



American Contract Bridge League

Presents

Sun Valley Shenanigans



Appeals at the 2002 Fall NABC
and the 2002 U.S. Bridge Championships

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Abbreviations used in this casebook:

AI	Authorized Information
AWMW	Appeal Without Merit Warning
BIT	Break in Tempo
CC	Convention Card
LA	Logical Alternative
MP	Masterpoints
MI	Misinformation
PP	Procedural Penalty
UI	Unauthorized Information

FOREWORD

We continue our presentation of appeals from NABC tournaments. As always, our goal is to inform, provide constructive criticism, and foster change (hopefully) for the better in a way that is not only instructive, but entertaining and stimulating.

At NABCs, appeals from non-NABC+ events (including side games, regional events and restricted NABC events) are heard by Director Panels while appeals from NABC+ events are heard by the National Appeals Committee (NAC). Both types of cases are reviewed here.

Each panelist is sent all cases and invited to comment on and rate each Director ruling and Panel/Committee decision. Some panelists may choose not to comment on every case. Ratings (averaged over panelists and expressed as percentages) are presented with each write-up and in a summary table at the end. Separate summaries for Panels, Committees and all cases combined are included in the table.

The numerical ratings are intended as a general index of Director, Panel, and Committee performance. They are not intended nor should they be used to compare the performance of Directors with Panels/Committees; each group is evaluated on different criteria. Directors are rated on their handling of situations at the table, including determining facts, applying appropriate laws, and making rulings which allow the game to progress normally. Their rulings may be reviewed and possibly overturned on appeal. Panels/Committees are rated on their fact finding, application of law, and use of bridge judgment appropriate to the level of event and the players involved. (Director Panels are expected to obtain bridge advice from appropriate players where a decision involves bridge judgment; their choice of consultants and use of the input received may affect their ratings). Ratings may also be affected by panelists' views of PPs and/or AWMWs that were assessed or should have been.

Table rulings are usually made after consultation among Directors, including the DIC of the event (who is responsible for the final ruling). This is true even if we occasionally refer to a ruling as the table Director's. At management's request, only the DIC's name is included in each write-up. Additionally, we should bear in mind that we see here only a subset of all table rulings—those with which some players disagreed. To that extent they may not be representative of all rulings made.

Ambiguity Department. Write-ups often refer to “an x-second BIT.” Our policy is to treat all tempo references as the *total time* taken for the call (unless otherwise specified) and *not* how much longer than “normal” the call took (which poses the additional problem of what is normal for the situation). Chairmen and scribes should adjust their reports accordingly.

Mild Disclaimer Department. While we make every effort to insure that write-ups are complete and accurate, we cannot offer any guarantees. Since even minor changes in the reported facts can affect our evaluations, the opinions expressed are valid only for cases which match the reported facts. Otherwise, the discussions here should be regarded merely as theoretical exercises.

Suggestions for improvements are welcome. They may be sent via e-mail to: Rich.Colker@acbl.org or via USPS to the editor, c/o ACBL in Memphis.

Finally, my thanks go to everyone whose efforts contribute to these casebooks: the scribes, reviewers and chairmen who labor to chronicle the details of each case; the panelists for their hard work and devotion to a truly arduous task for which they receive only our praise (and occasional abuse); and, of course, Linda Trent, my assistant editor. My sincere thanks to all of you. I hope my efforts have not in any way diminished your good work.

Rich Colker
May, 2003

THE EXPERT PANEL

Karen Allison, ageless, was born in Brooklyn and is a graduate of Brooklyn College. She currently lives in Las Vegas, NV, with her three cats, Stella, Blanche and Stanley—and is loving it. A former options trader, Karen is currently a bridge teacher and writer. When she isn't "catting" around she enjoys traveling, reading, the theater and concerts. She has served on the National Laws Commission since 1982 and has worked on several revisions of both the Laws of Contract and of Rubber Bridge. Karen is proudest of her silver medal for the Women's Teams in Albuquerque in 1994 and of winning the CNTC and representing Canada in the Open Teams Olympiad in Monte Carlo in 1976. More recently, at the 2002 World Women's Pairs in Montreal she and partner Peggy Sutherlin placed "as close to a medal as one can without getting one...sigh."

Bart Bramley, 55, was born in Poughkeepsie, NY. He grew up in Connecticut and Boston and is a graduate of MIT. He currently resides in Chicago with his longtime companion Judy Wadas. He is a stock options trader at the CBOE. Bart is a sports fan (especially baseball and specifically the NY Yankees), a golf enthusiast, a Deadhead and enjoys word games. He was 1997 Player of the Year. His NABC wins include the 1989 Reno Vanderbilt and the 1997 Reisinger. In 1998 he was second in the World Par Contest and third in the Rosenblum Teams. He also played in the 1991 Bermuda Bowl and captained the 1996 U.S. Olympiad team. Bart is currently the chairman of the ACBL Conventions and Competition Committee.

Jon Brissman, 58, was born in Abilene, TX. He attended Purdue University and earned a B.A. from Parsons College, an M.A. from Northeast Missouri State University, and a J.D. from Western State University College of Law. He operates a small law office in San Bernardino, California, teaches at the Los Angeles College of Chiropractic, and serves as a judge pro tem in small claims and municipal court. He served as Co-Chairman of the National Appeals Committee from 1982-88 and 1997-2002. A Good Will Committee member, he believes that a pleasant demeanor coaxes forth his partnership's best efforts.

David Burn, 45, was born in Bulawago, Southern Rhodesia, and currently resides in London, England, where he is an IT consultant. His hobbies include theater, music, reading, cooking (and drinking). David has coached a number of British Teams in International competition. He is currently the chairman of the EBU's Law and Ethics Committee and a member of the EBU's Selection Committee. His proudest bridge accomplishment is finishing fourth in the 2000 World Olympiad. He wishes the bridge world would bid and play in tempo.

Larry Cohen, 44, was born in New York City and is a graduate of SUNY at Albany. He currently resides with his wife, Maria, in Boca Raton, Florida. He is a former computer programmer and options trader but presently makes his living from writing/publishing bridge books/articles/software and playing bridge professionally. Larry has played bridge in special invitational tournaments in a dozen different countries. His biggest passion/hobby is golf and watching sports, especially his beloved Yankees. He has won seventeen National Championships and was second in the 1998 World Open Pairs and third in the 2000 World Teams Olympiad. He also won the 2002 ACBL Player of the Year award.

Ralph Cohen, 76, was born in Montreal, PQ. He currently resides in Memphis, TN. He has held several positions with the ACBL from 1971 until 1991 including Executive Director from 1984 to 1986. He has been a member of ACBL Laws Commission since 1984 and is currently a Co-Chairman. He is a Vice-Chairman of the WBF Laws Committee. He wrote the *Ruling the Game* column for two years along with other contributions for *The ACBL Bridge Bulletin*. He represented Canada in the World Team Olympiad in 1964 and has won four National

Championships. He has been attending NABCs since 1947.

