

2014 Spring NABC

Appeals Casebook





Subject of Appeal:	Tempo/Unauthorized Information	Case:	N1
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Event	Platinum Pairs	Event DIC	Terry Lavender
Date	03/22/2014	Session	First Semi-Final


Auction

West	North	East	South
			1♣
1♥	Dbl	4♥	Pass ¹
Pass	Dbl	Pass	Pass
Pass			

Explanation of Special Calls and Points of Contention

1: Break in Tempo

Hand Record

Board	11	N	Frank Merblum		
Dealer	S	♠	KQ85		
		♥	987		
Vul	None	♦	A97		
		♣	1052		
W	John McCallister			E	Migry Zur Campanile
♠	J97			♠	643
♥	A5432			♥	KQJ106
♦	852			♦	J104
♣	KQ	S	Alan Applebaum	♣	J4
		♠	A102		
		♥	(void)		
		♦	KQ63		
		♣	A98763		

Final Contract	Result of Play	Score	Opening Lead
4♥X by W	Down 3	N/S +500	♣ 2

Facts Determined at the Table

The director was summoned after the final pass. It was reported that prior to passing East's 4♥, South hesitated for 30 seconds and touched the bid cards inside of the bidding box.

Additional Factors Determined Away from the Table

The director polled four players. One player said that North's double was "50-50," but after a hesitation, the likelihood of that double being successful reached nearly 100%. This player also questioned South's pass instead of bidding 5♣. Three other players who were polled passed.

Director Ruling

Based on the results of the poll and in accordance with Laws 16B and 12C, the director ruled that pass was a logical alternative and adjusted the results to 4♥ by West, down three, N/S +150,.

Director's Ruling	4♥ by W, Down 3, N/S +150
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The Appeal

North/South appealed the ruling. North, East and West attended the hearing. The screener asked North what basis he had for his appeal, and informed him that the poll was unanimous in finding pass as a logical alternative. North was also told that the panel included three national champions who would, themselves, pass.

North said that he believed doubling was obviously correct and that passing was not logical. He also said that he made the bid he would have made without the hesitation. Both sides concurred that the facts as presented were accurate. East-West provided little more than agreement with the director's ruling.

Committee Findings

The 30-second hesitation and reaching for a bidding card constituted unauthorized information (UI). It was clear even to North that the UI demonstrably suggested that passing would have been less successful. The polled players and the Appeals Committee found pass to be a logical alternative; with most of the polled players and the Committee choosing pass. North's statement that he made the same bid he would have made without the UI is not a justification for his double since he has a Law 73 obligation to carefully avoid taking any advantage from that UI.

Accordingly, by use of Laws 73, 16 and 12, the correct adjustment is to remove the double and impose the same line of play and defense as occurred at the table: 4♥ by West, down three, N/S +150.

North is an experienced, high-level player and he should have known that he had no reasonable chance to win this appeal since he could present no flaw in the director's legal analysis. He knew, too, from the poll that other high-level players would choose to pass. The Appeals Committee assigned North an Appeal without Merit Warning.

Committee Decision	4♥ by W, Down 3, N/S +150
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Committee Members

Chair	Michael Huston
Member	Ed Lazarus
Member	Ray Miller
Member	Craig Allen
Member	Marc Rabinowitz
Member	Chris Moll

Subject of Appeal: Break In Tempo	Case: N2
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Event	Rockwell Mixed Pairs	Event DIC	Brian Russell
Date	03/25/2014	Session	Second Qualifying

Auction

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

Explanation of Special Calls and Points of Contention

Hand Record

Board	11	N	Amit Chakrabarti		
Dealer	S	♠	J1076		
		♥	108		
		♦	J872		
Vul	None	♣	AK7		
W	Linda Tipton			E	V. Jay Tipton
♠	984			♠	K
♥	Q62			♥	AK95
♦	A93			♦	KQ8
♣	10654			♣	Q9832
		S	Elizabeth Jankford		
		♠	AQ532		
		♥	J743		
		♦	1054		
		♣	J		

Final Contract	Result of Play	Score	Opening Lead
3NT by E	Made 4	E/W +430	♦ 4

Facts Determined at the Table

The director was summoned at the conclusion of play of the next board. South explained that there had been a hesitation by Declarer at trick three. The play had gone low diamond to the Ace; low club to the Ace, ♠J to the King and Ace. Because of the delay in playing the King, South returned the ♦10 to the King. Declarer now led another club to the King, and North returned another Diamond; with Declarer taking the remainder of the tricks. North agreed with South that "there was a hitch." West said they did not notice a hesitation, but East admitted that there might have been one as they "were working out the club suit." No definitive time for the break in tempo was given, but the N/S felt it was longer than normal.

Director Ruling

Even with the lateness of the director call, it was ruled that a break in tempo likely did occur. Based upon Law 73F, it was ruled that South had drawn a false inference from the hesitation. As the spades are blocked, per Law 12C1e, the most likely result of 3NT by East, down 2, N/S +100 was assigned to both pairs.

