

APPEAL	Non-NABC+ Twenty-one
Subject	Misinformation (MI)
DIC	Matt Koltnow
Event	Stratified Open Pairs
Session	Second
Date	July 26, 2008

BD#	8
VUL	None
DLR	West

10,336 Masterpoints	
♠	8 5 2
♥	A K 7 6
♦	Q 9 7
♣	A Q T

2,195 Masterpoints		Summer 2008 Las Vegas, NV	5,204 Masterpoints	
♠	K 6 4 3		♠	A Q T 7
♥	J 8 2		♥	Q T 9
♦	K 3		♦	A 4
♣	9 7 5 3		♣	K J 6 4

10,399 Masterpoints	
♠	J 9
♥	5 4 3
♦	J T 8 6 5 2
♣	8 2

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

Final Contract	3♦ by South
Opening Lead	♠4
Table Result	Made 3, N/S +110
Director Ruling	3♦ S making 3, N/S +110
Panel Ruling	3♦ S making 3, E/W -110 3♦ S down 2, N/S -100

(1)	Explained as minor suit Stayman (MSS); actual agreement is MSS or diamond bust.
(2)	No 4-card minor.
(3)	To play.

The Facts: The director was called after the hand. The facts were determined as above.

The play was:

1. Spade lead to the ace.
2. Spade to the king.
3. Spade ruffed by South.
4. Diamond to the king.
5. Diamond to the ace.
6. Fourth spade giving declarer a ruff and sluff.

The Ruling: Even though there was MI, the director determined that the MI did not cause damage to E/W in either the auction or play. The director judged that damage to E/W had no connection to the incomplete explanation of the 2NT bid. Therefore the table result of 3♦ by South making three, N/S plus 110 was allowed to stand.

The Appeal: Only South and West appeared at the review.

E/W acknowledge that their defense left much to be desired but felt that the failure to disclose that 2♠ could show a diamond bust was something a top pair should not do. E/W believed that the N/S score should be adjusted.

N/S said there was no intent to deceive. Their agreement is common in the Pacific Northwest, and they have always described it as MSS.

The Decision: The panel determined that E/W's result was not directly caused by the MI. However, both North and South have over 10,000 masterpoints and a high standard regarding full disclosure is expected. Therefore, the panel allowed the table result of 3♦ by South making three, E/W minus 110 to stand for E/W and adjusted the N/S result to the most unfavorable result at all probable of 3♦ by South down two, N/S minus 100 (Laws 47E2(b) and 75).

The Panel: Mike Flader (Reviewer), Su Doe and Bernie Gorkin.

Commentary:

Rigal This is well-trodden material (we've seen this precise point in a case involving Cayne/Weinstein as the non-offenders about 12 years ago). It was deemed that the failure to explain was MI; although East already knew that at his last call. After winning the second diamond did not East see dummy and know he had a 100% beat of the hand by playing a club? I cannot see E/W deserve anything; I like the split ruling.

Smith I must confess that I am shocked at the panel's decision in this case. What on earth did E/W think was happening when 3♦ was passed? I would expect even those with vastly less experience than E/W to understand what was going on. I'm not sure I even understand what E/W wanted. The damage to E/W was caused entirely by themselves, and in my opinion the panel did N/S a true injustice by adjusting their score. Maybe I would feel better about this ruling if the panel had actually polled some peers to see what they thought, but I doubt it. This appeal had no merit whatsoever.

Wildavsky I see no UI here. Just as Major Suit Stayman asks for a 4-card major but does not promise both majors, Minor Suit Stayman asks for a 4-card minor but does not promise both minors. North's pass was an eloquent indication that South could hold a diamond signoff. I prefer the director's ruling to that of the panel's.

Wolff The ruling is satisfactory except for one factor. E/W are not deserving of plus 100, simply because East might have acted immediately (system possibly allowing it) allowing them to score up either plus 170 or plus 420. E/W's terrible defense should cost them minus 110 while it seems fair to me to award N/S minus 100 for a faulty explanation. This discourse seems very important, at least to me.