Ron Gerard, 59, was born in New York. He is a graduate of Harvard and Michigan Law School (JD). He currently resides in White Plains, NY with his wife Joan (District 3 Director), where he is an attorney. Ron is a college basketball fan and enjoys classical music and tennis. He is proudest of winning both the Spingold and Blue Ribbon Pairs in 1981. Each year from 1990 to 1995 he made it to at least the round of eight in the Vanderbilt; he played in three finals (winning in Fort Worth in 1990) and one semi-final without playing once on a professional team.

Jeff Goldsmith, 41, was born near Schenectady, NY. He has lived in Pasadena, CA, for the last 20 years. He graduated from Rensselaer Polytechnic Institute and Caltech. He is a software engineer, focusing on computer graphics and animation and internet programming, all with a heavy mathematical perspective. He created computer animation for JPL for several years, including the movies about Voyager's encountering Uranus. He ice dances and plays many other games, particularly German board games. His web site (<http://www.gg.caltech.edu/~jeff>) contains lots of bridge and other material.

Ton Kooijman, 61, was born in Rotterdam, The Netherlands, and currently resides in Gouda with his wife Annelie. He has two grown children. Ton is an inspector in agricultural schools, higher vocational schools and a university. In his spare time he enjoys stamp collecting, reading and wine. He is one of three Chief Tournament Directors in the European Bridge League, Chairman of the Dutch National Appeal Committee, Operations Director of the WBF (since 1991), and a member (since 1993) and Chairman (succeeding Edgar Kaplan) of the WBF Laws Committee.

Mike Passell, 55, was born in Yonkers, New York. He currently resides in Plano, Texas, with his wife Nancy and daughter Jennifer. Mike, one of the ACBL's top professional players, enjoys movies and playing golf and softball. He ranks #2 all-time in masterpoints and holds the most ACBL regional titles (eat your heart out, Soloway). He won the Bermuda Bowl in 1979, the World Transnational Teams in 2001, and has victories in all four of the major NABC team events. He has enjoyed serving on the ACBL Hall of Fame and National Appeals Committees.

Jeffrey Polisner, 63, was born in Buffalo, NY and currently resides in Northern CA where he has been a practicing attorney since 1967. He is a graduate of Ohio State University (BS) and obtained his JD from Case Western Reserve. He is currently the WBF Counsel and former ACBL League Counsel. He is a member of the ACBL and WBF Laws Commissions and former Co-Chairman of the ACBL National Appeals Committee.

Barry Rigal, 45, was born in London, England. He currently resides in New York City with his wife, Sue Picus. A bridge writer and analyst, he contributes to many periodicals worldwide and is the author of the book, *Precision in the Nineties*. He enjoys theater, music, arts, and travel. Barry is also an outstanding Vugraph commentator, demonstrating an extensive knowledge of bidding systems played by pairs all over the world. He coached the USA I team to the Venice Cup in 1997. He is proudest of his fourth-place finish in the 1990 Geneva World Mixed Pairs and winning the Common Market Mixed Teams in 1987 and the Gold Cup in 1991. In 2003 he was appointed chairman of the ACBL National Appeals Committee.

David Stevenson, 56, was born in Kumasi, Gold Coast. He currently resides in Liverpool, England with his wife Elizabeth, cat Nanki Poo, and new kitten Minke. His hobbies include anything to do with cats and trains. David has won many titles as a player, including Great Britain's premier pairs event, the EBU Grand Masters, twice. He was the Chief Tournament Director of the Welsh Bridge Union, is active internationally as a Tournament Director and serves on WBF Appeals Committees.

Dave Treadwell, 90, was born in Belleville, NJ, and currently resides in Wilmington, DE. He is a retired Chemical Engineer, a graduate of MIT, and was employed by DuPont for more than 40 years where he was involved in the production of Teflon for introduction to the marketplace. He has three grown children, three grandchildren and two great-grandchildren. His hobbies include blackjack and magic squares. The bridge accomplishment he is proudest of is breaking the 20,000 masterpoint barrier. He believes bridge can be competitive and intellectual, but above all can be and must be fun.

Howard Weinstein, 50, was born in Minneapolis and graduated the University of Minnesota. He is a retired options trader who currently resides in Sarasota, FL, with his fiancée (the wedding is planned for this fall). His brother, sister and parents all reside in Minneapolis. His parents both play bridge and his father is a Life Master. Howard is a sports enthusiast and enjoys playing golf. He is co-chair of ACBL Ethical Oversight Committee, former chair of Conventions and Competition Committee, and former National Appeals Committee member. He has won eight National Championships and represented the USA in the 2000 World Teams Olympiad (where his team finished third).

Adam Wildavsky, 43, was born in Oberlin, Ohio, but grew up in Berkeley and Oakland CA. He currently resides in New York with long-time companion Ann Raymond. He is the proprietor of Tameware LLC, a New York computer consulting company specializing in Extreme Programming. Adam is appeals editor for the Greater New York Bridge Association. He's won three National Championships, most recently the 2002 Reisinger BAM teams. His hobbies include reading science fiction and playing with the Apple Macintosh. His study of the laws is informed by his study of Objectivism, the philosophy of Ayn Rand.

Bobby Wolff, 70, was born in San Antonio and is a graduate of Trinity U. He currently resides in Dallas, TX. His father, mother, brother and wives all played bridge. Bobby is a member of the ACBL Hall of Fame as well as a Grand Life Master in both the WBF and the ACBL. He is one of the world's great players and has won ten World Titles and numerous National Championships including four straight Spingolds (1993-96). He served as ACBL president in 1987 and WBF president from 1992-1994. He has served as tournament recorder at NABCs and is the author of the ACBL active ethics program. Among his pet projects are eliminating both Convention Disruption (CD) and Hesitation Disruption (HD).

CASE ONE

Subject (Tempo): The Pause That Refreshes

Event: NABC Open BAM Teams, 01 Dec 02, First Qualifying Session

Bd: 27	William Pettis		
Dlr: South	♠ 1074		
Vul: None	♥ 9		
	♦ 8642		
	♣ K9763		
Robert McKinnon	Robert Grubb		
♠ K83	♠ AQJ52		
♥ AQ108	♥ 54		
♦ Q9753	♦ K		
♣ J	♣ Q10842		
	Fred Allenspach		
	♠ 96		
	♥ KJ7632		
	♦ AJ10		
	♣ A5		
West	North	East	South
Pass	Pass	1♠	Pass
2♥	Pass	2♠(1)	Pass
3♠	Pass	4♠	All Pass
(1) BIT			

The Facts: 4♠ made four, +420 for E/W. The opening lead was a low heart. N/S called the Director after East's 4♠ bid saying that East had hesitated before his 2♠ bid. The Director instructed that play continue, later ruling that passing 2♠ was not an LA for West and allowing the table result to stand.

