ K742 ♦ A5 ♣ 984		
Vul		None			
W				E	
♠ 92 ♥ Q9865 ♦ KJ1072 ♣ 5		♠ AQ6 ♥ J3 ♦ 843 ♣ 107632			
		S	♠ K1085 ♥ A10 ♦ Q96 ♣ AKQJ		

Final Contract	Result of Play	Score	Opening Lead
5NT by S	Made 6	N/S +460	♦

### Facts

The 2♠ bid was Alerted and explained as a splinter bid in support of hearts. 5NT made on a diamond lead.

### Committee Ruling

The Committee found that South's bidding past 4♥ and settling in a non-heart contract was inappropriate after North's non-forward going 4♥ call. The Committee viewed with circumspection both the continuation over 4♥ and the decision to play the contract in no trump.

The Committee believed the adjustment should be to a specific result, the worst possible result for North/South would be 4♥ by North, down three, N/S -150. The Committee considered the concept of unjust enrichment and field skewing when it considered the East/West score, but settled on the best likely, 4♥ by North, down three, E/W +150 .

The Committee considered procedural penalties but declined to issue any. The Committee felt the relatively novice nature of the event and of the appellants mitigated in favor of attempting to educate the appellants gently, rather than with a stick. The appellants were appealing a ruling which had already been against them and they were losing more matchpoints as a result of the appeal.

### Commentary

**Allison:** A fine example of how a Committee serves to educate players.

**Colker:** The ruling was correct, and a procedural penalty seems indicated unless, as appears to have been the case here, the offenders were relative novices and a "gentler" approach was deemed warranted. I defer to the Committee's judgment on this latter issue.

**Goldman:** Excellent ruling.

**Meckstroth:** Good ruling.

**Treadwell:** An excellently well-handled case.

**Weinstein:** I agree and hope I'd have the same degree of mercy based on North/South's novice status.

**Wolff:** A good ruling with excellent reasoning, but one involving flight B and C players, and not my focus.

<b>Subject of Appeal:</b> Unauthorized Information	<b>Event:</b> Flight A Pairs	<b>Case:</b> 19
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### Auction

West	North	East	South
Pass	1♠	3♦ <sup>1</sup>	Pass
3♥	Pass	Pass	Dbl
Pass	Pass	4♦	Dbl
Pass	Pass	Pass	

### Explanation of Special Calls and Points of Contention

1: Alerted, Diamonds & Hearts

### Hand Record

Board		N			
Dealer	W	♠	KQ632		
Vul	N/S	♥	AQ3		
		♦	10		
		♣	A654		
W				E	
♠	J107			♠	A94
♥	J952			♥	10
♦	94			♦	KQ76532
♣	K1083			♣	Q2
		S			
		♠	85		
		♥	K8764		
		♦	AJ8		
		♣	J97		

Final Contract	Result of Play	Score	Opening Lead
4♦X by E	Down 2	N/S +300	

### Facts

North/South felt that East had violated the Alert procedure by bidding 4♦.

### Committee Ruling

The Committee felt that there had been a violation of the Alert procedure. The Alert showing hearts and diamonds for the 3♦ bid made it easier to pull the Double of 3♥. The Committee, with one dissension, agreed to change the result to 3♥X, down five, N/S +1100.

Larry Rock dissented with the Committee because he believed that a non-vulnerable versus vulnerable player who passed as dealer was extremely unlikely to have long hearts.

### Committee Members

<b>Chair</b>	David Treadwell
<b>Member</b>	Larry Rock
<b>Member</b>	Bob Glasson
<b>Member</b>	Nancy Sachs
<b>Member</b>	Ed Lazarus

### Commentary

**Colker:** A good ruling. I would remind the dissenter (Larry) that the offender who received the unauthorized information must be made to take the losing action if "some number" of that player's peers would have considered taking it - even if none would actually have taken it! This is a much worse punitive approach than was indicated by the previous procedure, which is, in my opinion, highly appropriate! I would have imposed an additional procedural penalty on East/West for the



ethical infraction. We must always adjust the result to the worst one possible for the offenders, and punish the ethical infraction with an additional procedural penalty to insure that they can't "break even," even in the long run.

**Goldman:** I tend to agree with Larry. Give East/West -1100 and North/South something in-between like the greater of Average Plus or their actual score.

**LeBendig:** This was a very tough case. If partner felt 3♦ was in trouble, would he bid 3♥ now or wait for the Double? Wouldn't it make more sense that 3♥ showed some type of diamond fit? I suppose for the sake of uniformity we must force the Pass of the Double since it became a 100% action because of the misinformation.

**Martel:** It was not at all clear that Passing over 3♥X was a logical alternative. 3♥ by a passed hand was a weird bid over 3♦. In fact, many would play that 3♥ promises a diamond fit. Certainly, I would not expect my partner to bid 3♥ with a diamond misfit.

**Meckstroth:** Good ruling.

**Weinstein:** I agree with the Committee. Although it would be reasonable to bid 4♦ in a vacuum, it was not clear-cut.

**Wolff:** A good ruling and Larry Rock's dissent has bridge logic. All doubt should be resolved against players acting upon unauthorized information.

<b>Subject of Appeal:</b> Unauthorized Information	<b>Event:</b> NABC Open Swiss Teams	<b>Case:</b> 20
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### Auction

West	North	East	South
		Pass	1NT
Pass	3♠ <sup>1</sup>	Pass	4♠
Pass	4NT	Pass	5♣
Pass	6NT	Pass	Pass
Pass			

### Explanation of Special Calls and Points of Contention

1: Alerted, forcing with both Majors

### Hand Record

<b>Board</b>		N		
<b>Dealer</b>	<b>E</b>	♠ 10		
<b>Vul</b>	<b>N/S</b>	♥ A1082		
		♦ AK102		
		♣ KJ87		
<b>W</b>				<b>E</b>
♠ 832				♠ J97654
♥ J7653				♥ K94
♦ J96				♦ 87
♣ Q2				♣ 106
		S		
		♠ AKQ		
		♥ Q		
		♦ Q543		
		♣ A9543		

Final Contract	Result of Play	Score	Opening Lead
6NT by S	Made 7	N/S +1470	

### Facts

East/West felt that North intended 3♠ as a slam try showing 1-4-4-4 distribution. However, he learned from the Alert that their agreement was as explained. Subsequent actions were an attempt to recover from the accident. East/West requested that the contract be reverted to 6♣, making seven, N/S +1390.

### Committee Ruling

The Committee elected to let the result, 6NT by South, making seven, N/S +1470, stand. The Committee Chairman did not document the Committee's reasoning.

### Committee Members

<b>Chair</b>	Mike Aliotta
<b>Member</b>	Kay Sculle
<b>Member</b>	Nell Cahn

### Commentary

**Allison:** I'm not convinced North/South shouldn't have been required to play 6♣. I'd think that, in the convention North thought he was playing, 4NT asked South to name his suit.

**Colker:** From North's perspective, assuming South read 3♠ as it was intended (1-4-4-4), the 4♠ cuebid would show a good hand. 4NT would (presumably) either deny a five-card suit or would be ace asking. In the former case, 5♣ by South would suggest clubs as trumps, while in the latter case it would show three key cards (a good hand would hardly have zero). In either case a 6♣ contract at teams seems appropriate (unless trying for some grand, or unless South corrects to

6♦ or 6♥). I agree with East/West that the contract should be ruled to 6♣ making seven. The 6NT call was an infraction, and should have received an additional procedural penalty! Adjust the Offenders' Score, and Punish their Ethical Infraction!

**Goldman:** North/South deserve some punishment. Many legitimate paths lead from 4♠ to 6NT. Some might not. I would adjust the match score by three IMPs.

**LeBendig:** From North's perspective, 4♠ must have been constructive in one of his suits. 4NT was fine, asking for clarification of which suit. The assumption must be that 5♣ sets trumps which should clearly have earned at least one cue bid in search of a club grand. When South attempted to sign off in 6♣, I would have had no problem with North's conversion to 6NT. Based on a fairly certain ending to this auction, I totally concur with the Committee's final decision. However, I feel North clearly deserved a procedural penalty for his blatant violation of Law 73C for his leap to 6NT.

**Martel:** North clearly took advantage of the explanation. Thus a procedural penalty should have been imposed. It is not at all clear what would have happened if North had bid normally. Probably they would end in 6NT but they might end in 6♣ (they also might land in 7NT, so if seven did not make it would be conceivable to adjust the result to 7NT, down one).

**Meckstroth:** The ruling is OK but again, why wasn't the Committee's action documented??

**Treadwell:** North, an experienced player, took advantage of the unauthorized information he received via his partner's Alert when he jumped to 6NT. Without this information, partner's 4♠ response presumably meant, "I have the ace of spades and an interest in slam." North's 4NT call presumably asked for the suit and North could bid 6♣. South, not knowing there has been a mix-up, will correct to 6♣. North, now being awakened by the auction rather than by the Alert procedure, is under no obligation to Pass and could bid 6NT with a clear conscience. Since all the routes lead to 6NT, making seven, that should have been the score for both sides. However, North/South should have received a modest procedural penalty for their violation.

**Weinstein:** I disagree. It is impossible to know what auction would result over 4♠. North's bidding, maybe 4NT and clearly 6NT, was based on unauthorized information. Though they may have reached 6NT anyway it was not clear. I would assign (the IMP equivalent) of East/West Average Plus and North/South Average Minus. I would also have recorded the hand and assessed North/South a procedural penalty for using unauthorized information. I would not assess one for a conventional mix-up unless advantage was taken of the unauthorized information.