Director's Ruling	3NT by E, Down 2, N/S +100
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The Appeal

East/West appealed the ruling and all players attended the Committee meeting. West felt that there had not been a hesitation, however East did state that he was processing the information at the table as he was playing to the ♠J. While N/S were not in agreement on the length of the hesitation, both were in agreement that a noticeable one did occur. The Committee felt that there was a hesitation before the play of the ♠K.

Committee Findings

The Committee felt that the ruling by the Director that a hesitation had occurred which caused South to make a false inference was correct. Therefore, the result for E/W of 3NT by East, down 2, E/W -100 was confirmed.

However, the Committee was unanimous in the belief that North, based upon the bidding, had to realize that continuing spades was the defense's only option to defeat 3NT. North's failure to continue spades when in with the ♠K was felt to meet the criteria of Law 12C1b:

"If, subsequent to the irregularity, the non-offending side has contributed to its own damage by a serious error (unrelated to the infraction) or by a wild or gambling action, it does not receive relief in the adjustment for such part of the damage as is self inflicted."

Accordingly, the Committee ruled that the table result for N/S (3NT by E, made 4, N/S -430) should stand.

Committee Decision	N/S: 3NT by E, Made 4, N/S -430 E/W: 3NT by E, Down 2, E/W -100
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Committee Members

Chair	Michael Huston
Member	Craig Allen
Member	Tom Peters
Member	Patty Tucker
Member	Chris Moll
Member	Ray Miller

Subject of Appeal:	Break In Tempo	Case:	N3
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Event	Rockwell Mixed Pairs	Event DIC	Brian Russell
Date	03/25/2014	Session	Second Qualifying


Auction

West	North	East	South
		Pass	1♠
Pass	2♦	Pass	4NT ¹
Pass	5♣ ²	Pass	5♠ ³
Pass	5NT ³	Pass	6♦
Pass	Pass	Pass	

Explanation of Special Calls and Points of Contention

1: Keycard for Diamonds
2: One keycard
3: Break in Tempo

Hand Record

Board	14	N	Elaine Wood		
Dealer	E	♠ (void)			
		♥ AQJ3			
Vul	None	♦ QJ9874			
		♣ K64			
W	Brenda Bryant			E	Robert Katz
♠	105432			♠	96
♥	75			♥	K10984
♦	A102			♦	3
♣	1082			♣	QJ953
		S	Neal Perlman		
		♠	AKQJ87		
		♥	62		
		♦	K65		
		♣	A7		

Final Contract	Result of Play	Score	Opening Lead
6♦ by N	Made 6	N/S +920	♣ Q

Facts Determined at the Table

The director was summoned at the conclusion of the auction. East explained that there was a hesitation by South prior to bidding 5♠, estimated as more than 20 seconds. North and South agreed to a hesitation, but no more than twenty seconds. South had bid 5♠ to play. There had been another slight break in tempo before the 5NT bid as well.

Director Ruling

With both sides agreeing to the hesitation, the Director ruled that North had made use of the Unauthorized Information from the BIT to continue past 5♠ (Law 16B). The result was adjusted to 5♠ by South, down 1, E/W +50

Director's Ruling	5♠ by S, Down 1, E/W +50
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The Appeal

The North/South players appealed the director's ruling, and they, along with East, attended the committee.

North felt they had a good hand for their 2♦ bid, and believed that 5NT would have as good a chance of making as 5♠, with the advantage of scoring ten points more. They thought that if South had long, solid spades with other good values, they would have opened 2♣ rather than 1♠.

East suggested that 5♠ might easily be N/S's last making contract. As the Blackwood bidder, South was supposed to place the contract, and North was expected to accept that decision of where to play the hand. The break in tempo suggested that South was unsure of the final contract, and North acted on that.

Committee Findings

South broke tempo before bidding 5♠, and that BIT demonstrably suggested that 5♠ might not be the best contract. There are a number of possible reasons for the hesitation: not off two aces, unsure whether to play in spades or diamonds, or concern about a control in an unbid suit are common possibilities.

North's bid of 5NT would be wrong, not only opposite an extreme South hand such as AKQJxxxx-x-Kxx-x, but also opposite a more common hand such as AKQJxx-Kxx-Kxx-x. This is especially true since South bid No Trump first, leaving the ♣K exposed on opening lead. Thus, pass was a logical alternative to 5NT or some other higher bid (such as 6♦) suggested by the BIT.

Against 5♠, West might lead either a club or a heart, with the ♥7 perhaps a bit more attractive. With fewer hearts, it is slightly more likely to set up a trick that will cash for the defense.

Declarer, receiving the ♥7 for an opening lead, will want to take the finesse in case the king is onside. There are many possible holdings where the seven in low from the king (K107, K97, K87, K987, along with others depending upon the opponent lead agreements, and since Declarer cannot afford a Heart loser if spades divide 5-2 (30+% occurrence), the Committee judged it was likely that the finesse would be taken on a heart lead. Upon winning the ♥K, East would shift to a diamond, gaining a ruff to set 5♠ two tricks.