The Appeal: N/S appealed the Director's ruling. Both sides agreed that East took approximately 15 seconds to bid 2♠. N/S believed that it was not sufficiently clear to allow West to bid 3♠ given East's BIT. E/W believed that West's hand contained sufficient extra values beyond the minimum needed for his cue-bid to make it correct for him to bid over East's signoff. South's pass over 1♠ suggested near-minimum opening values, increasing the chance of East's having extras. In response to the Committee's questions it was discovered that E/W played wide-ranging overcalls in all positions; thus, East's 1♠ bid could have been

made on as little as ♠AQxxx and out. West's 2♥ bid showed support and roughly a good 10 HCP or more (i.e. standard). E/W said they did not vary the strength requirements for their overcalls or the responses thereto in the balancing versus the direct seat. The play had gone: low heart to the queen; diamond to the king and ace; low heart to the ace, ruffed by North; low club to the ace; ♥K, ruffed by declarer (East); club ruff in dummy; ♦Q, after which declarer took the remaining tricks on a crossruff.

The Committee Decision: The Committee believed that it would not be at all surprising for the limit of the hand to be eight tricks in a spade contract, given how weak a hand East might have held for his 1♠ bid. A hand as good as ♠AQxxx ♥xx ♦xx ♣Kxxx would typically produce only eight tricks on a trump lead, so there was a significant risk of going down in a three-level (or higher) contract if West bid over 2♠. Thus, the Committee judged that pass was an LA to 3♠ for West. The Committee also believed that West's 3♠ bid was demonstrably suggested by the UI from the slow 2♠ bid. (Anecdotally, one Committee member held the West hand in an auction which started identically to the one here—including the BIT—except East bid 3♣ after he hesitated. The Committee member recalled thinking at the table that he would have been constrained to pass if East had bid only 2♠.) The Committee next considered the quality of N/S's defense of 4♠. Either of the N/S players could have prevented club ruff(s) in dummy by leading trumps at trick four or five, which would have given declarer a tougher time of it. However, given the favorable lie of the diamonds and the favorable break of the remaining trumps declarer still could have taken ten tricks by setting up dummy's diamonds with one

ruff. Thus, even though the defense was perhaps inferior, no other line would have assured the defeat of the contract. Therefore, the contract was changed to 2♠ made four, +170 for E/W.

DIC of Event: Henry Cukoff

Committee: Doug Doub (chair), Larry Cohen, David Stevenson, Steve Weinstein, Jon Wittes

Directors' Ruling: 49.3 Committee's Decision: 92.8

✍ Granting that the BIT and its implications are clear, the only real issue is how clear it is for West to bid on over 2♠. When E/W admitted that they played wide-ranging overcalls in all positions and that East could have bid 1♠ on as little as ♠AQxxx, that should have sealed their fate in 2♠. Not only should the table ruling have impressed this on E/W but an appeal under that circumstance should have been judged without merit. In fact, I believe that West's 3♠ bid was sufficiently flagrant to justify a PP at the table.

The Committee was right on target with its analysis of E/W's prospects in 3♠. I would add only that there are many good East hands (e.g., ♠QJxxxx ♥x ♦KJx ♣KQx) with which East would bid game after West invites and where it would not be surprising to fail in 4♠—or even in 3♠ if North has at most two diamonds and at least two spades and N/S find their diamond ruff(s).

Most panelists believe it is clear to change the contract to 2♠, several echoing my sentiment that had this been the table ruling the appeal would have been without merit. We begin with Karen Allison, recently of Las Vegas, who is back from an extended hiatus from her post on our panel. Welcome back, Karen.

Allison: "This represents to me a poor Director ruling. The Committee, however, got it quite right. So right were they that had the Director ruled for N/S to begin with, I would have assigned an AWMW to an E/W pair that appealed. There is no justification, given the wide-range overcalling style of E/W, for allowing West to bid again, once having cue-bid to show a fit with values. He deserved to find AQxxx and out in his partner's hand and for 3♠ to go down."

✍ And of course the BIT minimized any chance of that happening.

Polisner: "Not a good start for the Directors. In fact, if the ruling had been correct and E/W had appealed an AWMW would have been mandatory."

Rigal: "It does not take long for my pet peeve (P*P*) from the most recent casebooks to reappear. When the Director rules that an offender's action has no LA and the Committee even seriously considers that there was an LA, the ruling is almost certainly wrong. Here I would have ruled for the non-offenders and taken the money (AWMW) if the offenders appealed. Passing 2♠ is the right bridge bid and if the Directors can't see it they need reeducation."

Gerard: "When 2♥ guarantees support, there is no such bid as 3♠. I'll paraphrase CASE EIGHTEEN from Las Vegas—its main virtue is to give East a chance to reevaluate when he couldn't even make a game try over 2♥. Gee, you don't think the BIT had anything to do with that, do you? If you were East with a normal hand, would you have any idea what you were being asked for? I suppose we can hope for a Director epiphany, but I'm not holding my breath."

✍ Several new panelists have been added to our roster. We hope they all enjoy the experience and will continue to provide us with their insightful comments in future casebooks. The first of these is internationalist and law expert David Burn from England. Welcome, David.

Burn: “It is alarming that, in a marginal case, the Director decided (apparently on his own) that passing 2♣ was not an LA for West. Whereas Directors are these days supposed to exercise judgment more often than formerly, here is a position in which it seems entirely appropriate for the Director to invite West to justify his actions, not give them the stamp of approval. The Committee has done well; however, it is possible that in 2♣ rather than four, East might have adopted some line of play that resulted in eight or nine tricks rather than ten. Hence, the Committee might have given some consideration to a score of +140 for E/W (or a weighted score). Of course, the Committee may very well have done this, but for the sake of completeness one would expect words to the effect that ‘in 2♣ East would have made ten tricks.’”

☞ Unfortunately (or fortunately, depending on your perspective) in the ACBL we do not have the option of assigning a weighted score (*a la* Law 12C3).

A couple of other panelists have mentioned Directors consulting with players before making rulings involving bridge judgment. (I would add, “When possible.”)

Passell: “Good work by the Committee. With only three trumps and a partner merely balancing pass was certainly in the game. Did the Director get any help before deciding that pass was not an LA?”

☞ Another new panelist is Adam Wildavsky from New York. Welcome Adam.

Wildavsky: “Did the Director consult with any players? If so it should be noted in his report. If not he ought to next time.”

R. Cohen: “Certainly pass was an LA. Director out to lunch. Committee right on.”

Weinstein: “Straightforward case with the Director ruling in the wrong direction.”