**Wolff:** +1470 with a one-quarter board penalty against North-South for use of unauthorized information.

<b>Subject of Appeal:</b> Unauthorized Information	<b>Event:</b> NABC Open Pairs	<b>Case:</b> 21
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### Auction

West	North	East	South
		1♣ <sup>1</sup>	2♣ <sup>2</sup>
Dbl	2♠	Pass	Pass
Dbl	Pass	Pass	3♣
Dbl	Pass	Pass	Pass

### Explanation of Special Calls and Points of Contention

1: Alerted, Could be Short
2: Alerted, Michaels cuebid

### Hand Record

<b>Board</b>		N		
<b>Dealer</b>	<b>E</b>	♠ Q762		
		♥ 1076		
<b>Vul</b>	<b>Both</b>	♦ K8732		
		♣ 6		
<b>W</b>				<b>E</b>
♠ AK10954				♠ J3
♥ 9				♥ KQ83
♦ Q105				♦ AJ94
♣ Q102				♣ J73
		S		
		♠ 8		
		♥ AJ542		
		♦ 6		
		♣ AK9854		

Final Contract	Result of Play	Score	Opening Lead
3♣X by S	Made 3	N/S +670	

### Facts

The 2♣ bid was explained as a Michaels' cuebid showing the major suits.

### Committee Ruling

The Committee could not determine what might or should have happened as a result of the unauthorized information received via the Alert. The Committee changed the result to Average Plus for East/West, Average Minus for North/South.

### Committee Members

<b>Chair</b>	David Treadwell
<b>Member</b>	Gail Greenberg
<b>Member</b>	Phil Brady

### Commentary

**Allison:** West had an opportunity to defend 2♠ undoubled for all the marbles. He could well have divined what was happening. I don't think East/West needed any more protection on this board.

**Colker:** Since Pass by South (over 2♠X) was a logical alternative, the contract should have been adjusted to 2♠X by North, down three, E/W +800. Only if the Committee felt that South's pull to 3♣ was clear (which it obviously was not) should a different result have been considered, and in that case the outcome at the table should have been upheld. I can find no reason, in the present case, for awarding Average Plus and Average Minus.

**Meckstroth:** I feel the ruling should have been 2♠X or 3♣X.

**Weinstein:** The Committee couldn't determine what might or should have happened? 2♣X might have happened. I could see (sort of) giving East/West Average Plus, but North/South should be rotting in 2♠X, down four, for -1100.

**Wolff:** Good ruling.

<b>Subject of Appeal:</b> Unauthorized Information	<b>Event:</b> NABC Open Pairs	<b>Case:</b> 22
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### Auction

West	North	East	South
		Pass	1♣
Pass	1♠	2♥	Dbl <sup>1</sup>
Pass	3♥	Pass	3NT
Pass	4♣	Pass	4♥
Dbl	Pass	Pass	4NT
Pass	6♠	Pass	6NT
Pass	Pass	Pass	

### Explanation of Special Calls and Points of Contention

1: Alerted, Support Double

### Hand Record

Board		N			
Dealer		E	♠ AQJ10963 ♥ 64 ♦ A10 ♣ KJ		
Vul		E/W			
W				E	
♠ 754 ♥ (void) ♦ K876543 ♣ 1042				♠ K ♥ QJ109853 ♦ J ♣ Q873	
		S			
			♠ 82 ♥ AK72 ♦ Q92 ♣ A965		

Final Contract	Result of Play	Score	Opening Lead
6NT by S	Made 6	N/S +990	

### Facts

East/West felt the 6NT bid was more readily made after the alert.

### Committee Ruling

The Committee felt that the unauthorized information of the Alert tended to make South not want to play in 6♠, the Double of 4♥ clearly made him not want to play 6♠. The score, 6NT by South, making six, N/S +990, was allowed to stand. A quarter point board procedural penalty was given to North/South for not knowing what they were playing.

### Committee Members

<b>Chair</b>	Jan Cohen
<b>Member</b>	Phil Warden
<b>Member</b>	Abby Heitner
<b>Member</b>	Walt Schafer
<b>Member</b>	Marinesa Letizia

### Commentary

**Allison:** The contract should have been reverted to 6♠. South spent the auction trying to compensate for forgetting his convention. There was no bridge reason to correct to 6NT.

**Goldman:** I strongly agree with the ruling but it is inconsistent with other rulings on procedural penalties.

**LeBendig:** Once again, there were some good bridge reasons for bidding 6NT. There were also some bridge reasons for Passing since South would have been expected to hold very good hearts for the given auction if North had not made it

clear that he was operating under a different set of facts. The unauthorized information made the pull to 6NT 100% which would not have been the case behind screens. It appears that 6♠ would go down two which seems like the right score for both sides.

**Martel:** South should not have been allowed to correct to 6NT. The unauthorized information clearly made it more attractive to correct, and passing 6♠ was clearly a logical alternative (North could be 7-1-1-4 and South had already shown very good hearts). The score should have been adjusted to 6♠ down two (heart lead ruffed, spade finesse taken, and then a second heart ruff).

**Meckstroth:** I agree with the procedural penalty but not with the ruling. I think South should have passed 6♠.

**Wolff:** I generally agree with the ruling except that I would have increased the unauthorized information penalty from one-quarter board to one-half board. Look how unauthorized information makes establishing equity impossible since there was no telling how it influenced the bidding. We need to make it stop.

<b>Subject of Appeal:</b> Unauthorized Information	<b>Event:</b> Charity Pairs	<b>Case:</b> 23
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### Auction

West	North	East	South
			1♠
Db1	3NT <sup>1</sup>	4NT <sup>2</sup>	Pass
5♥	Pass	6♦	Pass
Pass	Pass		

### Explanation of Special Calls and Points of Contention

1: Alerted, Spade preempt, Outside Ace or King
2: Explained as Blackwood

### Hand Record

Board		N	
<b>Dealer</b>	<b>S</b>	♠ K109854	
<b>Vul</b>	<b>E/W</b>	♥ 92	
		♦ J103	
		♣ K9	
<b>W</b>			
♠ J7			
♥ KJ65			
♦ A984		<b>E</b>	
♣ AQ6		♠ (void)	
		♥ 43	
		♦ KQ7652	
		♣ J10754	
		<b>S</b>	
		♠ AQ632	
		♥ AQ1087	
		♦ (void)	
		♣ 832	

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

### Facts

When asked, West explained the 4NT bid as Blackwood.

### Committee Ruling

The Committee felt there was unauthorized information available to East. Two of the Committee members (Aiotta and Heitner) felt that some of the East player's peers would have found Pass a logical alternative in the absence of that information. The Committee changed the result to Average Plus or their score for North/South, Average Minus or their score for East/West.

### Commentary

**Allison:** I don't think Average Plus or Average Minus was needed here. Pass would have been a logical alternative for East in this auction.

**Colker:** Why wasn't the result adjusted to 5♥, down five (or four, or three)? I don't understand the Average Plus and Average Minus part of the ruling. Also, I don't understand what "score" the last sentence of the Committee's ruling refers to. I can see no basis for ever keeping the result which occurred at the table.

**Goldman:** The accident was induced by South's question getting West to "guess" at their agreement. Particularly, in a known potentially ambiguous auction, the "logical alternative" standard is too severe. I would need an "unreasonable action" before reversing this type. The table result should have stood.

**LeBendig:** Without taking blatant advantage of unauthorized information, wouldn't a Pass of 5♥ be routine? Some type of score adjustment, given that contract, seems appropriate. Depending on the level of the players involved, I will reserve judgment on a procedural penalty.



**Meckstroth:** This ruling seems questionable. I think the ruling should have been either 5♥ or 6♦.

**Weinstein:** Didn't there used to be a distinction between unauthorized information resulting from an explanation of an Alertable call and the answer to a stupid, gratuitous question of a non-alertable call (4NT in this instance)? Assuming the difference is only a foggy misconception and hope of mine, I guess if some Committee members felt some Easts would Pass (I don't believe any would) an adjustment was correct. But why aren't we then letting East/West play 5♥ down as many as possible? I wouldn't adjust the North/South score.

**Wolff:** Good ruling.

<b>Subject of Appeal:</b>	Unauthorized Information	<b>Event:</b>	NABC Mixed Pairs	<b>Case:</b>	24
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### Auction

West	North	East	South
			1♠
Dbl	2♣ <sup>1</sup>	Pass	3♣ <sup>2</sup>
3♦	3♠	Pass	Pass
4♦	Pass	Pass	Pass

### Explanation of Special Calls and Points of Contention

1: No Alert, 7-9 HCP ♠ raise
2: No Alert, short suit game try

### Hand Record

Board		N	
<b>Dealer</b>	<b>S</b>	♠ Q109	
		♥ 10984	
<b>Vul</b>	<b>Both</b>	♦ 105	
		♣ AQ82	
<b>W</b>			
		♠ 7	<b>E</b>
		♥ K765	♠ J842
		♦ AKQJ964	♥ A2
		♣ 3	♦ 873
			♣ J764
		<b>S</b>	
		♠ AK653	
		♥ QJ3	
		♦ 2	
		♣ K1095	

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

### Facts

The Director was called when the failure to Alert was discovered. East/West contended that North had acted inconsistently with the partnership understandings, namely that he had taken advantage of the fact that the 3♣ bid was known to be natural and not some sort of game try. The Director allowed the score to stand as played. East/West appealed

### Committee Ruling

During the testimony, North indicated that, of course, South's club length was known, but that North had "attempted to make the bid that would have been made behind "screens." North-South admitted that the meaning of the 3♣ bid would not have been clear if 2♣ had been Alerted.

The Committee felt that 3♠ was not a possible call under either proper interpretation of the 3♣ call: if 3♣ was a short suit game try, North should probably Double 3♦ or Pass; if it was a long suit or help suit try, North should bid 4♠. Since it could not agree on the further courses of action after either of these alternatives, the Committee awarded Average Plus to East/West and Average Minus to North/South. In addition, North/South was penalized five matchpoints (on a twenty-five top) for improper procedure.

### Committee Members

<b>Chair</b>	Ralph Cohen
<b>Member</b>	Henry Bethe
<b>Member</b>	Fred Sorenson
<b>Member</b>	Marinesa Letizia
<b>Member</b>	Larry Rock

## Commentary

**Allison:** The only problem I have with this ruling is the penalty. Unless we are prepared to sit in Committee until even later at night than we do to hear every case where there is a missed Alert, improper Alert, misexplanation of system and the like because Directors assess automatic penalties, then Committees should not simply assess them in varying amounts and in inconsistent fashion. We are seeking a uniformity of rulings by Committees and an uneven application of penalties and split decisions are moving us away from that goal.