The Committee felt the chance of this happening to be both "at all probable" for the offending side and "likely" for the non-offending side. Therefore, the table result was changed to 5♠ by South, down 2, E/W +100. In addition, the Committee felt that N/S should have recognized that pass was a logical alternative following the BIT, especially since the opponents might have taken the first five or six club tricks against 5NT. Thus, they should not have appealed the director's ruling. N/S were assigned an Appeal without Merit Warning.

Committee Decision	5♠ by S, Down 2, E/W +100
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Committee Members

Chair	Adam Wildavsky
Member	Douglas Doub
Member	Dave Caprera
Member	Marc Rabinowitz
Member	Ed Lazarus

Subject of Appeal:	Break In Tempo	Case:	N4
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Event	Rockwell Mixed Pairs	Event DIC	Brian Russell
Date	03/26/2014	Session	Second Final


Auction

West	North	East	South
1NT ¹	Pass	2♠ ²	Pass
3♣ ³	Pass	3♥ ⁴	Pass
3♠ ⁴	Pass	4♣ ⁵	Pass
4♥ ⁶	Pass	4NT ⁷	Pass
5♦ ⁸	Pass	5NT ⁹	Pass
6♠ ¹⁰	Pass	6NT ¹¹	Pass
7♣	Pass	Pass	Pass

Explanation of Special Calls and Points of Contention

1: 15-17 HCP
2: Minor Suit Stayman + HCP?
3: 16-17 HCP
4: Forcing
5: Set Trumps
6: Cuebid
7: Keycard Blackwood
8: Three Keycards
9: Grand Slam try
10: Looking for 7NT
11: Break in Tempo

Hand Record

Board	16	N	Malle Andrade
Dealer	W	♠ J963	
		♥ K9	
Vul	E/W	♦ 108632	
		♣ 86	
W	Xiaopeng Wang		
♠	AK4		
♥	A763		
♦	Q4		
♣	K973		
E	Wei Wang	♠ Q5	
		♥ J10	
		♦ AK95	
		♣ AQ1052	
		S	Erez Hendelman
		♠ 10872	
		♥ Q8542	
		♦ J7	
		♣ J4	

Final Contract	Result of Play	Score	Opening Lead
7♣ by W	Made 7	E/W +2140	♣ 8

Facts Determined at the Table

The director was summoned at the conclusion of the auction. There was an agreed hesitation of approximately one minute before the 6NT bid. East/West have complex methods, and West believed that 5NT was a Grand Slam Force. 3♥ & 3♠ were forcing bids, but no other description was provided. The pair was unable to provide system notes or documentation of the bids made in this auction, particularly the meaning of 5NT.

Additional Factors Determined Away from the Table

Five players were polled concerning the auction. Because of the nature of the agreements, the polled players were given the auction through 6NT with the explanations provided by E/W. None of the surveyed players bid over 6NT.

Director Ruling

Laws 73C & 16 prohibit a player from taking advantage of unauthorized information suggested by actions such as a hesitation. Given the results from the poll, the result on the board was adjusted to 6NT by W, making 6, E/W +1440.

Director's Ruling	6NT by W, Made 6, E/W +1440
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The Appeal

The East/West players appealed the director's ruling, and they and their interpreter attended the committee. They provided the Screening Director with more information about the systemic meanings of their auction. 2♠ was Minor Suit Stayman, but inquired about hand strength as well. 3♣ showed 16-17 HCP. 3♥ showed longer clubs than diamonds, and 3♠ was a cuebid. 4♣ suggested clubs as trump, unless opener bid 4♦ after this. 4♥ was another cuebid, confirming club support, and 4NT was Key Card for Clubs. 5♦ showed three keycards and 5NT announced that they held all the keycards and announced an interest in playing seven.

West had a superb hand in support of a minor two suiter with longer clubs. When East invited a grand slam, West was committed to accepting. At IMPs, they would have bid 7♣ directly, but at matchpoints, he thought he should suggest 7NT by cuebidding his ♠K on the way to 7♣.

East/West, while accomplished international players, were playing as partners for the first time. When asked by the director how many players, assuming five familiar with the E/W system, would continue to 7♣. West was certain all five would. He also thought that East's values were insufficient for her grand slam try.

Committee Findings

West held an outstanding hand in support of a club-diamond two suiter. Every high card in the hand is a trick. Additionally, there is a fourth club and a ruffing value in diamonds. If East can invite a grand slam, then West must accept. Therefore, the Committee restored the result from play: 7♣ by W, made 7, E/W +2140.