☞ Jeff Goldsmith, our final new panelist, hails from Pasadena (no relation to that LOL of Rock and Roll fame, we trust).

Goldsmith: “The main issue on this case is whether or not passing 2♠ was an LA. It’s easy to imagine a Director misjudging this at the table, which is why we have Appeals Committees.”

Bramley: “The Director was too lenient. Maybe he thought the game was IMPs. The Committee decision was correct.”

L. Cohen: “I was the anecdotal member. When my partner huddled I truly said to myself, ‘If he bids a slow 2♠ I won’t be happy, but I have an ethical obligation to pass.’ It’s as simple as that. Yes, West has extras, but not enough to justify acting in an ethically iffy situation. I’m not saying ‘shoot it,’ but it’s close enough to not allow it.”

☞ Several panelists find this decision a lot closer than the preceding group did.

Kooijman: “A borderline case in my opinion. I am not in favor of an approach in which the possibility that 3♠ might be one off means that passing is the choice to be made. This is not what the laws tell us to do. The ACBL has decided that West has to pass when some players would make that decision in this auction. With AJxxx and just small others in East there are probably eight tricks already. What is the risk of bidding 3♠ opposite the risk in passing 2♠? Let’s say there is a 20% chance of going down in 3♠ as against a 40% chance of making ten tricks in 2♠. Seems a clear choice to me, the more so because the percentages are cautiously chosen. The fact that one of the members of the Committee had decided to pass on a 2♠ bid is not convincing, given the criterion they used. Bridge is not a contest

about ethical behavior. As long as ‘inferior’ is within the range of normal, and according to the laws it is, the consideration that the defense was inferior as an argument not to give N/S their +170 should not be made.”

Stevenson: “Very close.”

☞ Two panelists seem to have lost their ways on this one. The first is no stranger to that position (baa-a-a)...

Treadwell: “I have to agree with the Director rather than the Committee in this case. The West hand is positioned beautifully considering the 1♥ opening and, in my humble opinion, warrants further action. Yes, perhaps the E/W hands may not generate even nine tricks, but the hand, rather than the BIT, warrants taking this risk. Virtually every bid entails some risk, but we still must bid our hands. I do concede, however, that this is a close call.”

☞ ...while the second offers an entirely different context for the term “lost.”

Wolff: “Lost the case write-up so on this one you’ll just have to go it alone. Can you stand it? Say no.”

☞ Next time just give a call and we’ll fax a replacement to you in no time.

The issue is not whether bidding 3♠ with West hand is reasonable, attractive or even the “right” action but rather whether passing 2♠ is a LA—that is, an action which some of West’s peers hand would seriously consider, including some who would actually take it. Cautiously chosen percentages notwithstanding, only if you cannot imagine any sentient West passing 2♠ should you allow a 3♠ bid. I think the panelists’ comments make it clear that pass *is* a LA, and I’d guess this would have shown up quite readily in a player poll had one been taken.

CASE TWO

Subject (Tempo): A Seductive But Not Logical Alternative
Event: Blue Ribbon Pairs, 03 Dec 02, First Qualifying Session

Bd: 22	Dan Gerstman		
Dir: East	♠ Q		
Vul: E/W	♥ AK108743		
	♦ AK8		
	♣ 74		
Alan Myerson		Ted Gibbs	
♠ 2		♠ KJ764	
♥ Q2		♥ 6	
♦ 92		♦ Q1073	
♣ KQ1098532		♣ AJ6	
	Alan Graves		
	♠ A109853		
	♥ J95		
	♦ J654		
	♣ ---		
West	North	East	South
		Pass	2♠
Pass	3♥(1)	Pass	4♣(2)
Dbf	4♦(2)	Pass	5♣(2)
Pass	5♥(3)	Pass	6♥
All Pass			
(1) Natural, game forcing			
(2) Cue-bid in support of hearts			
(3) BIT			

The Facts: 6♥ made six, +980 for N/S. The opening lead was the ♣A. E/W called the Director after the 6♥ bid and said that North had paused significantly before bidding 5♥. The Director, after consulting with other staff members and three expert players, determined that passing 5♥ was an LA for South. The contract was changed to 5♥ made six, +480 for N/S (Laws 72B1 and 16).

The Appeal: N/S appealed the Director's ruling. Everyone agreed that North broke tempo before his 5♥ bid. N/S said they routinely opened weak two-bids with weak five-card suits and therefore played their 2NT response as Ogust, asking for suit quality. They had no agreement as to what a pass or redouble of 4♣ doubled showed (first- or second-round control) so South did not know if North held a club control. E/W believed that the absence of a 5♦ cue-bid by North suggested that he held first- but not second-round control of that suit.

The Committee Decision: The BIT clearly made bidding slam more attractive so the question became whether passing 5♥ was an LA for

South. Although some Committee members initially thought there might be no LA to bidding 6♥, it did not take long to determine that there were several North holdings that would give slam no play opposite the South hand. For example, given that the auction indicated that North lacked second-round diamond control, any 2=6=(3-2) pattern that included solid hearts, the ♦A, and perhaps a high club honor but lacked the ♦KQ and ♠K would provide virtually no play for slam after the likely diamond lead. Thus, passing 5♥ was clearly an LA for South. The Committee concluded that South should have known that pass was a possible action and that he was not entitled to bid on after the UI from the slow 5♥ bid. Therefore, the contract was changed to 5♥ made six, +480 for N/S, and N/S were each assessed an AWMW.

DIC of Event: Henry Cukoff

Committee: Bob Schwartz (chair), Ed Lazarus, Jim Linhart, Barry Rigal (scribe), Kit Woolsey

Directors' Ruling: 96.8 Committee's Decision: 94.4

☞ The Committee's analysis of the prospects for 6♥ from South's perspective are incisive given what he knew (and what he didn't know) from the AI about North's

hand. South has an excellent spade holding (the ace rather than a soft holding) and a useful club void (which he'd already shown with his 5♣ cue-bid) but overall his hand is quite minimum and both red-suit holdings are weaker than they might be. If North was unable to bid 6♥ based on what South had already shown—including his foray past game with 5♣—then slam could not be a good proposition.

But North's BIT cast all of this in a new light. South was clearly unjustified in bidding on over 5♥ and N/S should have heeded the table Director's warning when he adjusted the contract to 5♥. Thus, the AWMW was well-deserved.

Happily, the panelists, for the most part, are all on the same wavelength.

L. Cohen: "Shoot it! Perfect, including the AWMW. This starts a good trend for the tournament where lots of AWMWs were handed out (as opposed to the previous NABC—Washington, DC—where there were none)."

Allison: "This Committee got it right, right down to the AWMW. The auction suggested only one diamond control so that a natural diamond lead would knock out the ace and the loss of a heart trick (certainly very possible) would defeat this contract. But the hesitation said that North had something good left unmentioned and suggested bidding on. Good job by all."

