

APPEAL	NABC+ SIX
Subject	Misinformation (MI) – Failure to Alert
DIC	Henry Cukoff
Event	Wernher Open Pairs
Session	First Qualifying
Date	July 22, 2008

BD#	28
VUL	N/S
DLR	West

Sam Punch	
♠	Q 4 2
♥	A J 4
♦	K 7 6 3 2
♣	6 2

Marta Peltz		Summer 2008 Las Vegas, NV	Andy Vinock	
♠	K T 9		♠	A J 8 7 3
♥	7 6 3		♥	Q
♦	T 9 4		♦	8 5
♣	A Q J 8		♣	K T 9 7 3

Stephen Peterkin	
♠	6 5
♥	K T 9 8 5 2
♦	A Q J
♣	5 4

West	North	East	South
	2♦	Pass	2♥ ¹
Pass	3♥	Pass	Pass
Pass			

Final Contract	3♥ by South
Opening Lead	♠T
Table Result	Made 5, N/S +200
Director Ruling	3♥ S, making 5, N/S +200
Committee Ruling	3♥ S, making 5, N/S +200

(1)	Not Alerted – agreement is non-forcing..
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The Facts: The director was called at the end of the auction. South informed E/W of the failure to Alert. The director asked West if she would like to withdraw her final pass with the correct information (i.e. that 2♥ was non-forcing). West said, “No.”

East was asked away from the table what he would have done with timely and correct information. He said he would double 3♥ for takeout.

The Ruling: It was judged that East was unlikely to bid or double with correct information. The failure to Alert was not the cause of damage; therefore, in accordance with Laws 40C and 12C2, the table result of 3♥ by South making five, N/S plus 200 was allowed to stand.

The Appeal: All four players attended the hearing.

East claimed he would have doubled 3♥ if Alerted but passed in the hope that the opponents would not get to game. If they did bid game, he was planning to bid 4♠ over 4♥. West said she would have responded 3♠ had East doubled 3♥. The opening lead was the ten of spades, followed by the spade king and another spade.

The Decision: The committee felt that East's actions rather than the MI resulting from the failure to Alert were the cause of the E/W damage. Even if it could be presumed that South would normally bid again after getting a raise to his forcing 2♥ response, there was no obligation on his part to do so since "forcing" would not necessarily have meant "game forcing." Furthermore, East's range of choices was either to double 3♥ (his preferred action if 2♥ had been Alerted) or to bid 4♠ over 4♥-P-P (assuming that South bid again). The committee thought double of 3♥ clearly superior to 4♠ over 4♥ no matter what the meaning of 2♥ was, and it was not persuaded by East's argument in favor of pass in the hope of a N/S error. A player who rejects a clear action in the hope that his opponents will do the wrong thing is not well-placed to complain when the opponents go right. All of E/W's contentions seemed of a self-serving nature. The committee agreed with the director's ruling of allowing the table result of 3♥ by South making five, N/S plus 200 to stand.

The committee strongly felt that East should have known not to bring this appeal. Therefore, it assessed an appeal without merit warning (AWMW) to E/W.

The Committee: Ron Gerard (Chair), Abby Heitner, Mike Kovacich, Danny Sprung and Eddie Wold.

Commentary:

Goldsmith I don't think this is as open-and-shut as the committee (AC) did. Before finding out the result (though after finding that South will pass 3♥), East said he'd double 3♥ if he knew that 2♥ was non-forcing. The MI (that South ostensibly has a strong hand vs. a weak one) strongly suggests the actual choice over the alternative more successful action. So the judgment call is whether doubling 3♥ is a likely action. The AC deemed that it was not, but I'm not convinced. Is the information from the rest of the auction (South's pass of 3♥) enough to suggest that East's claim that he'd double 3♥ given the correct information is likely to be biased? No, that information is essentially the MI---South passed because he had a hand that will bid 2♥ non-forcing instead of one which will bid 2♥ forcing. So I think I'd accept East's double.

Is East's double of 3♥ automatic regardless of the MI? I don't think it is. I think the plan to bid 4♠ over 4♥ and pass over 3♥ is at least a reasonable if not a majority action. The AC disagrees with this judgment. They may be right, but experience shows that bridge players' decisions vary greatly; I suspect that a group of East's peers would be split between the two plans without overwhelming support for either. Some would plan to pass throughout.

Goldsmith Cont.

What are the likely and probable results after a double of 3♥? West could bid 3♠ or 4♣ over the double. 4♣ seems pretty strongly indicated; East is known to have long clubs and could have only four spades. South could bid 4♥ first, in which case, West will have a problem and will probably pass, as partner didn't act over 2♦. Overall, I think the likely results are (for E/W) plus 130, minus 50, minus 650, and plus 100. At all probable results are plus 140 and plus 170. Other possible results are plus 420 and plus 200 (4♥ doubled down one). I expect others to judge differently, but assuming those ratings, then Law 12C2 requires us to award minus 170 to N/S and plus 130 to E/W.

Was the E/W bad result a consequence of the MI, or was it due to their mis-defending 3♥? Since they can't get plus 130 (or even minus 50) vs. 3♥, E/W's mis-defense is irrelevant.

- Polisner** Excellent. No two bites allowed.
- Rigal** A harsh but not unreasonable decision by the committee. Once East failed to double the clearly non-forcing 3♥ call, he really did not deserve a second chance. After all he already knew the opponents' approximate hand patterns and heart fit. If you don't double 3♥ now, when will you?
- Smith** I am a bit surprised at the AWMW here, but obviously the committee did a very thorough job on the case. It was not even close to being convinced by E/W.
- Wildavsky** The case is not clear-cut. N/S failed to properly inform their opponents, and the MI made the winning action less attractive. With proper information it seems at least at all probable that East would have doubled, and I might judge it likely. E/W's arguments did not help their case, but the appeals committee did not need to attach overwhelming importance to them. The facts of the case speak for themselves. I'd have adjusted the score for both sides to E/W plus 130 in 4♣, so I certainly don't agree with the AWMW.
- Wolff** Okay ruling, but, if the committee thinks it wise, and I do, it is very important to Alert weak two-bid responses not being forcing, so a small procedural penalty is again in order.