

APPEAL	Non-NABC+ Fourteen
Subject	Misinformation (MI)
DIC	Mike Flader
Event	Flight AX Swiss Teams
Session	Playthrough
Date	July 23, 2006

BD#	33
VUL	None
DLR	North

Paul Stern	
♠	9
♥	Q J T 6 4 3 2
♦	T 2
♣	A Q 9

Deborah Murphy		Summer 2006 Chicago, Illinois	Gary Donner	
♠	A J 6 3 2		♠	K Q T 4
♥	8		♥	A 9 5
♦			♦	A K Q 7 3
♣	K J 8 6 5 4 3		♣	7

Margaret Salazar	
♠	8 7 5
♥	K 7
♦	J 9 8 6 5 4
♣	T 2

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

Final Contract	4NT by West
Opening Lead	♥Q
Table Result	4NT by W down 3, N/S +150
Director Ruling	4NT by W down 3, N/S +150
Panel Ruling	4NT by W down 3, N/S +150

(1)	Strong – Alerted.
(2)	Natural and positive.
(3)	Announced as a transfer.

The Facts: N/S play transfer responses versus a strong club only directly over the 1♣ opening according to North. Only North's card was marked with this agreement although South erroneously Announced 3♥ as a transfer. When West was asked what she would have done with the correct information, she said she would have still bid 4♣.

The Ruling: There was MI. There was no direct connection between the MI and the damage. Therefore, the table result of 4NT by West down three, N/S +150 was allowed to stand. (Law 40C)

The Appeal: West was asked on several occasions, both by the table director and the screener, whether, given the proper information that 3♥ was natural and not a transfer to spades, she would have made a call other than 4♣. On the fourth occasion, several hours after the actual hand had been played, she said she might have doubled instead. She did not seem to grasp that the 3♠ bid had been made and that we could not change that. When asked later about the meaning of 4NT, she stated that it was probably RKCB for clubs and this was simply her response.

East was asked if he would have made a different call over 3♥ if he had the proper information at the time. He stated that he suspected that 3♥ was natural given the quality of his spades. He did not want to double 3♥ because he thought he would have the opportunity to double 4♥ instead.

The Decision: Several partnerships of 2,000 to 2,500 masterpoints were asked to bid after the sequence of: 1♣ Pass 2♣ 3♥
Pass 3♠

None were able to reach a spade slam, although all would have doubled 3♠.

E/W's bad result occurred because of their bidding, not because of MI given by N/S. If West had doubled 3♠, it would have led to a better result. But, without West stating that she would have doubled 3♠, it seems clear that the panel could not protect E/W.

The panel judged that law 40C did not apply. The table result of 4NT by West down three, N/S +150 was allowed to stand, and a procedural penalty of two victory points was assessed against N/S for:

1. Failing to Alert properly (announcing a transfer when an Alert was required).
2. Not having two properly completed and matching convention cards.

The Panel: Harry Falk (Reviewer), Candy Kuschner and Gary Zeiger.

Players Consulted: Several partnerships considered E/W peers.

Commentary:

Goldsmith It is reasonable to rule that E/W gets to keep their bad result, because it occurred subsequent to N/S's infraction, not consequent of it. In these cases, however, the offending side normally does not keep its good result if the infraction put the non-offending side at any sort of disadvantage. It did: without the infraction, E/W could well get to 6♠; with the infraction that is nearly impossible. So N/S should be minus 980, as that is certainly an at all probable result had there been no infraction.

Ought E/W keep their bad result? West's 4♣ bid is a blunder, but often players don't think clearly when something has gone awry and the director is at the table. Her 4♣ is not a wild, swinging action, so by the ACBL's normal guidelines, she should be protected. By the way, isn't bidding 4♣ better than doubling 3♠ when given correct information? Isn't there a danger that this will be construed as artificial otherwise? Bidding 4♣ reveals the obvious 3♠ 'psych' (which it would have been had South known that 3♥ shows hearts, since South didn't bid over 1♣). Also, surely West would have bid 4♣ over 4♦ later had she been aware of what was going on, and she was never given that option. Her claim that it was RKCB for clubs simply shows that she was discombobulated. I think E/W's errors were not nearly severe enough to prevent redress.

Is it likely that they would have reached 6♠ without the infraction? Yes, if West bids 4♣, East will bid 5♥, West will make a grand slam try with 6♦, and East will sign off in 6♠ knowing that the CA is missing. None of these actions are stretches, so plus 980 is at least likely. Score reciprocal 980s.

In general, when one is told that one's opponent has preempted in the only suit your side can play in to get a reasonable score, and your side can't find that strain, MI has caused damage.