Passell: "Great work, especially the AWMW. Players of this caliber need to punish partner for excessive huddles—not take advantage of them."

Treadwell: "Here, I totally agree with the ruling. South has opened garbage and shown his extras adequately, so if slam is on it is North's responsibility to move. The BIT, indeed, did make South's action a violation and the AWMW was warranted."

Rigal: "I think I've said my piece here; for South to bid on he needed North to have misbid already."

Weinstein: "Proper tempo over 5♣ is pretty slow. Even if everyone agreed to a BIT it would be nice to see what was alleged. Given the agreement of the BIT the decision and AWMW all seem on track."

R. Cohen: "If North had bid 5♦—not 5♥—the 6♥ bid would have been acceptable. Director and Committee both on the ball."

Polisner: "Excellent decision even though South's hand was really good, but not a mandatory 6♥ bid."

☞ "Really good" is an overbid: "good minimum" seems more accurate.

Wolff: "Okay result but not the reason for it. North, a good player, was obviously confused. A probable new partnership and North was not sure what South was trying to show with his club bids. That bred a BIT, but South bit the bullet and bid a slam anyway. A good rule of law from this hand might be: When there is a BIT, even though partner suspects there is confusion, he (South) can't use his judgment and override partner's purported meaningful signoff because the information derived is UI. This would result in more incentive for new partnerships to work out understandings or just play straight seat-of-the-pants bridge."

☞ Sorry, but I was under the impression that the law already says that—without limiting its applicability to new partnerships, confusion or suspicions.

Kooijman: "Good decisions."

Wildavsky: Well done all around."

Bramley: “Excellent.”

Goldsmith: “Easy enough basic ruling, mostly a matter of bridge judgment—the laws are straightforward. The appellants’ case seems to be nonsense; perhaps the write-up didn’t do them justice. Seems to me that appellants ought to at least have the right to submit their appeals in written form so that when the appeal is published a clear version of their point of view is available. AWMW is appropriate.”

✍ Appellants may submit statements in written form (which is usually done when they cannot show up to present their case in person, as when they’re dependent on public transportation or friends to get back to where they’re staying and therefore cannot wait around to attend the hearing), but there is rarely enough time to prepare such statements and no one (to my knowledge) has asked to do so when they were present at the hearing—at least not until after they’d seen the write-up in the Daily Bulletin or later in the casebook.

Finally, two panelists (try to) make a case for not assessing an AWMW.

Burn: “Both the Director and the Committee have come to the correct conclusion regarding South’s 6♥ bid. However, if some Committee members initially thought that South was justified in (effectively) raising 3♥ to 6♥, then the Committee should most certainly not have issued an AWMW. South may have believed, with some justification, that possession of the ♠A (a card he had not shown) was sufficient to render pass of 5♥ not an LA for him, a view with which I would not disagree.”

Stevenson: “Considering the Committee’s initial reaction, the AWMW seems harsh.”

✍ Ignoring the fact that standards for judging an appeal to be without merit are somewhat different in Europe than they are in North America, I’ll simply say that just because it takes a bit of time and/or analysis to overcome the initial impulse to bid on in spite of partner’s signoff (an impulse which, I must admit, I did not experience myself) does not, to my mind, elevate an appeal to meritorious status. That several Committee members experienced such an impulse and overcame it quickly enough to assess an AWMW speaks volumes for the inappropriateness of this appeal and the standards we set for good/experienced players in our premier events.

CASE THREE

Subject (Tempo): Clarity Redefined

Event: Blue Ribbon Pairs, 03 Dec 02, First Qualifying Session

Bd: 29	Malcolm Yurkowski		
Dlr: North	♠ ---		
Vul: Both	♥ 93		
	♦ AJ852		
	♣ KJ10973		
Joanne Minken	Haig Tchamitch		
♠ AQJ64	♠ K10982		
♥ 10	♥ AQJ8642		
♦ 964	♦ ---		
♣ A642	♣ 8		
	Marielle Brentnall		
	♠ 753		
	♥ K75		
	♦ KQ1073		
	♣ Q5		
West	North	East	South
	1♦	1♥	2♦(1)
Pass	3♣	4♥	Dbl(2)
Pass	4♠	Dbl	5♦
Dbl	Rdbl	All Pass	
	(1) Alerted; inverted		
	(2) BIT		

The Facts: 5♦ redoubled went down one, +400 for E/W. The opening lead was the ♥A. E/W called the Director after North’s 4♠ bid saying that the double of 4♥ had been out of tempo, beyond the delay appropriate after a Skip Bid. The Director ruled that the BIT suggested pulling the double and that pass was an LA for North. The contract was changed to 4♥ doubled made six, +1190 for E/W (Law 16A).

The Appeal: N/S appealed the Director’s ruling. Only N/S attended the hearing. Both N/S players said that there had not been a BIT; the table Director never asked them whether there had been one and the Screening Director simply accepted the table Director’s word for it. They said that the Stop Card was used before the 4♥ bid. N/S both believed the double was made after about 8-10 seconds and that South had only paused for that long due to the use of the Stop Card. South’s 2♦ bid denied a four-card major so North knew his opponents had at least

ten spades.

The Committee Decision: The Committee decided that there had been no BIT and thus there was no reason to adjust the score. They also believed that even with a BIT pass was not an LA for North; pulling the double was clear. The table result of 5♦ redoubled down one, +400 for E/W, was restored.

DIC of Event: Henry Cukoff

Committee: Richard Popper (chair), Nell Cahn, Mark Feldman, David Stevenson (scribe), Dave Treadwell

Directors’ Ruling: 40.2 Committee’s Decision: 90.6

✍ I agree that there was no BIT *provided* South’s double took only the 8-10 seconds N/S claimed. A player whose turn it is to call following a Skip Bid should be afforded about 10 seconds to make his call (whether or not a Stop Card was used) without any presumption of UI—unless it can be demonstrated that the player routinely makes quick calls following Skip Bids when he has no problem.

If N/S’s time estimates are accurate then the table ruling seems quite odd, not because N/S were not asked at the time whether they agreed to a BIT (after all, they were there when the statement was made and didn’t need the Director’s permission to refute it) but because the Director ruled that “the double of 4♥ was out of tempo,

beyond the Skip Bid delay.” Unless the Director was told that the pause exceeded the 8-10 seconds N/S claimed (the appeal form contains nothing on the length of the delay; did the Committee ask what the Director was told at the table?) why would he rule that a call made within 8-10 seconds of a Skip Bid was out of tempo? That clearly isn’t ACBL policy.

Many panelists express some of these same concerns.