Committee Decision	7♣ by W, Made 7, E/W +2140
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Committee Members

Chair	Douglas Doub
Member	Jay Apfelbaum
Member	Ray Miller
Member	Patty Tucker
Member	Chris Moll



Subject of Appeal: Break In Tempo	Case: N5
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Event Jacoby Open Swiss	Event DIC Steve Bates
Date 03/29/2014	Session Finals

Auction

West	North	East	South
	1♥	Pass	1NT
Pass	2♥	Pass	Pass
2♠	Dbl	Pass	3♥ ¹
Pass	Pass	Pass	

Explanation of Special Calls and Points of Contention

1: Break in Tempo

Hand Record

Board 9	N	William Watson		
Dealer N	♠ 8	♥ AJ10764		
Vul E/W	♦ A72	♣ A73		
W	Michael White		E	Lewis Gamerman
♠	KQJ1063		♠	A75
♥	Q8		♥	K2
♦	Q109		♦	K653
♣	106		♣	J542
		S	Howard Liu	
		♠	942	
		♥	953	
		♦	J84	
		♣	KQ98	

Final Contract	Result of Play	Score	Opening Lead
3♥ by N	Made 4	N/S +170	♠ 5

Facts Determined at the Table

The director was summoned at the conclusion of play of the hand. South had taken 30-45 seconds to bid 3♥. East stated that the hesitation deceived him into not competing to 3♠ in the pass out seat. North's double was not for penalties and showed general strength.

Additional Factors Determined Away from the Table

Three players were polled about what action they would take with the South hand over 2♠. It was unanimous that 3♥ was the only action that any of the players would consider, and none showed any hesitation in making the call.

Director Ruling

Per Law 73F, "if the Director determines that an innocent player draws an inference from a remark, mannerism, tempo, or the like of an opponent who has no demonstrable bridge reason for the action, and who could have known at the time of the action that the action could work to his benefit, the Director shall award an adjusted score." Based upon the results of the player poll, the Director ruled that South's hesitation had no demonstrable bridge reason, and adjusted the score to 3♠ by West, making 3, E/W +140.

Director's Ruling	3♠ by W, Made 3, E/W +140
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The Appeal

The North/South players appealed the director's ruling. They and West attended the committee. South felt that his partner had shown a 1-6-3-3 pattern by his bidding sequence. He was running various hand possibilities through his mind to determine the likelihood that 4♥ might make. Possibilities included x-AKxxxx-Kxx-Axx or x-AJ10xxx-A10x-Axx. He eventually decided that the odds of game were not favorable. He felt his hand improved, holding three small spades opposite partner's presumed shortness.

East felt that South hesitated in a gamesmanship ploy to dissuade E/W from bidding a makeable 3♠ contract.

Committee Findings

While none of the Committee would have bid 4♥, they did feel the South had a rational argument for his thought process. Therefore, there was a demonstrable bridge reason for his tempo, so there was no infraction and the table result was restored.

Committee Decision	3♥ by N, Made 4, N/S +170
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Committee Members

Chair	Aaron Silverstein
Member	Jay Apfelbaum
Member	Chris Moll
Member	Patty Tucker
Member	Ray Miller



Subject of Appeal: Misinformation	Case: N6
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Event Rockwell Mixed Pairs	Event DIC Brian Russell
Date 03/26/2014	Session Second Final

Auction

West	North	East	South
Pass	Pass	1♦	Pass
1NT	2♣	Pass	Pass
Dbl	Pass	Pass	Pass

Explanation of Special Calls and Points of Contention

Hand Record

Board 8	N	Ronald DeHarpporte	
Dealer W	♠ A72	♥ 84	
Vul None	♦ 72	♣ KQ10974	
W	Wiley McMinn III		E Rosemary Kelley
♠ Q4	♥ 973		♠ K953
♦ A843	♣ A862		♥ KQ105
			♦ KQ95
	S	Peg Waller	♣ 3
	♠ J1086	♥ AJ62	
	♦ J106	♣ J5	

Final Contract 2♣X by N	Result of Play Down 1	Score E/W +100	Opening Lead ♥ Q
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Facts Determined at the Table

The director was called at the end of the play. North had asked about leads and was told that East/West play standard honor leads, coded 9s and 10s, but North was not told that the queen could be from K-Q-10, which was marked on one of the convention cards. North did not look at the convention card and did not take a trick with the ♥J. West said that he thought queen from K-Q-T was standard and that there was no attempt to deceive.

Additional Factors Determined Away from the Table

East and West both had computer printed convention cards, but they were marked differently. East's had the queen circled from K-Q-10-9, while West's showed the king..

Director Ruling

The statement that East-West play standard honor leads was incorrect. Without this statement, North clearly would have played East for the K-Q of hearts and made 2♣ doubled. This score was assigned to East/West. The auction, however, made it clear that the lead could not be from shortness. North should have either looked at the opponent's card or asked further questions. Failure to do either denied North redress. Accordingly, the assigned results were 2♣ doubled by North, N/S -100 and E/W -180.

Director's Ruling	N/S: 2♣X by N, Down 1, N/S -100 E/W: 2♣X by N, Made 2, E/W -180
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The Appeal

North appealed the ruling and attended the hearing. He explained that he did not know what to make of the opening lead, but he could see that the opponents could make a diamond part score, likely 110 or 130. He decided to take a sure minus 100, which rated to be a good score, rather than risk minus 300, which would be a zero.