**Weinstein:** Good ruling.

**Wolff:** Excellent ruling, strong but reasonable with appropriate penalty,

<b>Subject of Appeal:</b>	Unauthorized Information	<b>Event:</b>	Flight A Swiss Teams	<b>Case:</b>	25
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### Auction

West	North	East	South
	Pass	2NT	3♠
4♦ <sup>1</sup>	Pass	4♥	Pass
6♦	Pass	6♥	Pass
6NT	Pass	Pass	Pass

### Explanation of Special Calls and Points of Contention

1: Alerted, Transfer to hearts

### Hand Record

Board		N	
<b>Dealer</b>	<b>N</b>	♠ 4	
		♥ QJ973	
<b>Vul</b>	<b>None</b>	♦ Q87	
		♣ 7432	
<b>W</b>			
♠ 1085			
♥ 84			
♦ K1095432			
♣ A			
		<b>S</b>	
		♠ AQJ9632	
		♥ 62	
		♦ 6	
		♣ 985	
			<b>E</b>
			♠ K7
			♥ AK103
			♦ AJ
			♣ KQJ106

Final Contract	Result of Play	Score	Opening Lead
6NT by E	Down 2	N/S +100	

### Facts

North/South believed West should pass 6♥ and that all of West's actions after the 4♦ bid went untoward.

### Committee Ruling

The Committee allowed the result, 6NT by East, down two, N/S +100, to stand. The Committee could not find it possible as a bridge result that East/West could ever play 6♥ instead of 6NT. The Committee assessed a three Victory Point penalty to East/West for West's attempt to play 6♦.

### Commentary

**Allison:** I agree wholeheartedly with a penalty in this case. Players must learn not to attempt to recover from possible disaster by using information learned from the Alert procedure.

**Goldman:** I don't understand the penalty for 6♦. West bid a natural 4♦. East cuebid or showed a suit with 4♥. West opted for an aggressive 6♦ rather than a conservative 5♦. I see nothing wrong at all.

**LeBendig:** I suspect I may be alone here, but I don't feel the procedural penalty was proper. The only bid I would have wanted to penalize West for would have been 5♦. If East is cuebidding in support of diamonds (the assumption West must make), he surely must have a certain spade control since he is missing the ♣A. Otherwise he could have offered 4NT (natural) or raised diamonds (this was IMPs). If the cuebid does not indeed invite a slam, did West do something terrible? I know 5♣ is a possibility but I feel unnecessary given my previous assumptions.

**Meckstroth:** Good ruling, especially the penalty for the 6♦ bid.

**Treadwell:** An excellent decision. The three Victory Point penalty for West's blatant attempt to play 6♦ was earned. This is a much more blatant attempt than the South player in Case Twenty-One made under somewhat similar circumstances.

**Weinstein:** East couldn't have held AQx AKQJx Ax Jxxx and want to give West a choice of contracts while protecting his spade holding? I'd leave East-West in 6♥, down three. I'm not sure I agree with the procedural penalty for 6♦ since I don't have a clue what West should have otherwise bid (Pass is not a possibility).

**Wolff:** I disagree since once having bid 4♦ and hearing a four heart cuebid, it's hard to quarrel with either 6♦ or then a conversion of 6♥ to 6NT. However, once again, forgetting a convention causes all this subjective reasoning and at least a one Victory Point penalty should have been levied against East/West. Why do we sit still for bridge becoming a lottery?

<b>Subject of Appeal:</b>	Unauthorized Information	<b>Event:</b>	Flight B Swiss Teams	<b>Case:</b>	26
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### Auction

West	North	East	South
		Pass	Pass
1NT	2♣ <sup>1</sup>	Dbl	Pass
Pass	2♥	Dbl	3♣
Dbl	3♥	Dbl	Pass
Pass	Pass		

### Explanation of Special Calls and Points of Contention

1: Alerted, Clubs & Hearts

### Hand Record

Board		N			
<b>Dealer</b>		<b>E</b>			
<b>Vul</b>		<b>N/S</b>			
<b>W</b>				<b>E</b>	
♠	K2			♠	Q963
♥	A2			♥	J63
♦	108754			♦	A3
♣	AQ83		♣	K1065	
		<b>S</b>			
		♠	8742		
		♥	107		
		♦	KQJ9		
		♣	J42		

Final Contract	Result of Play	Score	Opening Lead
3♥X by N	Made 3	N/S +730	

### Facts

East/West felt that North took advantage of the Alert to run to 3♥.

### Committee Ruling

The Committee felt that North might have been influenced by his partner's Alert and explanation of the 2♣ bid. The result was changed to 3♣X by North, down four, E/W +1100.

### Commentary

**Allison:** I agree with this ruling.

**LeBendig:** Another close case. We have a passed hand trying to play 3♣ once North showed a single-suited heart hand (North must assume that). But the fact is that is possible, so I like the North/South portion of this ruling. I would want to know how the play and defense went and the experience level of East/West before giving them +1100. There was a very good possibility they earned -730 since 3♥X made.

**Meckstroth:** Good Ruling.

**Weinstein:** Good ruling. With the best defense, East/West would be +1400. However, if East/West allowed 3♥X to make, the best defense was not even a possibility. If this was flight A, I would also have assessed a procedural point penalty against North/South for blatant of unauthorized information. I hope the chairperson gave North/South a long lecture in lieu.

**Wolff:** In an "A" event, East/West's misdefense of 3♥X must be taken into account. I would reinstitute 3♥X making, minus a three IMP penalty for using unauthorized information.

<b>Subject of Appeal:</b> Unauthorized Information	<b>Event:</b> NABC Open Pairs	<b>Case:</b> 27
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**Auction**

West	North	East	South
		Pass	1♥
1♠	Dbl <sup>1</sup>	2♣	Pass
2♠	Pass	Pass	Pass

**Explanation of Special Calls and Points of Contention**

1: Alerted, Negative Double

**Hand Record**

<b>Board</b>		N		
<b>Dealer</b>	<b>E</b>	♠ A3		
		♥ 4		
<b>Vul</b>	<b>Both</b>	♦ 87432		
		♣ AJ982		
<b>W</b>				<b>E</b>
♠ KQ865				♠ 10972
♥ J5				♥ KQ1086
♦ K96				♦ Q105
♣ K74				♣ 3
		S		
		♠ J4		
		♥ A9732		
		♦ AJ		
		♣ Q1065		

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

**Facts**

West announced that 2♣ was a spade raise when he was not asked. South did not feel the explanation of the 2♣ bid was adequate and the bid as explained kept them out of the auction.

**Committee Ruling**

The Committee did not feel there was an infraction when South passed 2♣, thereby putting North/South in a no win position. The Committee felt that 2♣ was considered an implied cuebid. The Committee allowed the result, 2♠ by West, down one, N/S +100, to stand. East/West was given a quarter board procedural penalty for the gratuitous incomplete comment when not asked.

**Committee Members**

<b>Chair</b>	Mary Hardy
<b>Member</b>	Jo Morse
<b>Member</b>	Rick Price

**Commentary**

**Allison:** This was fine.

**Goldman:** I don't understand the timing of West's comment.

**Meckstroth:** Wow!! 2♣ an implied cuebid?? No way. The 2♣ call was definitely Alertable. I believe North/South was entitled to protection if 2♣ wasn't Alerted.

**Treadwell:** Another excellent decision, including the procedural penalty.

**Weinstein:** 2♣ was an implied cuebid? You've got to be kidding! The bid should have been Alerted. I agree with the ruling and the procedural penalty, but only because we should not protect South from total obliviousness.

**Wolff:** A good ruling with the appropriate penalty.



<b>Subject of Appeal:</b> Unauthorized Information	<b>Event:</b> NABC Open Pairs	<b>Case:</b> 28
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### Auction

West	North	East	South
		1NT	2♥ <sup>1</sup>
3♠	4♣	4♠	5♣
5♥	Pass	5♠	Pass
Pass	Dbl	Pass	Pass
Pass			

### Explanation of Special Calls and Points of Contention

1: Alerted?, Hearts & a minor

### Hand Record

<b>Board</b>		N		
<b>Dealer</b>	<b>E</b>	♠ J65		
		♥ (void)		
<b>Vul</b>	<b>N/S</b>	♦ A98732		
		♣ K632		
<b>W</b>				<b>E</b>
♠ AQ9743				♠ K102
♥ A952				♥ J87
♦ QJ				♦ 654
♣ 7				♣ AQ84
		S		
		♠ 8		
		♥ KQ10643		
		♦ K10		
		♣ J1095		

Final Contract	Result of Play	Score	Opening Lead
5♠X by W	Down 3	N/S +500	

### Facts

East/West claimed the 2♥ bid was not Alerted. They maintained they would not have bid 5♠ if they had known that South had a two-suited hand. North/South maintained that the 2♥ bid was Alerted.

### Committee Ruling

After hearing the testimony of all the parties, the Committee felt that the 2♥ bid had been alerted. The Committee decided that East/West's inexperience and bidding judgment caused their problem. The result, 5♠X by West, down three, N/S +500, was allowed to stand.

### Committee Members

<b>Chair</b>	Bobby Goldman
<b>Member</b>	Robert Glasson
<b>Member</b>	John Blubaugh
<b>Member</b>	Rick Price
<b>Member</b>	Abby Heitner

### Commentary

**Allison:** I am content that the Committee made a finding of an Alert having been given. This was procedurally correct and on the basis of that finding, the ruling was good.

**Meckstroth:** Tough to rule when the facts were disputed.

**Treadwell:** Still another good decision. I wonder if the Committee considered a penalty for a frivolous appeal by East/West. The principal argument for the appeal seems to be that they got a bad score on the board.