R. Cohen: “What were the Director’s remarks on the appeal form with regard to the alleged BIT and the use of the Stop Card? [There were none.—*Ed.*] If the Committee found no BIT, then end of case. Table result stands. According to the write-up, N/S did not contest the existence of a BIT in the Director’s presence. However, in the absence of both the Director and the opponents at the hearing, N/S denied that any BIT occurred. Is the write-up deficient or did N/S take advantage of the absence of opposing testimony at the hearing? ‘Tis a puzzlement.”

☞ ‘Tis indeed.

Brissman: “Assuming that the appellants’s recap of the table Director’s actions is correct, the table ruling and appeal may have been caused by Director error. Inadequate fact-finding at the table is a recurring problem. On the other hand, why didn’t N/S dispute the facts when they were (presumably) related at the table? Final comment: E/W weakened their position by choosing not to appear.”

Allison: “Judging by the South hand, there seems likely not to have been a BIT. I don’t understand why the Director never inquired of that pair whether there was, indeed a BIT (nor why the pair didn’t proffer that information to the Director). With the finding of no BIT, North is entitled to bid as he wishes and that’s the end of that story. With a demonstrable BIT I am not sure whether pass would be an LA for North but happily I don’t have to determine that. Not having been in the Committee room, I don’t know the criteria that the Committee applied to make the determination of no BIT but it is not my job to second guess them on that.”

☞ It seems that not everyone sees the same thing in the South hand...

Goldsmith: “Generally, the way to determine whether or not a disputed BIT occurred is to look at the hand of the player alleged to have hesitated. From that perspective, there well could have been a BIT. If South had held ♠Axx ♥KJ10x ♦Kxxxx ♣x we’d know there wasn’t one, but with the actual hand the judgment comes down to whom they believed; without E/W’s presence, it’s hard to imagine the Committee having the information to make a good call. I don’t see the Director admitting, ‘No, I never asked them if they agreed to the hesitation.’ That means the Committee was convinced by N/S’s testimony alone. I don’t like that.

“Assuming their findings to be accurate, they ought to have been able to give E/W an AWMW for calling the Director. [Really!?—*Ed.*] That would at least have forced E/W to attend the hearing. In cases of disputed facts, each side really ought to be there. In any case, I agree that North’s pull is sufficiently automatic to make the determination of fact irrelevant...but what if South had the above hand?”

☞ Yes, that South hand looks like a “could well have hesitated” to me, too.

Burn: “I have no idea what constitutes correct procedure in ACBL tournaments. If the Director decides that a BIT has occurred, there is an end of the matter; the Director is able to ask questions of the players at or close to the time of the incident, and a Committee has no business questioning the Director’s assessment of the facts. It appears from the write-up, though, that nobody actually knew, or bothered to find out, whether tempo had been broken at all: the Director appears to have taken E/W’s word for it without asking N/S; the Committee appears to have taken N/S’s word (against the Director’s assessment) without asking anybody. If this is really

what happened, then all the officials involved deserve a zero rating.

“Now, a Committee may properly decide that even if the Director correctly determines that a BIT has occurred, no information has been conveyed thereby. Or, it may decide that even if a BIT has occurred and information has been conveyed, it has not been acted upon because there were no LAs to the recipient’s action. But it should not decide both; if it decides the former, then it should not consider the latter. The actual ruling has a degree of uncertainty about it that does not inspire confidence (‘We can’t make up our minds about the facts, but we wouldn’t have adjusted the score anyway, so...’).”

☞ David’s assertion that “a Committee has no business questioning the Director’s assessment of the facts” is incorrect in *any* part of the world—not just in the ACBL. Law 93B3 gives a Committee “all powers assigned by these Laws to the Director, except that the committee may not overrule the Director on a point of law or regulations, or on exercising his disciplinary powers.” Thus, a Committee may find a different set of facts than the Director (after all, they have more time and bridge expertise to bring to bear on the matter) and may exercise different bridge judgment than the Director. However, it may not unilaterally decide that the Director applied the wrong law or misinterpreted a regulation and it may not modify or set aside a disciplinary penalty issued by the Director, though it may request that he reconsider his ruling in any of these respects.

L. Cohen: “This is disturbing. Only N/S attend and simply state ‘no huddle,’ and that’s the end of it? I suppose E/W have only themselves to blame for not showing up at the hearing, but still, couldn’t the Director (either the table Director or DIC) have been consulted? Very strange. Anyway, if there was a huddle I still might argue that North could pull—but it all becomes irrelevant once there is no BIT.”

Wolff: “The Committee got it right, but the only issue is whether there was a BIT.”

☞ Only?! And as Larry just pointed out, there is still the issue of whether there’s an LA to North’s pull of the double.

Passell: “Once again I ask, did the Director get help in determining whether pass was an LA? I doubt it. Knowing the opponents have 18+ major-suit cards makes pass ridiculous.”

Bramley: “I agree with the conclusion of no BIT, after which the case was over. I also agree that North had no LA to bidding; his argument about E/W’s big spade fit is compelling.”

Rigal: “My first reaction was that if there had been a BIT North was still allowed to remove—having opened a nine-count and with no sure trick in his hand if his partner did not lead a spade (and why would he?). I think I’d stick with that; North’s 3♣ call suggests far more defense than he has. And 5♦ might still be close to making facing a hand with a top heart, after all. The Director’s ruling was harsh but not totally unreasonable, and if it erred it erred in the right direction.”

☞ But what if N/S played Good/Bad Notrump and North’s 3♣ bid already showed a weak (or a poor defensive) hand (2NT would have shown a good hand)? Did anyone think to ask about that?

Stevenson: “Before making a decision as to the facts (e.g., whether there was a BIT), it is important that the table Director speaks to each player at the table. If he had done so he would have discovered that there was no BIT. But the ruling was incredible anyway. No North player would pass the double on this sequence. So the appeal was unnecessary if the Directors had treated this case carefully.”

CASE FOUR

Chip Martel, who was able to provide comments for only the first few cases due to demands placed on him by the new (2005) laws currently being drafted, thinks that absent the Director's presence at the hearing he should at least have provided a written report on the facts for the Committee. On the LA issue he disagrees with the Committee (and most of the panelists) saying that pulling the double was an LA for North: "Give South a prompt double (lots of major-suit stuff) and it's right to defend. (Still, I agree the pull in no way suggests there was a slow double as pulling is a normal option, so okay to decide no BIT.)"

Hmm. I still think I'd like to know if a Good/Bad 2NT was available for N/S. Some panelists took the Director to task for not providing better documentation of the facts on which the ruling was based.

Polisner: "If the factual write-up is complete, then this was really a poor job by the Director. Why was he not at the hearing to at least explain why he ruled that there was a BIT beyond 10 seconds? Of course, if no BIT, the table result stands."

Weinstein: "A breakdown in the system. Certainly the table Director should be establishing what the tempo was and duly noting it. If there was a dispute regarding the facts or what was said, it would be helpful if the Director was reachable by the Committee."