Committee Findings

The Appeals Committee quickly agreed with the Director's adjustment for East/West. North was misinformed. Per Law 12C1e(ii), for an offending side, the score assigned is the most unfavorable result that was at all probable had the irregularity not occurred. With the correct information, North-South would almost certainly have scored plus 180.

While Law 12C1e(i) grants the non-offenders "the most favorable result that was likely had the irregularity not occurred, there is an exception in Law 12C1b:

"If, subsequent to the irregularity, the non-offending side has contributed to its own damage by a serious error (unrelated to the infraction) or by a wild or gambling action, it does not receive relief in the adjustment for such part of the damage as is self inflicted."

The Appeals Committee disagreed with the Director when he asserted that North ought to have looked at the E/W convention card or queried further. North asked a question and received an unequivocal answer. He had no special duty to doubt it and further inquiries could have been perceived as harassment. Even had he looked at a convention card, there was only a 50% chance that he would have seen different information.

The Committee judged that the failure to take eight tricks was an error. While minus 100 rated to be a good score, plus 180 would be even better.

It was implausible that East had led the ♥Q from a holding of four to the queen, and even less likely that East held Q-x. That would mean that West had responded 1NT with five hearts to the king and that he had then doubled 2♣. It would also leave East with a distribution where she was unlikely to sit for the double.

Was this a "serious error" in the terms envisioned by Law 12C1b? The ACBL Laws Commission has issued a guideline duplicating one from the WBF Laws Commission: A pair need not play perfectly to receive redress. The kind of serious error envisioned is one that is egregious, on the order of a revoke or ducking the setting trick against a slam.

The Committee performed a numerical analysis and concluded that while it is a slight error to win the opening lead, it is hardly a serious one. Accordingly, the Committee adjusted the score for both sides to +180 for North-South.

Committee Decision	2♣X by N, Made 2, N/S +180
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Committee Members

Chair	Adam Wildavsky
Member	Ellen Kent
Member	Ed Lazarus
Member	Craig Allen
Member	Marc Rabinowitz

Subject of Appeal:	Disputed Claim	Case:	R1
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Event	1 st Saturday A/B open Pairs	Event DIC	Nancy Watkins
Date	03/22/2014	Session	First

Auction

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

Explanation of Special Calls and Points of Contention

Hand Record

Board	6	N	950 mps		
Dealer	E	♠ J84	♥ 32		
Vul	E/W	♦ A9	♣ K109654		
W	2500 mps			E	3100 mps
♠ A972	♠ 5				
♥ J75	♥ K9				
♦ Q5	♦ J876432				
♣ Q832				♣ AJ7	
		S	9150 mps		
		♠ KQ1063			
		♥ AQ10864			
		♦ K10			
		♣ (void)			

Final Contract	Result of Play	Score	Opening Lead
4♥ by S			♦ Q

Facts Determined at the Table

The director was summoned by East/West at the sixth trick, when Declarer faced their hand. East was on lead and the defense had already won three tricks. South stated he would draw trumps, but made no statement as to what card he would play on a diamond lead. The remaining cards at this point were:

	♠ 8	
	♥ 3	
	♦ —	
	♣ K 10 9 6 5 4	
♠ 9 7		♠ —
♥ 7 5		♥ —
♦ —		♦ 8 7 6 4 3
♣ Q 8 3 2		♣ A J 7
	♠ K Q 10	
	♥ A Q 8 6 4	
	♦ —	
	♣ —	

Director Ruling

The director considered that since the claimer had not mentioned trumping high when he made his original statement, his awareness of the potential problem on the hand might be a “doubtful point” that should be resolved against the claimer (Law 70A). Since trumping high was not mentioned in the original claim statement, it should only be allowed if failing to do so would be worse than “careless or inferior for the class of player involved” (Law 70D1). The director ruled that it was not clear that declarer would trump high if a diamond were returned, and ruled that 4♥ was down one, E/W +50.

Director’s Ruling

4♥ by S, Down 1, E/W +50

The Appeal

N/S appealed the director's ruling. All four players attended the review. The reviewer discovered that the play to the first five tricks was ♦Q opening lead losing to dummy's Ace; low trump to the ten and jack: ♦5 to the jack and king; ♠3 to West's ace; spade returned and trumped by East with the king. At this point South claimed as described above. The director was called immediately. South asked the opponents what the problem was, but they remained silent and did not reveal their hands. When the director arrived, South pushed the ♥AQ8 separately from the rest of his hand. When the possibility of a diamond being returned was brought up in the director's presence, South said he would trump high if that happened. When asked in screening why he didn't mention that in his original claim statement, South said he thought it was obvious and he didn't think of saying it specifically.

Panel Findings

The panel considered whether this declarer might have lost touch with the potential danger of the hand at the point he claimed, thus creating a “doubtful point” as to whether he would trump high if a diamond were returned. Arguing against him was his failure to mention it at the point of his original claim, and in the period of time between the claim being questioned and the director arriving at the table.

