

APPEAL	Non-NABC+ Three
Subject	Claim
DIC	Harry Falk
Event	Daylight Open Pairs
Session	Second Session
Date	November 22, 2008

BD#	<b>17</b>
VUL	<b>None</b>
DLR	<b>North</b>

<b>1730 Masterpoints</b>	
♠	8
♥	K Q 9 3 2
♦	Q 8
♣	K J 9 8 7

<b>6320 Masterpoints</b>	
♠	J 9 4
♥	A 8 5
♦	A 3
♣	Q 6 5 4 3

<b>Fall 2008 Boston, MA</b>	
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<b>689 Masterpoints</b>	
♠	K Q T 7 6 3 2
♥	T 7 6
♦	K
♣	T 2

<b>1730 Masterpoints</b>	
♠	A 5
♥	J 4
♦	J T 9 7 6 5 4 2
♣	A

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

Final Contract	<b>4♠ doubled by E</b>
Opening Lead	<b>♣A</b>
Table Result	<b>4♠ doubled E, down 3, E/W -500</b>
Director Ruling	<b>4♠ doubled E, down 3, E/W -500</b>
Panel Ruling	<b>4♠ doubled E, down 2, E/W -300</b>

**The Facts:** The director was called at the time of the claim.

The play up to the claim was:

♣A	♣3	♣9	♣2
♥J	♥A	♥9	♥6
♦3	♦8	♦K	♦2
♠2	♠A	♠4	♠8
♥4	♥5	♥Q	♥T
♥K	♥7	♦4	♥8
♣K	♣T	♦5	♣4
♣8			

At this point declarer put his hand down and said: "The rest are mine."

**The Ruling:** No mention was made of the outstanding spade in the defender's hand. Declarer must ruff with the ♠3 and defender over ruffs with ♠5, therefore the result is: 4♠ by East down three, E/W minus 500. (Law 70C)

**The Appeal:** Statements made by the appealing side: Declarer said when dummy went down he noted he had ten trump. He led one round with all following, which left one outstanding. When asked why he did not mention it, he said it was so obvious it didn't merit a mention.

**The Decision:** Law 70C gives the steps required before a trump trick should be awarded to an opponent. All must be met.

1. claimer made no statement about that trump, and
2. it is at all likely that claimer at the time of his claim was unaware that a trump remained in an opponent's hand, and
3. a trick could be lost by any normal\* play.

\*Normal includes play that would be careless or inferior for the class of player involved.

When the solons created this law, they would have left out #2 had they wanted directors to always rule that an opponent gets a trick(s) if conditions 1 and 3 are met. Ergo #2 must have meaning. In general, if declarer has adopted a reasonable line of play and has attempted to draw trump at every opportunity unless there is a valid bridge reason for not doing so, he is allowed to accurately count trump.

Conditions 1 and 3 have been met. When declarer got in he unblocked the diamond suit and led trump. Therefore the conditions of #2 were not met and the claim was upheld..

The result was changed to 4♠ by East down two, E/W minus 300.

**The Panel:** Charles MacCracken (Reviewer), Jay Albright, Bernie Gorkin.

#### **Commentary:**

**Goldsmith** The ruling seems fair, but East could have made it obvious that he knew that there was a trump out by saying, "ruff high, draw trumps," instead of "the rest are mine." Four syllables each way. Or he could just flip the ♠K on the table and face his cards. It's in the best interest of the game, however, to encourage claims, so the ruling seems OK.

**Polisner** I agree with the decision, but for condition 3 - not 2. It would be abnormal for declarer to ruff with the three after South had shown out even if he wasn't aware that a trump was outstanding.

**Smith** Many players don't understand the principles involved in resolving claims made with unmentioned outstanding trumps and, as this case shows, even some directors don't understand them. Congratulations to the panel for correctly deciding this case and for producing a first rate write-up that should be required reading for all directors and committee members.

**Wildavsky** I agree with the panel's ruling. East ought to have saved us this trouble, though. A player with almost 700 masterpoints surely knows that he ought to mention an outstanding trump when he claims, and that, if he doesn't, he risks losing a trick to it

**Wolff** Wonderful equitable ruling.