Wildavsky: "On the facts presented an unsatisfactory performance by the Director. Ideally a Committee ought to be able to rely on the Director's determination of fact. He's the first on the scene and best placed to learn what happened. Our procedures ought to allow the Committee to interview the table Director when necessary [They do, but the Committee has to request the Director's presence.—*Ed.*]"

And finally, one panelist seems to have taken a lesson from our Mr. Wolff on CASE ONE.

Kooijman: "I lost this case."

At least he didn't claim the dog ate it.

Subject (Tempo): Slow Shows...Nothing
Event: Blue Ribbon Pairs, 03 Dec 02, Second Qualifying Session

Bd: 4	Michael Rosenberg		
Dlr: West	♠ KJ87		
Vul: Both	♥ 1095		
	♦ KQ8		
	♣ A85		
Judy Wadas	Sangarapil Mohan		
♠ 942		♠ AQ653	
♥ J873		♥ Q6	
♦ AJ7		♦ 52	
♣ K76		♣ Q1042	
	Jay Borker		
	♠ 10		
	♥ AK42		
	♦ 109643		
	♣ J93		
West	North	East	South
Pass	1♣	1♠	Dbl
2♣	Pass	2♠	Dbl
Pass	2NT	Pass	3♦(1)
Pass	3NT	All Pass	
(1) BIT (agreed)			

The Facts: 3NT made three, +600 for N/S. The opening lead was the ♠5. The Director was called at the end of the auction, before the final pass, and again at the end of the hand. E/W said that South's lengthy hesitation over 2NT made 3NT by North more attractive. The Director ruled that the slow 3♦ bid demonstrably suggested the 3NT bid and that pass was an LA for North. The contract was changed to 3♦ made three, +110 for N/S (Laws 16 and 12C2).

The Appeal: N/S appealed the Director's ruling. Only North and West attended the hearing. North said that South's bidding would typically show a non-forcing four-six red-suit pattern; thus, the hesitation argued against bidding 3NT. North also believed that South could just as easily have been considering passing instead of bidding 3♦, so the hesitation did not demonstrably suggest further action on his part. He explained that his 3NT bid was a calculated gamble holding the perfect cards opposite a

known six-card diamond suit. His diamond honors, fast club trick, and slow spade stoppers would mesh nicely with either ♦Axxxxx or ♦Jxxxxx and some heart values. West said South's body language made it appear that he didn't know what the 2NT bid meant. South shook his head, shrugged his shoulders, and then bid 3♦. The Committee determined that N/S played five-card majors, 15-17 notrumps, 2/1 Game Force, negative free-bids, and opened 1♣ with three-three in the minors. E/W played standard signals. The first three tricks went: The ♠10 held at trick one. At trick two West rose with the ♦A and led the ♠9. East allowed North's king to hold trick three; the ♥2 was pitched from dummy.

The Committee Decision: The Committee decided that the BIT did not demonstrably suggest bidding 3NT; North was free to bid as he wished. The contract was changed to 3NT made three, +600 for N/S.

DIC of Event: Henry Cukoff
Committee: Mark Bartusek (chair), Lowell Andrews, Jeff Polisner, David Stevenson, Eddie Wold

Directors' Ruling: 61.9 Committee's Decision: 87.5

I'm puzzled by North's arguments. His pass of 2♣ showed a minimum opening bid and his 2NT bid suggested wastage in spades (no pass of 2♠ doubled) opposite South's singleton. Why, with a non-forcing (but constructive: witness his second

double) four-six red-suit pattern, would South have even a moment's hesitation about pulling to his six-card suit? Sorry, but it seems to me that the hesitation was more likely to suggest something else: uncertainty about North's 2NT bid; an off-shape hand for his 3♦ bid, perhaps only five diamonds or five-five in the reds (but not four-six as North argued); that he was considering passing 2NT; or extras.

And what did each of these possibilities suggest about North's best action? If South was uncertain about the meaning of 2NT (perhaps North intended it as asking South to bid a minor) then N/S could be in a four-three fit in 3♦ and 3NT might be a better contract (South figures not to be very weak if semi-balanced, i.e. 1=4=4=4). If South has only five diamonds then North's hopes that his diamond fit will provide enough tricks to make 3NT a winner will be dashed, and pass will be his best hope. If South is five-five in the reds then clubs could prove a critical weakness making pass (or 3♥) the winner. If South was considering passing 2NT then again pass is the suggested action. And of course if South has extras and was considering a more forward-going action, then 3NT might work out best.

All things considered, I find it impossible to know with any degree of certainty what action South's BIT suggests. Thus, I agree with the Committee's decision to allow the table result to stand. Paradoxically, this is a difficult enough decision that I also support the Director's ruling, forcing the "offenders" (N/S) to convince the Committee that North should be allowed to bid.

Reasoning along similar lines...

Burn: "It may seem odd that I gave both the Director and the Committee full marks on this one when the latter overturned the former's ruling, but this is not uncommon and seems to me correct in this case. The Director may decide simply that a BIT suggests extra values, or at any rate that the player would not be unhappy for partner to bid on; he may then correctly cancel further action by partner and leave him to justify his actions before a Committee. The partner concerned appears to have made a good job of this, as one would expect, and the Committee has judged his arguments wisely."

Kooijman: "Nice decision from the Committee, acceptable one from the Director. As long as Directors make such rulings without consultation with peers of the players concerned they don't have much choice in these cases. Procedures should try to avoid a Director saying that a bid was demonstrably suggested after which a Committee tells the contrary. You can't explain that. It would be a good idea to ask the Directors to describe the kind of UI given—not just to rephrase the general descriptions within the laws. Not a bad idea for some of your Committees either."

"This is not an easy case, so I decided to ask my members of the Dutch national Appeals Committee for their opinions (after having written down my own opinion). Three of them did. No shared one here. The auction seems somewhat peculiar, but since it is hardly possible that South was thinking to bid 3NT that call has not been suggested. Focusing on an LA there certainly is one (leading to 3NT not being allowed, another opinion), but that is one step too few for a good decision (in my opinion)."

☞ And that, dear reader, has earned him the fence-sitter of the casebook award.

Goldsmith: "Did South really double on the second round of the auction? I'd think that was penalty, not takeout (as South obviously intended it). North, from his hand, knew that partner had spade shortness, so he knew what the double meant. Still, it ought to show some extra strength, so I would think 3♦ is, if not forcing, not a 'weak four-six.' There's plenty of room for South to have a forcing or invitational hand. North has a 13-count, East has a minimum overcall, West is a passed hand, so why can't South have a good hand? I don't buy North's argument; I think he was influenced by his knowledge that his partner didn't know what was going on. He knew that from AI, his spade holding, so South's table action was UI which duplicated AI already available to him."