However, the panel believed several factors argued in favor of allowing the claim. Clearly by his statement declarer knew trump(s) were outstanding, and they were almost certainly on his left. As well, he had seen West lead the ♦Q without the jack so the danger of West having no more diamonds was present. Finally, when the director arrived and before he had seen his opponents' hands or heard their objections he pushed the three high trumps away from the rest of his faced hand. These factors combined persuaded the panel that this declarer had a firm grasp on what was happening and trumping a diamond return high was not a “doubtful point”. The score was adjusted to 4♥ by South, making four, N/S +420.

Panel Decision

4♥ by S, Made 4, N/S +420

Panel Members

Reviewer	Matt Smith
Member	Sol Weinstein
Member	Charlie MacCracken



Subject of Appeal:	Undisclosed Agreement	Case:	R2
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Event	1 st Sunday A/X Swiss Teams	Event DIC	Peter Wilke
Date	03/23/2014	Session	Second

Auction

West	North	East	South
			1♦
1♥	1♠	4♥	Pass
Pass	Pass		

Explanation of Special Calls and Points of Contention

Hand Record

Board	19	N	1200 mps		
Dealer	S	♠	AQ984		
		♥	5		
Vul	E/W	♦	KJ10		
		♣	A764		
W	6950 mps			E	1370 mps
♠	K			♠	J53
♥	KQJ986			♥	A742
♦	Q72			♦	A3
♣	1032			♣	KQ95
		S	2630 mps		
		♠	10762		
		♥	103		
		♦	98654		
		♣	J8		

Final Contract	Result of Play	Score	Opening Lead
4♥ by W	Down 1	N/S +100	♥ 5

Facts Determined at the Table

The director was summoned near the conclusion of play of the hand. North had passed out 4♥ without any apparent problem. West claimed that N/S must have some agreement about the likelihood of South psyching. If he had this information, he would have made his contract

Director Ruling

Law 40C1 states, "A player may deviate from his side's announced understandings always, provided that his partner has no more reason to be aware of the deviation than have the opponents.... If the Director judges there is undisclosed knowledge that has damaged the opponents, he shall adjust the score and may award a procedural penalty." Law 40A3 states, "A player may make any call or play without prior announcement provided that such call or play is not based on an undisclosed partnership understanding." The Director judged that North was aware of South's propensity to psych and initially adjusted the result to 4♠ by North, down 2, E/W +300, but as the Review began, a correction was made to down 1, E/W +100.

Director's Ruling	4♠X by N, Down 1, E/W +100
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The Appeal

Both sides appealed the director's ruling, and North, South and West attended the review. N/S were asked, as a result of the change in ruling, if they wanted to withdraw their appeal. They wished to proceed as they wanted the table result to stand. N/S said psyching was perfectly legal, and any adjustment to the table result would be an attempt to deny the right to psych. North said that when vulnerable opponents voluntarily bid 4♥, he decided South must have psyched.

N/S produced their convention card, which said, in two places, that N/S have an obstructive bidding style. N/S also claimed that this was the first psych by South in this tournament. N/S do not have many masterpoints but were both experienced rubber bridge players. South was known by the Reviewer to be an excellent player.

West claimed he would have made 4♥ if he had any clue that North might have passed with the hand he held. The play was: trump lead and a trump to dummy; a spade to the King and Ace; a small club to the King and a spade ruff; ♥6 to dummy's 7 and a spade ruff; a club ducked to the J and a diamond exit. West is also very experienced despite a low masterpoint holding.

Panel Findings

Several Flight A players were given the North hand, and taken through the auction. They were told to assume a hyper aggressive style that believed in obstructing the opponents. All bid 1♠ at first turn, then doubled in pass out seat. When reminded of the vulnerability, and asked if something funny might be going on, all said a psych hadn't been revealed yet, so their values had to be shown.

The Panel decided the E/W appeal first. There was no legal way to allow West to make 4♥, since there was no lawful way for him to be given the knowledge needed to make 4♥. That appeal was rejected, but an Appeal without Merit Warning was not considered.

The Panel then considered the N/S appeal. It concluded that N/S had indeed violated Laws 40A3 and 40C1. The Panel did not allow North to field the psych, and assigned a result of 4♠X by North, down 1, E/W +100 for both sides. An Appeal without Merit Warning was given to N/S, as they should have known their Appeal could not succeed. N/S were also given a 3 VP procedural penalty, as the pass of 4♥ was deemed to be sufficient evidence of an undisclosed partnership understanding.

