

APPEAL	Non NABC+ EIGHT
Subject	Misinformation (MI)
DIC	Millard Nachtwey
Event	0-5000 Spingold
Session	1 st Round – First Session
Date	July 17, 2006

BD#	18
VUL	N/S
DLR	East

2,500 Masterpoints	
♠	T 9 8 x x x
♥	9 x
♦	J x
♣	J T x

150 Masterpoints	
♠	
♥	T x x x x
♦	Q x x x x x x
♣	K

1,500 Masterpoints	
♠	K Q x
♥	A J x
♦	A T 9
♣	Q x x x

3,000 Masterpoints	
♠	A J x x
♥	K Q x
♦	K
♣	A x x x x

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

Final Contract	4♦ doubled by West
Opening Lead	♠T
Table Result	4♦ doubled making 4, E/W +510
Director Ruling	4♠ by South, down 1, E/W +100
Panel Ruling	4♦ doubled making 4, E/W +510

(1)	15-17 HCP.
(2)	Penalty, as good or better than 1NT.
(3)	This was not Alerted and was explained after the 3♦ call with the director and West away from the table. At least one minor. Partner bids 2NT if he likes clubs and 3♣ if he likes diamonds.

The Facts: 2♠ was not Alerted. After the 3♦ bid, East asked West to leave the table and then explained that the 2♠ bid was obviously not natural. The director was called. The 2♠ bid was explained as a transfer for the minors. South said she would leave in her reopening double if told 2♠ was minors.

The Ruling: It was decided that South's double of 4♦ was based on misinformation about the 2♠ bid. It was decided that with correct information that South would bid 4♠ rather than double. In accordance with laws 40C and 12C2, the director adjusted the score to 4♠ by North down one, N/S -100.

The Appeal: South said that she doubled 4♦ believing “transfer to minors” meant that West’s 2♠ call showed both minors. She doubled because of her club holding in West’s presumed second suit. If she had known that 2♠ only promised one minor, she would have bid 4♣ over 4♦. South maintained to the table director that she would reopen the auction in passout seat over 2♠ with a double had she been told that 2♠ showed at least one minor and was not natural. She repeated this statement twice to the screening director, then said she felt passing 2♠ would be better and she would not reopen with a double if properly informed.

E/W acknowledged the MI from not properly Alerting and explaining West’s 2♠ bid but felt their subsequent explanation should have clarified the auction for N/S. South’s double of 4♦ was made with full knowledge of the meaning of 2♠.

The Decision: South is an experienced player with 3,000 masterpoints (partner has 2,500). South agreed she was very slow to realize her best action was to pass 2♠, not reopen with a double. She also agreed she could have asked to clarify the meaning of “transfer to minors” to see if it did, indeed, show clubs and diamonds. 2♠ was clearly not properly Alerted and explained. Had South said she would have passed 2♠ rather than reopening with a double, the panel would have accepted that and assigned a result of 2♠ by West, probably down four for N/S +200. However, South, an experienced player, told both the table director and the screening director that she would still have doubled over 2♠ if given the correct Alert and explanation, only much later changing her mind and realizing that passing 2♠ was the best action for her side. As such, she was judged not to have wanted to change her call in reopening seat.

After the reopening double, the E/W auction was explained. The explanation “transfer to the minors” should have been understood by a player of South’s experience. If vague, South should have asked for clarification about the issue of whether it showed both minors or just one. South’s decision to assume a meaning for an ambiguous answer was South’s responsibility and was not protected by law (21A). As such, the panel felt South’s decision to double 4♦ rather than bid 4♣ was based on her own misunderstanding not the opponent’s incorrect or unclear explanation. The table result of 4♦ doubled making four, E/W +510 was restored as law 40C did not apply.

The Panel: Peter Marcus (Reviewer), Candy Kushner, Charles MacCracken, Matt Smith and Gary Zeiger.

Players Consulted: None.