**Weinstein:** Good ruling.

**Wolff:** Good ruling.

<b>Subject of Appeal:</b>	Unauthorized Information	<b>Event:</b>	NABC Swiss Teams	<b>Case:</b>	29
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### Auction

West	North	East	South
Pass	1NT <sup>1</sup>	Pass	Pass
2♣ <sup>2</sup>	Pass	2♦	Pass
2♠	Pass	Pass	Pass

### Explanation of Special Calls and Points of Contention

1: 10-12 HCP
2: Alerted, Diamonds

### Hand Record

Board		N			
Dealer	W	♠	K93		
Vul	E/W	♥	A632		
		♦	J65		
		♣	K87		
W				E	
♠	10864			♠	QJ72
♥	74			♥	KQ1098
♦	AK			♦	82
♣	Q10542			♣	J6
		S			
		♠	A5		
		♥	J5		
		♦	Q109743		
		♣	A93		

Final Contract	Result of Play	Score	Opening Lead
2♠ by W	Made 3	E/W +140	

### Facts

North/South felt West took advantage of the unauthorized information by bidding 2♠. They also felt they were prevented from competing in their diamond suit because of the East/West misunderstanding.

### Committee Ruling

The Committee allowed the result, 2♠ by West, made three, E/W +140, to stand. The Chairman failed to document the Committee's reasoning. Committee member Phil Brady provided the following commentary.

When West came to the table, he modified his system over notrump because North/South was playing a weak No Trump. West told East that they would use transfer overcalls. North/South heard this conversation. On this hand, West forgot the adjustment and bid as if he were still playing DONT, which shows clubs and another suit. Since behind screens, he would always have bid two spades, the Committee deemed that he did not take advantage UI.

It seemed that South knew something was wrong but made no attempt to clear it up. North/South did not help their case when they both said that a balancing 3♦ bid would clearly have been natural.

### Committee Members

<b>Chair</b>	Mike Aliotta
<b>Member</b>	Phil Brady
<b>Member</b>	Abby Heitner
<b>Member</b>	Beth Palmer
<b>Member</b>	Ron Gerard

### Commentary

**Allison:** This was fine.

**Colker:** A good ruling. North/South was obligated to protect themselves and continue to “play bridge,” even after the opponents’ infraction. Here, they apparently failed to do so.

**Goldman:** I agree with the ruling.

**Meckstroth:** I’m glad someone documented the ruling. If Brady’s facts are correct, then the ruling is OK. I would have assessed a procedural penalty for UI.

**Weinstein:** A good ruling. The 10-12 notrump served its purpose and confused the action as intended. East/West got lucky and landed on their feet with South’s help in not competing. As the rule currently reads, when the correct explanation was given there is no basis for a score adjustment. Although I don’t believe in procedural penalties unless improprieties are involved, I could have been coerced into an exception in this case.

**Wolff:** IMPORTANT CASE - I agree with the Committee about West probably bidding 2♠. However, this one of the worst aspects of forgetting a convention since it initially paralyzed South. Yes, it probably shouldn’t have, but why should we impose a non-bridge related burden on South having to decide whether East/West had forgotten. I would rule North/South +110 in three diamonds and East/West a three IMP penalty.

<b>Subject of Appeal:</b>	Misinformation	<b>Event:</b>	Vanderbilt KO Teams	<b>Case:</b>	30
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### Auction

West	North	East	South
Pass	1♣ <sup>1</sup>	1NT <sup>2</sup>	2♠ <sup>3</sup>
4♣	4♠	5♣	5♠
Dbl	Pass	Pass	Pass

### Explanation of Special Calls and Points of Contention

1: Precision, 16+ HCP
2: Minors
3: Alerted, North: Game Force, South: 5-8 HCP

### Hand Record

Board		N			
Dealer	W	♠	Q52		
		♥	AK94		
Vul	Both	♦	KJ42		
		♣	AJ		
W				E	
♠	A1097			♠	(void)
♥	QJ2			♥	107
♦	8			♦	A10975
♣	Q10654			♣	K98732
		S			
		♠	KJ8643		
		♥	8653		
		♦	Q43		
		♣	(void)		

Final Contract	Result of Play	Score	Opening Lead
5♠X by S	Down 1	E/W +200	♣5

### Facts

At the table, West led the ♣5 to the Jack and King, which was ruffed by South. A spade went to North's Queen, and a low diamond from Dummy was won by the Ace. East continued a club and South was able to discard both heart losers, losing two trumps and a diamond. North/South were -200.

At the end of the quarter, East-West discovered that there had been different explanations of the 2♠ bid on the two sides of the screen. South's explanation to West was correct regarding the partnership agreement. North and East were screen mates. East/West appealed the result, contending that with the information that South was limited, East would have been more likely to find the shift to a heart that would have resulted in down two, E/W +500.

### Committee Ruling

This was an extremely difficult case for the Committee. The guidelines were that we should judge the effect of the misinformation for the East player's peers. The East player was one of the truly top players in the world, and none of the Committee members felt that they were among that player's peers.

The shift to a heart was demonstrably correct under either explanation of the 2♠ bid. The auction and the play to that point strongly suggested that South was 6-4-3-0. In that case, South now has two discards (one on the ♣A and one on the fourth diamond) for any potential heart losers. Partner owned two or three more trump tricks. If South had the ♥Q or ♥J, it did not matter what East played, and if partner had both, a heart must have been played immediately.

So at some level, East was in possession of enough information to make the right decision. But it was clearly easier to visualize the possibility if South was known to be limited.

After posing the problem to two former world champions who were given the correct information, the Committee eventually decided that East had a 25% chance of going right with the proper information and earning +500 25% of the time and +200 75% of the time. The effect of this was to give East-West 1.5 IMPs.

The Committee also debated whether to give North/South a procedural penalty for the misinformation, but decided by a 3-2 vote not to do so.

## Committee Members

<b>Chair</b>	Henry Bethe
<b>Member</b>	Howard Weinstein
<b>Member</b>	Alan LeBendig
<b>Member</b>	Jim Linhart
<b>Member</b>	David Roundtree

## Commentary

**Allison:** I am not comfortable with a split decision. My inclination is to give the non-offending pair the benefit of the doubt in a case where misinformation may have caused a player to misanalyze a situation. Granted, the heart shift was very tough looking at the ♥9 in dummy.

**Colker:** This ruling makes me feel extremely uneasy, given the quality of the people who sat on the Committee. Law 12C2 says that non offenders should receive the most favorable result that was likely without the infraction. Since the Committee estimated that East had a significant (25%) chance of finding the right defense given the correct information, why was East/West not simply awarded a score of +500 (and -500 to North/South)? As with several of the previous cases in this set, we cannot simply award the injured parties an “intermediate” score reflecting their estimated likelihood of achieving the various alternative results. This rewards the offenders (by “buffering” them against the worst result on the current board) and punishes the innocent (by denying them any chance of achieving the optimum result)! The offenders go unpunished for their infraction, and are implicitly encouraged to “do it again!” There is no downside for them, no deterrent.

**Goldman:** This was a frivolous appeal.

**LeBendig:** When dealing with misinformation, we try to determine if the resulting damage came as a result of the misinformation or subsequent to the misinformation. I have never seen a case where the misinformation may have put you in a state of mind that contributed to your damage prior to the case.

Given the skill level of the East player, he should have worked out what the only hope was had he put some more effort into it. He had already decided how to defend the hand because his club return was instantaneous after winning the ♦A. He knew what the South hand was after the play and didn't complain since he felt that someone might choose to describe that hand as game forcing. It was only during the comparison that it was discovered that West had been given the correct information about the partnership agreement.

I still feel some redress was in order and I am very comfortable with the method the Committee chose to settle on the redress. Due to the fact that East still could have made the right play, giving East/West the full trick seemed inappropriate. However, I still feel the misinformation was somewhat contributory to the damage which does entitle them to protection. It should also be noted that this was the last match completed that night and there had been no warning of an appeal prior to the completion of the comparison. We were actually still able to form a Committee which did not know the “final” score of the match. No Committee could sit fairly if they knew how many IMPs were required to overturn a table result. I do not feel this appeal was frivolous. I can't imagine spending almost two hours on a case that seemed frivolous.

**Meckstroth:** Another tough case. I'd be inclined to split it 50-50.

**Treadwell:** I agree with the bridge decision in this difficult case but I think North/South should have received a small procedural penalty for misinformation in a rather simple auction. After all, this is the Vanderbilt.

**Weinstein:** First, I'd like to address feedback about getting outside help in determining the difficulty of East's problem. The fact we could not view the problem in isolation (knowing the entire hand), combined with not being “peers” of East and knowing that the ruling would likely determine the outcome of a late round Vanderbilt match (it shouldn't matter, in theory, but from a practical standpoint it does) caused us to seek assistance to enable us to make our best informed ruling.

One factor considered was the length of time East took to make his actual play, which was quickly. As an aside, East responded to the Committee with very honest, direct, and non-self-serving answers. In regard to the procedural penalty considered, I do not believe they should be given for misunderstandings per se. Only if the misunderstandings are accompanied by non-active ethical behavior in taking advantage of the unauthorized information, or the misinformation is not revealed to the opponents at the first legal opportunity should be a procedural penalty. The opponents are all still protected by score adjustments if their actions are affected by misexplanation, though not by a (documented) misbid.

I would still like the Laws changed to eliminate the difference in remedies on misbids versus misexplanations, but that is another matter. In this book of decisions there are about ten cases of the opponents being possibly injured by misexplanation or a misunderstanding. Out of more than 250,000 hands played during the last NABC, less than a dozen ended up in Committee due to misunderstandings. There were undoubtedly many, many more where there was a misbid

not entitled to redress, a Director's ruling that was satisfactory to both parties, or the parties didn't care enough to appeal. Apparently the vast majority of misunderstandings were either irrelevant or harmful to the perpetrators.

This should be the penalty for misunderstandings, not a procedural penalty that would be impossible to administer fairly and uniformly. Being in a long term steady partnership with time available to play together extensively and to devote to partnership bidding accuracy is a wonderful ideal, though an ideal only possible to widely varying degrees for most people. The 90% of the time the misunderstandings works to their detriment should be the incentive to work on partnerships and eliminate unneeded conventions and sequences.

**Wolff:** I disagree. I would give at most a one IMP "slap on the wrist" penalty on North/South for slight differences in the description. Although there is some rationale for bringing this action late, the morality of "hoping" for the wrong ruling with nothing to lose is contrary to the spirit of the game, and, in my opinion, is worth a disciplinary penalty of ten seeding points for the next event. Furthermore, if the one IMP penalty would have swung the match, I would then penalize East/West ten IMPs for a frivolous and unethical protest. If we continue to sanction these protests without risk, it is we who are to blame and not the protestors. No justice system can succeed with bias, intimidation, or without discipline. It won't go away by itself. We must get it done!