Panel Decision	4♠X by N, Down 1, E/W +100
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Panel Members

Reviewer	Gary Zeiger
Member	Eric Bell
Member	Matt Smith

Subject of Appeal: Break In Tempo	Case: R3
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Event	10K Knockout Teams	Event DIC	Kenneth Van Cleve
Date	03/25/2014	Session	Round of 16


Auction

West	North	East	South
Pass	1♣ ¹	1♥	2♥ ²
Pass	3♠ ³	Pass	4♣ ⁴
Pass	4♠ ⁵	Pass	6♠
Pass	Pass	Pass	

Explanation of Special Calls and Points of Contention

1: Strong, Artificial, Forcing
2: 6+ ♠, invitational+
3: Slam try
4: Cuebid (control)
5: Break in Tempo

Hand Record

Board	20	N	5700 mps
Dealer	W	♠ J983	
		♥ AQ7	
		♦ K9	
		♣ AKQ5	
Vul	Both		
W	460 mps		
♠	654		
♥	J105		
♦	J105		
♣	J1064		
		S	4250 mps
		♠	AKQ1072
		♥	63
		♦	8632
		♣	8

Final Contract	Result of Play	Score	Opening Lead
6♠ by N	Made 6	N/S +1430	♦ A

Facts Determined at the Table

The director was summoned after the 6♠ bid and at the conclusion of play of the hand. East/West stated that North had broken tempo prior to bidding 4♠. E/W estimated the hesitation as about 20 seconds. North/South agreed to a hesitation, but of only 10-15 seconds.

Additional Factors Determined Away from the Table

In order to determine if pass by South over 4♠ was a logical alternative, the hand was given as a bidding problem to four players from the same event who were all familiar with forcing club systems. All four passed.

Director Ruling

The director decided that an unmistakable hesitation had occurred and that it demonstrably suggested not passing 4♠. Based upon the polling data, the director adjusted the contract to 4♠ by South. Since the lead of the ♦A did not seem likely against a contract of 4♠, the score was assigned as eleven tricks for N/S +650 (Laws 16 and 12).

Director's Ruling	4♠ by N, Made 5, N/S +650
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The Appeal

N/S appealed the director's ruling, and all four players attended the review. All confirmed to the reviewer that the hesitation was lengthy and noticeable by all (and perhaps even longer than the director was told).

N/S told the reviewer that they play Turbo over positive responses to a forcing club, but there was some partnership confusion about whether it applied here since the 2♥ bid did not guarantee game-going values. North thought it applied, but South did not. When it does apply, over the 3♠ slam try, South is expected to bid 3NT with two key cards; bid 4♠ with none; and cue bid with an odd number.

South said that when her partner did not cue bid either 4♦ or 4♥ over 4♠, she knew he must be thinking Turbo applied (N/S said they cuebid first and second round controls indiscriminately in this situation). At the end of the auction, they did explain to the opponents that a possible misunderstanding about whether Turbo applied had probably occurred

Panel Findings

The panel agreed that there was unauthorized information from North's slow 4♠ bid and that the information suggested not passing. The South hand was given to three experts as a bidding problem (Bart Bramley, Geoff Hampson, and Pamela Granovetter).

One said pass was not possible. Another said it was, and cited a hand of Jxx-Kx-KQ-AKQJ10x as a possible North hand. The third mentioned a very similar hand as the second consulted expert and actually did pass 4♠. The last two experts were not persuaded that either the stated cuebidding methods of the pair were relevant or that South would necessarily work out what North was thinking by the very fact of his 4♠ bid.

The panel combined the polling conducted by the table director to its own polling to decide that pass was a logical alternative. The panel also concurred with the table director on the number of tricks that should be assigned in a 4♠ contract. As the non-offending side, E/W are entitled to the most favorable result that was likely had the irregularity not occurred (Law 12C1e), which would include the strong likelihood of a different lead being made against the assigned contract of 4♠. The lead of the ♦A was not close to being judged a "serious error" which would have cost E/W its right to redress (Law 12C1b), so the panel confirmed the adjustment of 4♠ by North, making five, N/S +650.

The appeal was found to have merit since the original director poll may have been conducted with incomplete knowledge of the N/S methods and arguments, and because one of the consulted experts was adamant that pass was not a possible action over 4♠.

Panel Decision	4♠ by N, Made 5, N/S +650
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Panel Members

Reviewer	Matt Smith
Member	Eric Bell
Member	Kevin Perkins

Subject of Appeal: Break In Tempo	Case: R4
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Event	Thurs Stratified Swiss Teams	Event DIC	Peter Wilke
Date	03/27/2014	Session	First


Auction

West	North	East	South
			Pass
1♣	1NT ¹	Pass ²	2♣ ³
Pass	2♠	Pass	Pass
3♣	Pass	Pass	Pass

Explanation of Special Calls and Points of Contention

1: 14-17 HCP
2: Break in Tempo
3: Stayman

Hand Record

Board	11	N	7500 mps		
Dealer	S	♠	KQJ9		
		♥	A2		
Vul	None	♦	AJ103		
		♣	1063		
W	500 mps			E	200 mps
♠	6			♠	A753
♥	K74			♥	Q96
♦	876			♦	K942
♣	AKJ854			♣	Q2
		S	6000 mps		
		♠	10842		
		♥	J10853		
		♦	Q5		
		♣	97		

Final Contract	Result of Play	Score	Opening Lead
3♣ by W	Made 3	E/W +110	♠ K

Facts Determined at the Table

The director was summoned after the 3♣ bid and again at the conclusion of play. North explained that East had hesitated approximately 15 seconds before passing following the 1NT overcall.