Commentary:

- Gerard** Amazing that West could bid that way and South could pay no attention to the auction. Perhaps it was too subtle for her.
- Goldsmith** East did well to call the director after the 3♦ call was made. It is not legal to send West away from the table. Any UI transmitted constrains West, but it's pretty obvious to West that East doesn't know what 2♠ means anyway. With the director present, South was given the opportunity to change her second call. She chose not to. After that, she has no recourse. So the only issue is whether she was given misinformation by the explanation "transfer to the minors." I think it is quite sufficiently clear by both the strange explanation and East's pass of 2♦ that East doesn't know what 2♠ means, and that any explanation he gave later was a guess. Therefore, South was informed correctly and anything he did later was up to him. Result stands.
- Polisner** South clearly couldn't figure out what was best for her to say even after she knew the whole hand. I agree with the Panel that South had a responsibility to clarify the ambiguous explanation which may well have resulted in the table result. However, I can't see giving E/W such a great result in light of these facts. I would have awarded a split score of E/W minus 790 in 4♠, doubled and N/S minus 510 in 4♦doubled.
- Rigal** There is some history on this precise matter. Cayne/Weinstein in a pair game about 6-7 years ago got the benefit of a ruling regarding 2S/2NT for one or both minors being explained as minor-suit Stayman. [I'll research this if asked.] On that basis this South – less experienced than the pair in question should feel rather hard done by. I would have been more sympathetic than the panel. Certainly the offenders got rather lucky here.

Smith

Since I was a part of this panel, obviously I agree with the decision. I think we would have done a bit better if we had asked a few players what they believed the original ambiguous explanation of “transfer to the minors” meant, and if it would lead them to ask for clarification. It seems to me that the answer in itself does not make sense and a player of South's experience needed to assume responsibility for finding out more and not assume she knew what that answer meant. To me, the larger issue is what to make of South's extremely belated realization that her best course of action was simply to pass out 2♠. There has been some criticism of the ACBL policy of directors asking players away from the table what they would have done with correct information. The opposing viewpoint is that any statements are self-serving and of little value. However, doesn't this case demonstrate that this method can unearth useful information? This South had several opportunities and much time to decide that passing out 2♠ was best, but it took her far too long before that realization hit home to give her credit for likely realizing and acting on it during the auction. Do we really think that this South would have passed with correct information if it had been available over 2♠ – Pass - Pass? Law 40C instructs that the director should adjust a score when damage occurs as a result of MI. All reasonable doubt should be given to an innocent opponent. But surely this player has demonstrated that the MI did not cause damage. Her poor judgment on this hand and her own misunderstanding caused the damage.

Wildavsky

The write-up is unclear on the point, but it seems as though the tournament director (TD) backed up the auction and allowed South the option of changing her call. Had she done so she'd have been plus 200. As is I see no reason to adjust the score. South scored the club ace. Which other tricks did she expect to take? Even if West held a club suit North need not have a singleton to lead. He might easily hold a doubleton or a void. Besides, South heard West bid 3♦ and East pass -- the auction told her that a diamond one-suiter was a live possibility. I prefer the Panel's decision to the TD's.

Wolff

The convention disruption (CD) octopus with all its ugly tentacles has emerged. When West ventured an unAlerted 2♠, bridge stopped and some other game began. Let's examine the components of that ugly game:

1. Confusion.
2. Everyone guessing at what is happening and at the same time trying to preserve excuses so that they can win a director's call and/or an appeal.
3. Hard feelings such as "he said and I said and he thought and I thought and I'm sorry but....and what am I supposed to do."
4. No elements left of the game that we are supposed to be playing.
5. And worst, the perpetrators are (at least on this hand) the laziest, most self-centered bridge players people can be, insisting on playing some unusual treatment, quite often some convention, where their unsuspecting innocent opponents just happened to be terrorized.
6. It used to be that players who forgot what they were playing almost always did so in some strong auction where they then would be doomed to playing the wrong contract and letting their bridge result punish them, but no more, since so many of the forgets have to do with bidding on weak hands where the opponents confusion gives the perpetrators an additional advantage.

WHAT IS THE SOLUTION? Penalize CD out of existence. Try and award their opponents a middleish result but make sure the CDers remember how severe their punishment was. IT IS NOT A LAUGHING MATTER ANYMORE. Until not wearing seat belts became illegal did people start to wear them. How many lives have been saved? My guess is many. Please let us do the same thing in bridge. It is either that or bar many conventions, certainly all home brews, where, upon misuse, the opponents usually have no chance at all.