<b>Subject of Appeal:</b>	Misinformation	<b>Event:</b>	NABC Open Pairs	<b>Case:</b>	31
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### Auction

West	North	East	South
		1♥	Dbl
2♠ <sup>1</sup>	3♣	4♥	Dbl
Pass	Pass	Pass	

### Explanation of Special Calls and Points of Contention

1: Alert, Fit showing, ♠'s & ♥'s

### Hand Record

Board		N	
<b>Dealer</b>	<b>E</b>	♠ (void)	
<b>Vul</b>	<b>E/W</b>	♥ 1075	
		♦ QJ82	
		♣ QJ9752	
<b>W</b>			
♠ Q85			
♥ 9862			
♦ 5			
♣ K10863		<b>E</b>	
		♠ K103	
		♥ AKQJ3	
		♦ 109743	
		♣ (void)	
		<b>S</b>	
		♠ AJ97642	
		♥ 4	
		♦ AK6	
		♣ A4	

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

### Facts

The 2♠ bid was first alerted as fit showing with hearts and spades. This was corrected after the auction to four trumps and single raise values.

### Committee Ruling

The Committee changed the result to 4♠X by South, down one, E/W +100 (by a 3-2 vote for E/W and 5-0 vote for N/S). The Committee Chairman did not document the Committee's reasoning. Committee member Phil Brady reported that West would always Double 4♣ and lead his diamond. The defense was deemed automatic.

### Committee Members

<b>Chair</b>	Henry Bethe
<b>Member</b>	Phil Warden
<b>Member</b>	Abby Heitner
<b>Member</b>	Phil Brady
<b>Member</b>	John Solodar

### Commentary

**Allison:** I don't see why either a Double or 4♣ or a diamond lead is automatic. I certainly would not only consider Pass as West, but very likely would Pass! And, with Qxx of spades, I'd likely not lead a singleton.

**Colker:** I disagree with the score adjustments for both sides. After misinformation, the offenders should be assigned the most unfavorable result that was at all probable. Wouldn't some of East's peers fail to double 4♠ (try exchanging the pointed suit kings), and might not some of West's fail to lead their singleton (it's matchpoints)? Then the assigned result



should be either +50 to East/West (in the former case) or -420 (in the latter case), with the reciprocal scores for North/South. While the latter result could be argued to be questionable, the former seems quite possible. I think this Committee was blinded by the sight of all fifty-two cards. The word “automatic” should be barred from all Committee hearings!

**Goldman:** I agree with the ruling.

**LeBendig:** Given the offending side/non-offending side reading of Law 12C2, the score adjustment here seems a little out of balance. Allowing South to bid 4♠ seems routine. But, assuming he is Doubled and allowing the perfect defense seems wrong. Since there are many uncertainties after the 4♠ bid, I feel Average Plus for North/South is reasonable. A protection to -100 should be built into the adjustment. I am even more uncomfortable with giving East/West +100. Since I don't see how the Double or the diamond lead could be considered “automatic”, Average Minus feels slightly better (unless +100 is worse).

**Martel:** Allowing South to bid 4♠ over 4♥ seems like the right ruling. However, the adjustment to 4♠X, down one seems wrong. To say that “West would always double 4♠ and lead his diamond” is way too strong. Since it is not clear what would happen. North/South should get -100 or Average Plus, whichever is higher.

**Meckstroth:** Clearly an adjustment is warranted here, +100 to East-West may be a bit too favorable for East/West. I believe it's too much to allow them to Double and defend well. It was not clear for West to Double and if he didn't, East might have bid 5♥.

**Treadwell:** Good decision.

**Weinstein:** I don't agree that West would always Double 4♠, and even if he did, that he would lead a diamond with Qxx of trump. I would protect North/South to at least Average Plus and give East/West at least Average Minus.

**Wolff:** A good ruling except East/West should have been given a three matchpoint penalty.


<b>Subject of Appeal:</b>	Misinformation	<b>Event:</b>	NABC Open Pairs	<b>Case:</b>	32
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### Auction

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

### Explanation of Special Calls and Points of Contention


### Hand Record

Board		N	
<b>Dealer</b>	<b>S</b>	♠ J83	
<b>Vul</b>	<b>N/S</b>	♥ KQ4	
		♦ AJ932	
		♣ Q2	
<b>W</b>			
♠	Q97654		
♥	J85		
♦	K4		
♣	K7		
		<b>S</b>	
		♠	AK2
		♥	A1092
		♦	76
		♣	A1043
		<b>E</b>	
		♠	10
		♥	763
		♦	Q1085
		♣	J9865

Final Contract	Result of Play	Score	Opening Lead
4♠X by W	Down 5	N/S +1100	

### Facts

Before the first Double, 3♦ was described as natural. After further questioning, the explanation was changed to a minimum of 8 HCP. After the Redouble, the Director was called. While waiting for the Director, South described 3♦ as not forcing. When the Director arrived, North described 3♦ as forcing.

### Committee Ruling

The Committee allowed the result, 4♠X by West, down five, N/S +1100, to stand. North/South was assessed a quarter board penalty for not adequately explaining their agreements. The Committee Chairman did not document the Committee's reasoning.

### Committee Members

<b>Chair</b>	Phil Warden
<b>Member</b>	Abby Heitner
<b>Member</b>	Walt Schafer

### Commentary

**Allison:** It seems to me that East/West was entitled to relief on this hand. If the auction couldn't be rolled back to allow East to Pass 3NT, then this seems a case for an Average plus/Average Minus score.

**Martel:** North/South presumably committed misinformation, and this at least partly contributed to their top. Thus, they should not be allowed to keep their +1100 (since East/West were significantly responsible for their -1100, it was fine for them to keep it).

**Meckstroth:** Good ruling.

**Rosenberg:** I am not clear on the facts here. If East Doubled 3NT because it was stated or implied that 3♦ was not forcing, then the contract should have been changed to 3NT by South. Again, the procedural penalty would not have been assessed. Arbitrary assessments of this sort will lead to players appealing every hand on which there is the slightest hint of a misunderstanding. If East Doubles, thinking, due to the misexplanation supplied, that 3♦ was non-forcing, I would have returned to 3NT by South, +600 (declarer finesses hearts).

**Weinstein:** South's explanation of not forcing was after East lost his mind completely. If West feels he would have passed the Redouble knowing 3♦ was forcing, I would revert the score to 3NTXX by South, making four, N/S +1400. I'd rather see the quarter board procedural penalty assessed against East/West for a frivolous waste of a Committee's time if the facts of the case are accurate.

**Wolff:** Good ruling.

<b>Subject of Appeal:</b>	Misinformation	<b>Event:</b>	NABC Women's Pairs	<b>Case:</b>	33
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### Auction

West	North	East	South
Pass	1♣ <sup>1</sup>	1♦	Db1 <sup>2</sup>
3♦ <sup>3</sup>	Db1 <sup>4</sup>	Pass	4♦
Pass	4♥	Pass	Pass
Pass			

### Explanation of Special Calls and Points of Contention

1: Alerted, Strong, Artificial
2: Alerted, Negative Double
3: Alerted, Preemptive
4: No Alert, Takeout

### Hand Record

Board		N		
Dealer	W	♠ KQ4 ♥ A1076 ♦ A ♣ K9763		
Vul	N/S			
W				E
♠ J1096 ♥ K ♦ J7853 ♣ Q42				♠ 32 ♥ 532 ♦ KQ1082 ♣ AJ8
S				
♠ A875 ♥ QJ984 ♦ 94 ♣ 105				

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

### Facts

Had the Double been alerted, East claimed she would have bid 5♦ immediately. East thought the diamonds were breaking 4-0 on the bidding.

### Committee Ruling

The Committee felt the Double of 3♦ should have been Alerted. The East player, when informed of the misinformation before the opening lead was made, stated she would have bid 5♦. Although this statement could have been self-serving, the Committee felt it had to take it at face value. However, the Committee felt that even though the Double for takeout was not alerted, East/West should have known it was not for penalties. The Committee decided to give North/South the most unfavorable likely result. East/West was assigned a maximum of Average Plus because the Committee felt that East had some responsibility to inquire about the Double (East was very experienced). East/West was assigned Average Plus or -500 whichever was lower. North/South was assigned +500.

### Committee Members

<b>Chair</b>	Howard Weinstein
<b>Member</b>	Ralph Cohen
<b>Member</b>	Mary Jane Farell

### Commentary

**Allison:** I think the Committee did fine with this ruling.

**Goldman:** East knew, should have known, or could have known that the Double was for takeout. She bears adequate responsibility for not bidding 5♦. The Committee does not have to take any statements at face value.

**Meckstroth:** I strongly disagree. East's claim of bidding 5♦ is absurd. The ruling should have been nothing for East/West and a procedural penalty for North/South's failure to alert.

**Rosenberg:** If East was "very experienced" she had more than "some responsibility" to inquire about the Double. I would give East nothing, and in a knockout match that would be my ruling. East had no reason to think this was a Penalty Double, and this is a common Responsive Double situation. Perhaps East was trying for a two way shot. I don't know whether the North/South infraction is important enough to return their score to +500, but I tend to believe that a failure to Alert should not be automatically punished.

**Treadwell:** Even though East might have bid 5♦ if the Double of 3♦ had been Alerted (a self-serving statement), it is quite likely that North/South would have bid 5♥. Are obvious takeout doubles Alertable? It seems to me that playing a strong club system, North's Double must be for takeout. This was an NABC event and the opponents should have known or asked if uncertain. I think the ruling is slanted a bit too much in favor of East/West. I would award both sides the table result of +650 for North with, perhaps, a very small procedural penalty to North/South.

**Wolff:** A good ruling. In the expert community, should we address Competitive Doubles and the Alert procedure? We need to keep pace with the modernizing of the expert game as the different areas (appeals, Laws, Alerts and other procedures) interact.