Additional Factors Determined Away from the Table

The Director gave the West hand to four players with approximately 2000 MP each, and three passed out 2♠.

Director Ruling

Having used the poll to determine that Pass was a logical alternative, the Director decided that there was an unmistakable hesitation by East during the auction. Judging that the hesitation demonstrably suggested not passing, they adjusted the score on the board to 2♠ by North, making two, N/S +110, per Laws 16B, 73C, and 12C1e.

Director's Ruling	2♠ by N, Made 2, N/S +110
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The Appeal

E/W appealed the ruling. They contended that there had been no significant time taken by the East player. Each of the four players was asked in turn to estimate the time taken: North claimed a minute; South demurred, and said it was less than that. When timed with a stopwatch, they felt eight seconds was about right.

West claimed that “there was no break in tempo, maybe 7 seconds, or less.” West stated that they “would always bid 3♣.” East felt that she had a problem with her hand about what to bid, but agreed with her partner that it took her no more than about 7-8 seconds.

A poll was taken of about 15 players in the 300-1200 masterpoint range, given the West hand. Most doubled the 2♣ bid, or bid 3♣ immediately. Of the six who chose to pass South’s 2♣, two passed 2♠ as well.

Panel Findings

The panel felt that 7-8 seconds was sufficient to suggest interest in the auction and consideration of a call, thus making the 3♣ bid more attractive. The polls showed a sufficient minority who would have passed, making that a logical alternative under Law 16B1. The panel cancelled the 3♣ bid and rolled the contract back to 2♠.

It was noted that even though the break in tempo took place in the first round of the auction, it could still influence a call made by partner at their third turn. The Law does not restrict the use of unauthorized information just to the partner’s next turn.

The panel considered the play in 2♠S. While it could be defeated by repeated trump leads, the panel (as well as two expert-level players consulted on the matter) felt that the contract would make two the majority of the time. Law 12C1e instructs that when a score is adjusted the offending side receives the “most unfavorable result that was at all probable” and the non-offending side receives “the most favorable result that was likely”. Therefore, the result was ruled to be 2♠ by North, making two, for N/S +110.

Since further competition with the West hand was the majority action, and since there was some question of the length of East’s pause, it was felt that the appeal did have some merit, so no Appeal without Merit Warning was given.

Panel Decision	2♠ by N, Made 2, N/S +110
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Panel Members

Reviewer	David Metcalf
Member	Matt Smith
Member	Gary Zeiger



Subject of Appeal: Misinformation	Case: R5
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Event Red Ribbon Pairs	Event DIC Michael Flader
Date 03/27/2014	Session Second Qualifying


Auction

West	North	East	South
		1♠	1NT ¹
2♠	2NT ²	3♠	Pass
Pass	Pass		

Explanation of Special Calls and Points of Contention

1: 14-16 HCP
2: Lebensohl; No alert

Hand Record

Board	10	N	1600 mps		
Dealer	E	♠ 9	♥ 1084		
Vul	Both	♦ QJ654	♣ 10843		
W	900 mps			E	1400 mps
♠ Q85				♠ KJ10643	
♥ 732				♥ AQ	
♦ 93				♦ K107	
♣ AQJ96				♣ 75	
		S	1300 mps		
		♠ A72			
		♥ KJ965			
		♦ A82			
		♣ K2			

Final Contract	Result of Play	Score	Opening Lead
3♠ by E	Made 4	E/W +170	♠ 2

Facts Determined at the Table

The director was called by E/W after the completion of play. 2NT was not alerted, but was Lebensohl according to partnership agreement. West told the Director that he would have bid 4♠ if he had been given the correct information.

Director Ruling

The Director felt that E/W received misinformation, and that the damage to E/W was a direct consequence of the misinformation. Therefore, they adjusted the result to 4♠ by East, making 4, E/W +620, in accordance with Law 21B3.

Director's Ruling	4♠ by E, Made 4, E/W +620
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The Appeal

North/South appealed the ruling. They agreed that there had been misinformation, but thought that West had sufficient clues available to him to suspect a problem; and even if the correct information had been given, it was not at all clear that E/W would have bid game.

West claimed that "he would have accepted over an invitational 3♠ bid", but on further questioning, agreed that the 3♠ bid chosen by East was competitive, not invitational. East intended her 3♠ bid to be competitive, and said she would have been surprised to hear her partner continue on to game. She could have doubled or bid another suit to invite to game. When asked what she would have done had North passed, she said that with a 7-loser hand she would have passed as well.

Panel Findings

Given that E/W were not in an invitational sequence, it was deemed unlikely that they would have gotten to game, even if they had been given the correct information. It was never East's intention to invite game, and she never considered an invitational call. There was no reason, therefore, for West to bid a game.

The panel felt that, while there was an infraction, no damage had occurred, and it restored the table result of 3♠ by East, making 4, for E/W +170. Since the ruling was overturned, there was no consideration of the merit of the appeal.

Panel Decision	3♠ by E, Made 4, E/W +170
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Panel Members

Reviewer	David Metcalf
Member	Matt Smith
Member	Matt Koltnow