

APPEAL	Non-NABC+ THREE
Subject	Played Card
DIC	Millard Nachtwey
Event	Young LM Pairs
Session	Second Qualifying
Date	July 14, 2006

BD#	32
VUL	E/W
DLR	West

549 Masterpoints	
♠	5
♥	Q 7 6 5 4
♦	6 5
♣	A Q 5 4 3

622 Masterpoints		Summer 2006 Chicago, Illinois	675 Masterpoints	
♠	T 3		♠	Q 8 2
♥	K 8		♥	A J T 9 3
♦	A J T 9 4		♦	K Q 8 7
♣	K T 8 6		♣	9

1452 Masterpoints	
♠	A K J 9 7 6 4
♥	2
♦	3 2
♣	J 7 2

West	North	East	South
1♦	Pass	1♥	3♠
Pass	Pass	5♦	Pass
Pass	Pass	Pass	

Final Contract	5♦ West
Opening Lead	♠5
Table Result	5♦, down one, E/W -100
Director Ruling	Card Not Played
Panel Ruling	Card Not Played

The Facts: The director was called at trick six, while it was declarer's turn to play. South won the spade five and played two more rounds of spades. Declarer ruffed the third round high and played two rounds of trump ending in dummy. The declarer called the ♥3 and South played the ♥2. Declarer detached the ♥8. She replaced that card in her hand and started to play the ♥K at which time her opponents called the director.

All players agreed the ♥8 was face up, but it was immediately retracted. South thought the ♥8 got to about four inches above the table and North thought it was closer. Declarer thought it was chest high and dummy saw the card but did not think it reached the table.

The Ruling: Law 45C2 reads, "Declarer must play a card from his hand held face up, touching or nearly touching the table..." The ♥8 was not played because it never came close to the table. Declarer was permitted to play the ♥K.

The Appeal: All four players attended the hearing. Declarer was asked to hold the card at the closest point to the table she thought was reached. The other three players offered opinions as to whether it was higher or lower. Three players agreed that it was about four inches above the table at its closest point. North thought it was about three inches. The screener had informed N/S that there had been a similar case within the last year and, in that case, the card in question was ruled not played when it was closer to the table than the card in this case. N/S did not withdraw their appeal.

The Decision: The panel believes that the best person to make decisions such as this one is the table director because memories are freshest at that time. N/S brought no new information to the hearing to counteract the table director's application of law 45C2; so the panel saw no reason to alter the table director's ruling.

In addition, given the caution that N/S received from the screener, an Appeal Without Merit Warning (AWMW) was issued to N/S.

The Panel: Charles MacCracken (Reviewer), Peter Marcus and Gary Zeiger.

Players Consulted: None.

Commentary:

Goldsmith Good. AWMW warranted.

Polisner I disagree with the interpretation of Law 45 C2 by the Director and the complete law is not shown. The rest of the uncompleted sentence also requires the card to be a played card or if it was "maintained in a position as to indicate that it has been played." This is not to say that the ruling was incorrect; however, additional facts should have been considered in light of the entire law.

Rigal Perfect decision. Where a pair has been warned about the merits of their case in advance, anything but an AWMW award here would make a travesty of the system.

Smith I agree. Good AWMW.

Wildavsky Fair enough. I would have liked to hear why declarer detached the ♥8 though. Depending on what happened at the table this could have been an Alcatraz coup.

Wolff Nothing much here except some petty bickering. It is bad manners to tease the opponents by exposing a card.