<b>Subject of Appeal:</b>	Misinformation	<b>Event:</b>	Vanderbilt KO Teams	<b>Case:</b>	34
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### Auction

West	North	East	South
			Pass
1♣	1♠	Dbl <sup>1</sup>	Pass
3NT <sup>2</sup>	Pass	Pass	Pass

### Explanation of Special Calls and Points of Contention

1: Alerted, Negative Double
2: Explained as Long Clubs

### Hand Record

Board		N		
<b>Dealer</b>		<b>S</b>	♠ K108653	
<b>Vul</b>		<b>None</b>	♥ 3	
			♦ 54	
			♣ AJ105	
<b>W</b>				<b>E</b>
♠ AQJ7				♠ 94
♥ AQ5				♥ K984
♦ 86				♦ QJ109
♣ KQ43				♣ 872
		<b>S</b>		
			♠ 2	
			♥ J10762	
			♦ AK732	
			♣ 96	

Final Contract	Result of Play	Score	Opening Lead
3NT by W	Made 3	E/W +400	♠6

### Facts

Before his opening lead, North asked East what the 3NT bid by West showed. East replied a long club suit. West did not correct this explanation. North led the ♠6, won by the ♠9. Declarer led the ♦Q from Dummy to South's King and South switched to a heart. West won and played another diamond after which West was later able to endplay North for a ninth trick, taking three spades, three hearts, two diamonds, and a club. East/West was +400.

### Committee Ruling

The Committee deliberated the likely play in 3NT with the proper information and determined that 3NT would probably have gone down two thirds of the time and be made one third. The Committee directed that the board be IMPed against the actual score in the other room using North/South +50 twice and -400 once and the results averaged. This resulted in the IMP margin on the board being reduced from winning eleven IMPs to winning five IMPs.

In addition the Committee imposed a three IMP penalty on East/West for the failure to correct the misexplanation.

### Committee Members

<b>Chair</b>	Henry Bethe
<b>Member</b>	Alan LeBendig
<b>Member</b>	Bruce Reeve
<b>Member</b>	Larry Rock
<b>Member</b>	Robert Glasson

### Commentary

**Allison:** South, the non-offender, should have been given the benefit of the doubt in defending 3NT. I believe the score should have been North/South +50.

**Colker:** Yet another “split” score. I cannot emphasize too strongly my feeling that this procedure is fundamentally wrong. In the present case West was clearly negligent, and East’s explanation constituted misinformation. There is no way East/West should be given any part of a good score. They should be assigned a score of -50 (and North/South +50), and assessed an additional procedural penalty for their ethical infraction (as in the actual case).

**Goldman:** I don’t believe that South is entitled to greater knowledge than West might or might not have long clubs (West would certainly bid 3NT with long clubs and an appropriate hand). In fact, “long clubs” may have been the proper partnership understanding. I would need to hear the East/West testimony, but I am inclined to let 3NT make. The 3NT bid was not alerted.

**Treadwell:** It is pretty much standard practice for West’s 3NT bid to show long clubs, but I am sure we have all deviated from this meaning on rare occasions when we “like the hand”. If I am asked about 3NT in situation, I say “usually shows a running club suit”. Partner is free to make the bid with HCP if he wishes, but he is on his own if he does. I agree with the Committee’s decision.

**Weinstein:** I’d say “good ruling” but I’m not sure what West’s responsibilities are here. Though I believe in correcting explanations regardless of fault and would do so personally, I’m not sure West has a legal responsibility to inform the opponents that East’s correct explanation of 3NT does not match his hand. 3NT should show long, good clubs and North’s question was undoubtedly prompted in knowing this and was confused looking at the AJ10x clubs. I do not know whether the Committee determined if this was a misexplanation instead of just a weird bid by West. If the answer is unclear the Committee properly decided on an adjustment and a procedural penalty.

**Wolff:** Excellent ruling on a frequent problem.


<b>Subject of Appeal:</b>	Disputed Concession	<b>Event:</b>	NABC Open Pairs	<b>Case:</b>	35
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**Auction**

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

**Explanation of Special Calls and Points of Contention**


**Hand Record**

<b>Board</b>		N			
<b>Dealer</b>	<b>S</b>	♠	9654		
		♥	9843		
<b>Vul</b>	<b>None</b>	♦	K8		
		♣	965		
<b>W</b>				<b>E</b>	
♠	A72			♠	Q108
♥	KJ6			♥	Q1052
♦	A9543			♦	Q
♣	KJ			♣	Q8432
		S			
		♠	KJ3		
		♥	A7		
		♦	J10762		
		♣	A107		

Final Contract	Result of Play	Score	Opening Lead
2NT by W	Made 3	E/W +150	

**Facts**

South conceded the rest of the tricks at this point in the hand (West had not yet played to the ♣A won by South).

♠ 7	♠ x	♠ Q
♥ —	♥ x	♥ Q
♦ 9 5 4	♦ —	♦ —
♣ —	♣ x	♣ Q
	♠ —	
	♥ —	
	♦ J 10 6	
	♣ —	

At this point, South conceded the remaining tricks.

**Committee Ruling**

The Committee felt that West should be squeezed out of his spade trick, but the concession lets him pitch a diamond, win the ♦9 for the rest of the tricks. If South concedes, he must have considered all of his cards losers. The ♦6 was designated as his next play. The Committee allowed the result, 2NT by West, making three, E/W +150, to stand.



## Committee Members

<b>Chair</b>	Howard Chandross
<b>Member</b>	Bruce Reeve
<b>Member</b>	Phil Brady

## Commentary

**Allison:** Fine ruling.

**Meckstroth:** This ruling is OK.

**Rosenberg:** Good ruling.

**Treadwell:** With only three cards left, forcing South to lead the ♦6 from J106 is forcing him to make a most improbable play. The Laws state that a concession by a defender may be canceled if it cannot be lost by any probable play of cards. Thus, I think the Committee should have allowed South to lead the J10 of diamonds on the grounds that the lead of the ♦6 would be irrational.

**Wolff:** Correct (I think) technical law ruling.

<b>Subject of Appeal:</b>	Deceptive Play	<b>Event:</b>	NABC Mixed Pairs	<b>Case:</b>	36
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### Auction

West	North	East	South
		1♣ <sup>1</sup>	Pass
1♥	Pass	2♠	Pass
3♥	Pass	4♣	Pass
4♥	Pass	Pass	Pass

### Explanation of Special Calls and Points of Contention

1: Alerted, Precision

### Hand Record

Board		N	
<b>Dealer</b>	<b>E</b>	♠ 842	
<b>Vul</b>	<b>E/W</b>	♥ 32	
		♦ 9842	
		♣ A1085	
<b>W</b>			
♠ J			
♥ KQ9864			
♦ KJ5			
♣ 432		<b>E</b>	
		♠ AK1093	
		♥ A5	
		♦ AQ	
		♣ QJ97	
		<b>S</b>	
		♠ Q765	
		♥ J107	
		♦ 10763	
		♣ K6	

Final Contract	Result of Play	Score	Opening Lead
4♥ by W	Made 4	E/W +620	♦2

### Facts

The opening lead was the ♦2. Declarer won the Ace and played four rounds of hearts. North discarded the ♣8 and ♣5. On the fifth heart, North discarded a diamond. Declarer maintained that North played this card out of tempo. This was denied by North/South. Declarer then ran the ♠J and the defense cashed three tricks. Declarer indicated that had North played in tempo, he would have played the ♠AK, pitching a club then playing the ♠10, guaranteeing eleven tricks.

### Committee Ruling

The Committee felt that North's discard was neither intentionally or effectively deceptive and the result, 4♥ by West, making four, E/W +620, was allowed to stand.

### Committee Members

<b>Chair</b>	Henry Bethe
<b>Member</b>	Ralph Cohen
<b>Member</b>	Fred Sorensen
<b>Member</b>	Marinesa Letizia
<b>Member</b>	Larry Rock

### Commentary

**Allison:** Just fine.

**Meckstroth:** Good ruling.

**Treadwell:** This is a typical case of pair trying to win in Committee what they lost at the table by inferior play. It is a matter of Law that you take advantage of an opponent's hesitation at your own risk unless it can be shown the hesitation, as opposed to the card played, was an intentional attempt to deceive. The Committee quite properly gave nothing to the Declarer. Did they consider a procedural penalty for an appeal without merit?

**Weinstein:** A quicker pitch would be more indicative of North holding the ♠Q. This seems like a frivolous protest. The relatively new Law on deceptive huddles is an improvement. Let's hope it is not abused for cheap shots such as West's.

**Wolff:** Good ruling.


<b>Subject of Appeal:</b>	Deceptive Play	<b>Event:</b>	Flight A KO Teams	<b>Case:</b>	37
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### Auction

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

### Explanation of Special Calls and Points of Contention


### Hand Record

Board		N			
Dealer	E	♠	103		
Vul	N/S	♥	KQ64		
		♦	AQJ93		
		♣	K6		
W				E	
♠	Q6			♠	AK9
♥	52			♥	109873
♦	K10			♦	754
♣	AQ109432			♣	87
		S			
		♠	J87542		
		♥	AJ		
		♦	864		
		♣	J5		

Final Contract	Result of Play	Score	Opening Lead
3NT by N	Down 1	E/W +100	♥10

### Facts

The opening lead was the ♥10 won by the Jack. At trick two, the ♦4 was played followed by the 10, J and 7. There was a long tank before the play of the ♦7. A low diamond was returned and East/West took five tricks.

### Committee Ruling

The Committee found that there was agreement that East took considerable time to play the ♦7 at trick two. East was deciding whether to Smith Echo or not. Although East was somewhat out of order in taking so long to play the ♦7, North's play was so poor that no adjustment was warranted. East/West was assessed a one IMP procedural penalty which also accrued to North/South. The score of 3NT by North, down 1, E/W +100, was allowed to stand.

### Commentary

**Allison:** I think East/West should have been penalized for this hesitation with three small (where East could have known that a hesitation might deceive North). I realize that North made an assumption about the hesitation at his own risk, but if East indeed had the ♦K, he might not have been conveniently able to cash out or shift to clubs.

