

APPEAL	Non-NABC+ Five
Subject	Claim or Played Card
DIC	Chris Patrias
Event	0-5000i Blue Ribbon Pairs
Session	First Qualifying
Date	November 25, 2008

BD#	15
VUL	N/S
DLR	South

1,993 Masterpoints	
♠	A K 9 6 3 2
♥	8 6
♦	A Q 9 8
♣	5

1,198 Masterpoints		Fall 2008 Boston, MA	4,266 Masterpoints	
♠	J T 8		♠	5
♥	Q 9 4		♥	A K 3 2
♦	J 5 4		♦	K T 7 2
♣	K Q 8 3		♣	A 7 6 2

4,912 Masterpoints	
♠	Q 7 4
♥	J T 7 5
♦	6 3
♣	J T 9 4

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

Final Contract	4♣
Opening Lead	♠K
Table Result	Down 1, E/W - 50
Director Ruling	4♣ W, down 1, E/W - 50
Panel Ruling	4♣ W, down 1, E/W - 50

The Facts: The director was called after a club was led from dummy (East) at trick 12. West played 4♣. He was in dummy after trick 11. Dummy's cards were the ♣6 and the ♦7. North had the ♦Q and a spade. Neither South nor West held a trump or a diamond higher than the queen.

Declarer sat for a while and at the urging of North to play a card, West called for the club, which was good.

E/W alleged that North played the ♦Q to the twelfth trick. North stated that he was claiming the thirteenth trick with the ♦Q for down one.

The Ruling: The director determined that North was claiming without stating a line of play. In accordance with Law 70D1 and the footnote to Law 70, the director judged that there was no alternate normal play (i.e. to save the ♦Q for trick twelve) and therefore awarded the thirteenth trick to N/S.

The Appeal: All four players attended the hearing.

Declarer agreed that he sat for a long time in the two-card ending. His only explanation was that he was trying to remember if the diamond was good. Both he and dummy were adamant that North faced the ♦Q on the table.

According to N/S, everyone knew the contract was down one, yet declarer sat for over a minute staring at dummy. Finally North said, "Play a card." After declarer called for the good trump, North showed the ♦Q with the intent to claim the thirteenth trick not play it to the twelfth trick.

The Decision: There was a lengthy altercation at the table before the director could obtain all the facts. Both sides had different stories. After about ten minutes, the director determined that this was a claim by North. The panel found no facts that would indicate his judgment was incorrect. Therefore (see Law 70E), the director's ruling was upheld and the result of 4♣ by West, down one, E/W minus 50 was affirmed.

The Panel: Bernie Gorkin (Reviewer) and John Ashton.

Commentary:

Goldsmith Good ruling---Sominex Coups are not supposed to work---but why didn't North claim down one a minute earlier? Some players think one cannot claim if one is not on lead, but it is most definitely allowed. It is unthinkable not to give an appeal without merit warning (AWMW). Declarer not only ought not have appealed, he ought not to have called the director, ought to have apologized that his needless slow play may have caused a problem, and let the defender take his card back even if it was played inadvertently to trick 12. Taking advantage of opponents' procedural errors is one thing; inducing them is entirely another matter. Law 90B2 gives the director the right to award a procedural penalty (PP) for "unduly slow play by a contestant." I'd not do that here, though it's close, but I would penalize declarer five yards for delay of game. Failing to file a recorder form on declarer is criminal unless C&E charges were filed instead.

- Polisner** Someone should have discussed the concept of sportsmanship and fair play with West. Good ruling and decision.
- Smith** Another variety of the Sominex coup. I can't believe E/W even called the director, and for their further efforts they should get an AWMW. Who would really ask for a trick in these circumstances? I'm appalled.
- Wildavsky** This was a bizarre case. E/W committed the only infraction, unnecessary delay of game. They then appeared to want to profit thereby, winning a trick they could not have obtained legitimately. This appeal had no merit. If I could find a way to penalize E/W, I would.
- Wolf** Good. In the absence of clean, indisputable evidence to the contrary the bridge of the matter should prevail.