Finally, what about UI? North has heard his partner incorrectly explain 3♥ and then bid 3♠. Partner passed over the big club, so she can't have real spades, which means that 3♠ must either be a fit bid or a lead-directing raise to 4♥. If it's a fit bid, he'd like to make the most discouraging call possible over 4♣, either pass or 4♥. If it's a lead-directing bid, then prospects look good on defense against just about anything, so there's no need to bid a lot. But what if West had doubled 3♠, which is possible sans MI? I think it's clear for North to bid 4♣, a counter-lead directing bid. Passing seems out of the question. South will realize that North can't be raising spades, since 3♠ was doubled, so something is up, and she won't correct back to spades. N/S don't do so badly in 4♥ (or even 6♥) and I don't see an at all probable way N/S could end up playing a strain other than hearts or reach the seven-level, so the UI turns out not to matter...just barely. Yet another MI case with hidden UI issues.

- Polisner** This is a very difficult case. It seems reasonably obvious that West is not an experienced player. Just look at her only taking seven tricks with nine top tricks, as well as her responses to the director's questions about what her bids would have been with no MI. In my experience, such answers may not be identical to what would have really been bid at the table. Failure to play bridge after MI should be judged in light of who the player(s) are. For an expert, I would agree with the decision, but for these obvious beginners, I would have adjusted the score to 6♠ E/W plus 980.
- Rigal** This is a harsh ruling on the non-offenders but it seemed that they might have earned it.
From my discussions it appears that the panel tried hard to get West to say she would have done the right thing over 3♠ but she had missed the point. [In passing it seems that we routinely treat unreasonable arguments as self-serving. Maybe we should also bend over to go the other way -- but it sounds like this WAS done here.]
Anyway; the offenders were penalized, but I'm not sure that the table result should not have been adjusted – perhaps instead of the VP fine. Maybe the two things even out. But, as a technical issue, if they earned a disaster at the table should they not be given it? This is especially because of the UI as well as the MI issues here.
- Smith** Similar to non-NABC+ case number eight. How can West be given credit for doing the right thing over 3♠ if it took her so long to realize it? The damage to E/W seems self-inflicted, so I agree with no adjustment. By the way, North had UI from the announcement, but it did not seem to be a factor in his later bidding or opening lead. I also agree with the penalty imposed on N/S.
- Wildavsky** "But, without West stating that she would have doubled 3♠, it seems clear that the panel could not protect E/W."
Why not? West was clearly confused by the sequence of events. The question before the Panel, though, was not what West would have done in her confused state, but what call she would have made in an auction with no Alerts.
Marvin French's cogent arguments have convinced me to be wary of answers given to the tournament director (TD) at the table in the heat of the moment. The laws neither require nor encourage the TD to ask such questions, and a player who is a "bridge lawyer" would know that it's to his advantage to either say, "I don't know what I'd have done." or to claim that he'd have taken an action different than the one he chose. I don't mind the question being asked, since it can sometimes prove enlightening, but I see no reason that the answer should bind us.
How likely were E/W to reach 6♠? The results of the impromptu bidding contest ought to help us judge, but we don't have enough information.

How many pairs were given the problem? What auction and explanations were they given? Without knowing I don't know what to conclusions to draw. I'm guessing that they were given the actual auction but with no Alerts. If we take the results to heart, then reaching 6♠ was not likely. It sure seems likely to me, though.

By the book:

Was there misinformation? Yes (Law 21b3).

Were E/W damaged through the misinformation? Yes (Law 40c).

Were they also damaged through their own poor bidding? Yes, but the MI made it more difficult for them to reach their top spot.

Had E/W received the correct information what were the likely results?

(12c2) Certainly these:

4♠ making six

5♠ making six and perhaps these:

6♠ making six

3♠ doubled down seven

3♠ doubled down eight

It's hard to tell about the likelihood of 3♠ doubled. I see no reason for South to pull and I think some Norths would pass, counting on South to clarify his intent. Jeff Goldsmith suggested to me that North has a clear 4♣ bid, to prepare a defense against 5♦. That may be, but surely not every North would find that bid.

Which of the "likely" results is most favorable to the non-offenders?

Depending on which results we judged likely it could be plus 480, plus 980, plus 1700 or plus 2000.

Had E/W received the correct information, what results were at all probable? (12c2 again) I'd say these:

4♠ making six

5♠ making six

6♠ making six and perhaps these:

3♠ doubled down seven

3♠ doubled down eight

Which of the "at all probable" results is most unfavorable to the offenders?

Depending on how often we think the contract would be 3♠ doubled, it's either minus 980 or minus 2000.

I think the TD and the panel got this one wrong.

Wolff

Another convention disruption (CD) case and in all its gory. Here the opponents (N/S) had to face it and didn't survive. Were they to blame? I guess so, but why should they have to live with their zero when other E/Ws didn't have poison gas used against them. Just because they didn't navigate through the tough waters should not mean a terrible result. I would temper their result along with giving N/S plus 150 but a two Victory Point (VP) penalty. The two VP penalty should be tailored by the IMP scale used. They should effectively have their gain on that board (Swiss Team) erased by the penalty and my guess is that two VPs is not enough. There should be a directive by the directors to the directors saying what certain CDs should be penalized and why.