**Colker:** Good ruling. A defender is allowed to think when there is some bridge reason to do so; even if it isn't the reason the Declarer assumes is operative.

**Goldman:** I don't agree with the "play so poor". The tempo of the play of the ♦7 is a delicate subject. Players are entitled to take time to make the right play, but time used to convey the nature of a signal would be abusive. The violation of Law here is relative to "should know it could mislead an opponent." I don't think only one IMP punishment properly addresses the "crime", but I am afraid of a major adjustment opening the door for players to yell for the "cops" every time the defender's tempo goes off a little. I would split the result in a pair game. I think the only workable rule is to have the Declarer totally at risk for any inferences he chooses to make, but force the defenders to pay the price as in this hand. In a team game that means average IMP wise, +600 and -100 and a possible procedural penalty for the offenders.

**Meckstroth:** Good ruling.

**Rosenberg:** Since I believe that thinking about a signal (not a discard) should be illegal, I feel that East did something wrong. North's play was far from "extremely poor." If East held the  $\spadesuit K$ , maybe he would win and shift to a club, in which case 3NT might well make. Crossing to a heart would make the defense much easier. I would rule 3NT making, N/S +600 (I don't think North can reasonably make ten tricks at IMPs).

**Sutherlin:** I disagree strongly. This is a very poor decision. East had nothing to think about on the first diamond. He knew there was no future in hearts when the Dummy's Jack won the first trick. His statement that he was considering a Smith Echo is garbage. Further, it is unethical to give great thought before giving a Smith Echo even when applicable. North's decision to concede a diamond has some merit. He keeps open his communication. Further, it gives him a chance for a club trick, before East/West cash out in spades. Under no circumstances should East/West benefit from the slow play of the  $\spadesuit 7$ .

**Weinstein:** A tough decision whether to Smith echo with five little hearts. Give me a break! Maybe Declarer's play was inferior but there were reasons to duck the second diamond if you're sure the King is offside. Without the frivolous huddle, North/South clearly would have made 3NT and the score should have been adjusted to N/S +600.

**Wolff:** North's play was indeed poor, but perhaps caused by East's inexcusable (in my opinion) huddle. From North's point of view, if East has the  $\spadesuit K$ , it may make the defense guess if he doesn't use his heart entry. Is North entitled to act on East's lag? I think so; therefore, I would rule 3NT making, +600. Being face to face with North and East might change my mind, but in a pair game I would always reduce East/West to -600 and vary North/South between +600 and -100 depending on what North said.


<b>Subject of Appeal:</b>	Disputed Score	<b>Event:</b>	NABC Women's Pairs	<b>Case:</b>	38
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**Auction**

West	North	East	South

**Explanation of Special Calls and Points of Contention**


**Hand Record**

<b>Board</b>		N			
<b>Dealer</b>	<b>S</b>	♠	Q98		
		♥	10853		
<b>Vul</b>	<b>None</b>	♦	98		
		♣	AK65		
<b>W</b>				<b>E</b>	
♠	AK10653			♠	J74
♥	J92			♥	Q7
♦	A4			♦	QJ532
♣	J10			♣	Q42
		S			
		♠	2		
		♥	AK64		
		♦	K1076		
		♣	9873		

Final Contract	Result of Play	Score	Opening Lead
3♠ by W			

**Facts**

The result was in dispute. East/West claimed they took nine tricks at 3♠ for +140. North/South claimed they had set the contract a trick and were +50. Both sides disputed the card played on the third round of trumps (setting trick).

**Committee Ruling**

The Committee felt that in view of the difference in the recollection of exactly what was said and what occurred and the language and culture differences (North/South were foreign players), the result was determined to be 3♠ by West, down one, N/S +50.

**Committee Members**

<b>Chair</b>	David Treadwell
<b>Member</b>	Jo Morse
<b>Member</b>	Carl Greenberg

**Commentary**

**Allison:** I'm sure the Committee did fine. North would have had to do something suicidal on a trump trick to allow nine tricks to be made.

**Colker:** There is insufficient information provided on the case to evaluate the ruling.

**Meckstroth:** My best guess is that this is a good ruling.

**Rosenberg:** I do not understand how East/West can claim they made nine tricks. There is not enough information available to make an evaluation.

**Treadwell:** This is not a comment but more an explanation of the sequence of plays which should appear in the write-up. North/South cashed two clubs and two hearts and exited with a diamond. West played the ♦A, the ♠A, and then ruffled a heart and pitched a diamond on the ♣Q. Now the ♠J was led and South showed out. West claimed and North played the ♠Q under the ♠K, but North claimed she was merely showing she had the setting trick. [Nice write-up, Dave, too bad you didn't supply this information on the Committee form, Editor.]

**Wolff:** Out of my province.

<b>Subject of Appeal:</b>	Unauthorized Information	<b>Event:</b>	Flight A KO Teams	<b>Case:</b>	39
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### Auction

West	North	East	South
2♥	Pass	3♥	Pass <sup>1</sup>
Pass	Dbl	Pass	3NT
Pass	Pass	Pass	

### Explanation of Special Calls and Points of Contention

1: Break in Tempo

### Hand Record

<b>Board</b>		N		
<b>Dealer</b>	<b>W</b>	♠	Q109x	
		♥	x	
<b>Vul</b>	<b>Both</b>	♦	9xx	
		♣	AKJxx	
<b>W</b>				<b>E</b>
♠				♠
♥				♥
♦				♦
		♣		♣
		S		
		♠		
		♥		
		♦		
		♣		

Final Contract	Result of Play	Score	Opening Lead
3NT by S	Made 5	N/S +660	

### Facts

After the 3♥ bid, South pulled the Pass card out of the bidding box several times. The Pass card was clearly detached from the box. South admitted he clearly committed an infraction by pulling out the Pass card but maintained that a player of North's ability would always balance with a Double.

### Committee Ruling

The Committee found that a Pass for North was not a logical alternative. Therefore, the result, 3NT by South, making five, N/S +600, was allowed to stand. South was given a one IMP procedural penalty for fingering bids before deciding on an action.

### Commentary

**Allison:** I agree with this ruling.

**Colker:** The ruling seems appropriate.

**Goldman:** I consider Pass within the framework of a "logical alternative" and the bidding box irregularity more glaring than a few huddle seconds.

**Meckstroth:** Good ruling.

**Rosenberg:** In order for me to agree with the ruling, I would need to believe that North was an experienced and aggressive player, whose philosophy was "Pass and balance." Otherwise, North/South should defend 3♥. This was a bad auction for South to huddle and Pass.



**Sutherlin:** I sat on this case. Under most circumstances I would not let North bid; however, North is a known "bidder." No one on the Committee felt this person would ever Pass. Sometimes Committee members do use their personal experience with a player in making a decision. *[Why wasn't this information provided in the Chairman's write-up? Editor].*

**Treadwell:** I agree with the Committee's conclusion that a Pass by North was not a logical alternative and therefore +660 for North/South should stand. The one matchpoint procedural penalty seems too small for gross mismanipulation of the bidding box by a Flight A player.

**Weinstein:** I think Pass was a logical alternative. Maybe a bad bid, but not out of the realm of possibility. I would adjust the contract to 3♥ by West.

**Wolff:** I violently disagree. In my opinion, this is a misuse of the logical alternative rule. Sure most, if not all, top flight players would bid, but they know that there is a risk. What if East has a balanced fourteen to fifteen count? Why should this North be so advantaged as to not have this worry or South to know that his huddle may put his partnership in a favored position? It is clear to me that Pass with North's hand was a logical alternative and will continue to be so until some future North is taken to Committee for not bidding the second round over a slightly fast Pass by South. It's time we grow up and start consistently enforcing our rules instead of selectively doing so. If you believe that South is so slow witted as to not be prepared for this auction (and many like it) then get in line to buy the bridge.

<b>Subject of Appeal:</b>	Psychic Action	<b>Event:</b>	NABC Mixed Pairs	<b>Case:</b>	40
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### Auction

West	North	East	South
		1♥	Pass
3♥ <sup>1</sup>	Dbl	4♥	4♠
Pass	Pass	Dbl <sub>2</sub>	Pass
5♥	Dbl	Pass	Pass
Pass			

### Explanation of Special Calls and Points of Contention

1: Alerted, Limit Raise
2: Disputed Break in Tempo

### Hand Record

Board		N			
<b>Dealer</b>		<b>E</b>			
<b>Vul</b>		<b>N/S</b>			
<b>W</b>				<b>E</b>	
♠	K53			♠	6
♥	107543			♥	AKQ82
♦	542			♦	J63
		♣	J3	♣	A1054
		<b>S</b>			
		♠	J108742		
		♥	J9		
		♦	107		
		♣	862		

Final Contract	Result of Play	Score	Opening Lead
5♥X by E	Down 3	N/S +500	

### Facts

East/West maintained that their system was Alerted and explained fully. The bidding was within their system. There were no hesitations. West maintained he always intended to bid at least 5♥. West maintained his 3♥ bid was a psyche. North/South maintained that the Double of 4♠ was not made in tempo.

### Committee Ruling

The Committee felt that West had psyched which is allowed by Law. When the auction proceeded to a Double after a Pass which was forcing in their methods, West removed the Double. The Committee did not feel that Pass was a logical alternative. The result, 5♥X by East, down three, N/S +500, was allowed to stand.

### Committee Members

<b>Chair</b>	Karen Allison
<b>Member</b>	Jo Morse
<b>Member</b>	Robert Gookin

### Commentary

**Goldman:** There are too many loose ends here for me to allow the result. The psyche of 3♥ or system mix-up was aided by the Alert. West could bid 5♥ before the Double (if the auction was forcing). West had more defense than offense. I believe there was probably a huddle.

**LeBendig:** How convenient! West claims to have intentionally psyched a limit raise on a hand which many players would have made a conventional preemptive raise. Was the 3♥ bid actually Alerted or merely explained after an inquiry? This is

a tough decision to judge without having heard the testimony. On the surface, I don't like what I see of any of East/West auctions.

**Martel:** What would a direct 5♥ bid have meant over 4♠ by West? Why Pass and then bid on only when partner Doubles? With a possible trump trick, Pass should be a logical alternative. In general, players should rarely be allowed to Pass a bid around to partner, then decide to bid on when there is a slow Double.

**Meckstroth:** On the surface, this ruling seems acceptable. However, something smells about this one.

**Rosenberg:** If Pass was forcing in their method, which they would have to prove with written notes to convince me, was not Pass and pull stronger than a direct 5♥ bid? It looks as if West passed 4♠ to see how his partner doubled. I would tend to believe North/South that the Double was not in tempo. West had to bid directly to save his side from disaster. If East/West could prove that Pass was forcing and that Pass and pull was weaker than a direct bid, then I might rule in their favor. Since West could reasonably contend that he never intended to Pass 4♠X. Otherwise, return the contract to 4♠X by South, N/S +790.

**Sutherlin:** I'm always suspicious when players claim a psyche on a hand and come out ahead.

**Weinstein:** West apparently wanted to make a slam try after psyching. If Pass is forcing, why couldn't West bid 5♥ immediately? Unless I see a convention card or system notes that show 3♥ is limit (and always has been limit) and a direct 5♥ bid is a slam try. I would adjust this back to 4♠X. I believe North/South's contention that the Double wasn't in tempo.

**Wolff:** I violently disagree again. Yes, West is allowed to psyche, but all doubts should be resolved against the claim of the psycher. Consider North/South's contention of a slow Double and assuming that a possibility, if we allow the pull (after the limit raise description and the dubious claim of the psyche) we are really subject to making pacts with the bridge devils.

<b>Subject of Appeal:</b>	Psychic Action	<b>Event:</b>	NABC Open Pairs	<b>Case:</b>	41
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### Auction

West	North	East	South
			Pass
1♣ <sup>1</sup>	1NT	Dbl	Pass
Pass	Pass		

### Explanation of Special Calls and Points of Contention

1: Alerted

### Hand Record

Board		N	
<b>Dealer</b>	<b>S</b>	♠ KJ8	
<b>Vul</b>	<b>None</b>	♥ 74	
		♦ AQ727	
		♣ AK43	
<b>W</b>			
♠ A4			
♥ A93			
♦ J10864			
♣ J87			
		<b>S</b>	
		♠ 10632	
		♥ QJ1082	
		♦ 53	
		♣ 92	
			<b>E</b>
			♠ Q987
			♥ K65
			♦ K9
			♣ Q1065

Final Contract	Result of Play	Score	Opening Lead
1NT by N	Down 3	E/W +500	

### Facts

North/South felt they should have been pre-Alerted or a special Alert should have been made. East/West's convention card indicated 1♣ was a strong opening. South assumed North's 1NT overcall showed the minor suits. South maintained that had he known the opening bidder could have 10-12 HCP and his partner's 1NT bid could have been natural, he would have bid hearts.

### Committee Ruling

The Committee decided to give both sides Average as their result. The Committee Chairman did not document the Committee's reasoning.

### Committee Members

<b>Chair</b>	Ralph Cohen
<b>Member</b>	Lynn Deas
<b>Member</b>	Doug Heron

### Commentary

**Allison:** Given the lack of information about the Committee's deliberations, I can't agree or disagree with their ruling.

**Colker:** There is not enough information present to evaluate this ruling. However, I have a distinct "feeling" that East/West's Alert was inadequate. But if North's 1NT bid was for the minor suits, why didn't South Alert it? Both sides seem at fault, so maybe a pair of Average Minuses would be an appropriate ruling.

**LeBendig:** If the convention card that South looked at was improperly marked, an adjustment to Average for both sides seems strange. Without more documentation, it is difficult to review this case.

**Rosenberg:** The East/West card was mismarked, but did South look at it? If not, he only has himself to blame. Wasn't this the purpose of special Alerts? I don't think South can use it as an umbrella in this situation. If South did look at the card, then he is entitled to remove to 2♥. In that event, I'd return to 2♥ by South, +50 for East/West.

**Sutherlin:** I have no comment on the decision. But, I cannot understand how West is allowed to open 1♣ with 10 HCP, when their methods indicate 1♣ is strong. I hope the Committee addressed this issue.

**Treadwell:** The write-up indicates the East/West convention card showed that their 1♣ opening was strong and artificial. Although I have no problem with the Committee's decision to give both sides Average, did they consider a penalty for having an incorrectly marked convention card?

**Weinstein:** I finally can't disagree with the Committee's reasoning, but I would have also assigned a procedural penalty against East/West.

**Wolff:** Some knowledgeable and authoritative body should legislate legal and ethical obligations of the "unusual" conventioners. Until we do so, the convention card must be marked properly and if it is not, all doubt resolved against them. I would rule -50 for North/South in 2♥ with -110 for East/West in 2♥ and a three match point penalty added.

## Closing Statements

**Allison:** I feel the National Appeals Committee has come a very long way in past years toward the ideal of a body whose subcommittees rule much the same way given similar cases. The work done in publishing both the casebook and the annotation has helped a great deal in accomplishing this goal. However, there is still much to be accomplished.

My major complaint at this time is that some people accept the position of Chair of a Committee without also accepting responsibility to write up not only the ruling of the Committee, but its findings and its reasoning as well. If those Chairmen are unwilling to perform what I feel is at least half their job, then they should excuse themselves from the Chair and let others serve who are willing to put that extra required effort into completing the job. It is next to impossible to examine a case without annotation and determine what the reasoning of the Committee might have been.

**Goldman:** The publication and distribution of hands from the NABCs gets an A+. Within this, there is no excuse for undone or incomplete records. It is the Committee Chairman's obligation to see that this is done: either by personally writing it, tape recording it, getting a member of the Committee to do so, or declining the Chairmanship if they are unwilling to take the responsibility. The Appeals Chairmen need to enforce this.

The shortage of the names of international bridge players on Committees is a negative. Let's see more work, less talk.

Consistency. This process is yielding improvement but is still too slow. I give it a D. We need specific guidelines on when to give or not give a procedural penalty. How much? When to do an averaging of the possibilities, when to just minimum/maximum. I strongly favor the "Fairest Equity" the Committee can find with doubts tilting toward non-offenders.

To the voices clamoring to change the process: You're barking up the wrong tree. Appeals is not a procedure for Directors. Let the Directors get together and develop their skills at making "The Best Rulings" (rather than passing the buck to Committees). The Director's ruling should be part of this process also. Everyone will get better at it. The comparison to other activities is nonsense. In sports, referees see the action and they only have to rule on what occurred. In bridge, they are brought in after the fact and perform like courtroom judges.

Hesitations. I think we have gone too far. The mentality of "if it thinks slowly, kill it" is too much. When a player can make a normal bid that six out of seven of his peers would be expected to make and have his opponent complain, have their "bottom" changed to a "top", we have lost it. Things can be rectified somewhat by more split awards, allowing testimony relating to previous infractions and raising the "safe harbor" range from 10% or less to 20-25% for "first offenses."

**LeBendig:** The fact that we are all thinking more about procedural penalties is something which I view as constructive. We do not need to achieve some type of uniformity in how we dispense these penalties. I am a firm believer in the fact that once the word gets out that certain actions will receive some type of penalty, we will see a sharp decline in those actions.

I feel that one of the easiest penalties to agree on would be the failure to disclose misinformation as the declaring side prior to the opening lead. There is no question within the Law as to that obligation. We should be able to agree that the penalty is routine then discuss the score correction. Many problems at the table could be dealt with if this was adhered to. On the same issue, a like penalty should apply if the defending side does not attempt to disclose misinformation prior to the completion of the hand. This also causes many problems. Once the Directors know that we are committed to dealing directly with this problem, they will be more willing to take the same action when they discover cases on the floor.

I also feel we need to issue penalties for violations of Law 73C, but we cannot apply this to every case when the Committee feels that the losing action was a logical alternative. We must reserve such penalties for those hands in which we feel someone took blatant advantage of the unauthorized information.

Overall, I like what has been happening with this entire process. This review with commentary from others is a big reason we are continuing to improve. We will continue to try to improve the documentation of these cases. I just hope everyone recognizes the difficulty of complete reports.

**Martel:** The Committees seem to be improving in general, though this group may be a step down from Seattle where the Committees did a very good job.

**Meckstroth:** Why is there no documentation of some of the Committees? It is difficult to know what is right without input from the Committee. Hopefully, from now on, the Committee Chairman will be required to include the reasons for making the ruling. It is a critical part of analyzing any ruling.

**Sutherland:** Since we started publishing the Committee decisions, the rulings have gotten better and better. Still, some of these were poor decisions.

**Weinstein:** A problem was that for several of the rulings the Committee's reasoning was absent or incomplete. Often there is mitigating or explanatory testimony available to the Committee affecting the ruling, but not available to the commentators. I disagreed with far too many rulings, often feeling huddlers were given too much leeway. I feel either the Committee's rulings regressed from the previous nationals or incomplete and inaccurate Committee reports might have led to my disagreeing with more rulings than I would have with better reports. Ideally, each Committee should provide an accurate report that would be usable by John Blubaugh or the Daily Bulletin without significant modification.

**Wolff:** Committees seem to be more consistent and conscientious. In a relatively short period of time they seem to have adopted the right hard-line view on breaches of ethics and other improprieties. Also, the listing of the Chairman and members of each Committee, the way they voted, the publishing (thanks to John Blubaugh), and the dissenting opinions have all contributed to the general improvement.

Still to be addressed and improved:

1. A condition precedent to being a Committee Chairman is the prompt write-up of the facts and proceedings for the widest dissemination.
2. To try and eliminate, rather than adjudicate, practices that make it difficult to restore equity and hence lessen our game.
  - A. Less than full disclosure of pertinent information.
    - B. The misuse and misdescription of conventions, particularly those of a weak defensive nature.
    - C. Allowing the natural competitive feelings of players to explore "win at all cost" ways without severe penalties (our major spectator sports have dealt with this problem well e.g., suspensions, technical fouls, ejections, penalty boxes, fines, etc.).
3. The responsibilities of the Committees are to follow the Laws, restore equity, modernize and suggest improvements to the Laws and to the game as related to appeals, and to act as agents for the entire tournament not just the appellants. They are not to make people feel good or to reward victims.