"In any case, who would ever pass 3♦ with North's hand, knowing that partner didn't know what was going on? Can North be sure South didn't intend 3♦ as forcing? How can it be right to have a confused partner play 3♦ with a spade lead through the king-jack versus having Michael Rosenberg play 3NT from the right side? It can't be, so hesitation or no, North would never consider passing 3♦. Therefore, passing isn't an LA and the result should stand."

"In variance with the Committee, I think that the hesitation does demonstrably suggest bidding 3NT versus passing. If partner isn't sure 3♦ is the best spot, it's not. The reasons why this is not relevant are (1) the argument that passing isn't an LA, and (2) the knowledge around the table that South's hesitation was due to total confusion about the auction, not about the single bid of 3♦."

"I think this was a tricky enough decision that the Director should have sent it to Committee automatically (Law 83). In particular, I don't see how the Director could give a good ruling without seriously hurting South's feelings. That is a good reason to have the decision made after the session when everyone is able to be a little calmer."

☞ Agreeing with allowing the table result to stand, but with varying views of the appropriateness of the table ruling are... well, just about everyone else.

L. Cohen: "I agree that the BIT didn't suggest one action over another. This was a new partnership, and South could simply have been trying to figure out what 2NT meant. Furthermore, this isn't an auction where it's obvious that 'slow shows extras.'"

Passell: "The fact that South made a second double should have some bearing on the decision. I think North had reason to suspect South had more HCPs than he actually did. 3NT seems clear-cut at matchpoints and we wouldn't have anything to discuss without an egregious defensive error."

Rigal: "The Director ruling linked a slow 3♦ bid to the 3NT bid, but the connection is not clear—I do not see why it was established. The play in both 3NT and 3♦ is irrelevant once the link is not found; personally I might have assumed that 3♦ might go down after a spade lead and club shift. I'm glad I do not have to look at that (or the 'defense' to 3NT)."

Polisner: "Having been on the Committee, I support the decision and firmly believe it to be correct. This was an example of "If it hesitates, shoot it." Since South's hesitation could certainly have been whether to pass 2NT or bid 3♦, the hesitation does not demonstrably suggest bidding 3NT. In fact, in my opinion it is just the opposite."

Stevenson: "It is always important to decide what a BIT shows. It is very easy to assume it shows the successful action, leading to the discredited 'If it hesitates, shoot it' policy. Here South could be thinking of various things and 3NT is not suggested by the BIT."

Treadwell: "As the Committee said, the BIT did not suggest the North action. I can understand, but do not agree with, the Directors' ruling and had he ruled to allow the 3NT bid and had E/W appealed I would not have considered it without merit."

Wildavsky: "The laws use the word 'demonstrably' for a reason. It is not sufficient for the Director to assert that the slow 3♦ bid suggested 3NT, he must demonstrate it. Otherwise I could see ruling that a North who passed must bid 3NT here."

☞ Someone seems to have been a bit confused here...

Allison: "I would think that any 'body language' by South as described by West

CASE FIVE

would much more indicate a desire to stop at 3♦ rather than a signal that South has extras and would like to suggest bidding on. Additionally, I am not sure what the result of a duck of the diamond by West would do but it would not make declarer's job quite so easy.

"I think I am becoming a martinet in my old age and I would have liked to see this appeal rewarded with an AWMW. I can't see the merits of making a Committee work over this one. Dummy looks like a hand that would have bid 3♦ to play, was a hand that wanted to stop in 3♦ when partner showed less than an opening 1NT and North's bid was a shot that he decided to take and nothing more. You can't get redress in the Committee room for a good guess.

"Why a lack of even a consideration of an AWMW?"

☞ Perhaps because the Director did *not* allow the table result to stand?!

In his only other substantive comment (cf. CASE THREE) Chip Martel says: "When neither the tempo of the auction nor the player's hand suggest bidding 3NT it's rather odd to say that 3NT was 'demonstrably suggested'."

The next "lone" panelist sides with the Director and adjusts the score. "Who is that masked man?" you ask...

R. Cohen: "Didn't the 'tank' before the 3♦ bid imply that South's hand did not conform to the four-six red-suit distribution that North said it was supposed to show? There was some UI, but did it suggest the 3NT bid? I submit it did.

"If South wanted to play 2NT he would have passed. If he wanted to play game he would have bid 3NT. If he wasn't sure about 3NT, a slow 3♦ bid would give partner a choice of denominations without a firm commitment. An in-tempo 3♦ bid would convey a firm commitment to a diamond contract—with the expected four-six distribution. I'm with the Director on this one."

☞ And finally, where is Diogenes when you need him...

Wolff: "In my mind Michael Rosenberg was correct in everything he did and said and was chancing 3NT and got lucky; so I certainly agree that the BIT had nothing to do with the result. Having said that it worries me because the next North will not get the same treatment or the same result. They will say BIT—penalty! This problem is hard to admit and harder still to correct, but I agree that we need to see it and look for ways to correct it. Oh honest and unbiased person where are you?"

Subject (Tempo): Living High And Slow
Event: Open Pairs, 04 Dec 02, First Session

Bd: 4	♠ 4		
Dlr: West	♥ QJ53		
Vul: Both	♦ A1083		
	♣ AKQ5		
♠ AQ108732		♠ KJ965	
♥ K		♥ 6	
♦ Q976		♦ 42	
♣ 3		♣ J9864	
	♠ ---		
	♥ A1098742		
	♦ KJ5		
	♣ 1072		
West	North	East	South
1♠	Dbl	4♠	5♥
5♠	Dbl(1)	Pass	6♥
All Pass			
(1) BIT (agreed)			

The Facts: 6♥ made seven, +1460 for N/S. The opening lead was the ♠A. East called the Director after the 6♥ bid saying that North had hesitated (N/S agreed to 10-15 seconds) before doubling 5♠. The Director ruled that the slow double of 5♠ indicated uncertainty about that action, that South had an earlier chance to bid 6♥ and failed to do so, and that bidding 6♥ was demonstrably suggested by the BIT. The contract was changed to 5♠ doubled down two, +500 for N/S (Laws 16 and 12).

The Appeal: N/S appealed the Director's ruling. West did not attend the hearing. The other three players all agreed that North took 10-15 seconds to double 5♠. South had only 400 MP but was a very experienced rubber bridge player; one of his opponents confirmed him to be a solid Flight A player. N/S said the South

hand had extra offense, no defense, and that any tricks North had would be useful on offense. East believed that the ♦KJ5 had defensive value, the ♥A might take a trick as well, and North's hesitation could only mean she was thinking of bidding 6♥.

The Panel Decision: The Panel decided there had been an unmistakable hesitation which conveyed UI to South which demonstrably suggested doubt about the double of 5♠. To determine whether pass was an LA to 6♥ for South seven players were consulted. Four players with 3,000-6,000 MP and three experts were given the South hand and the auction (without any BIT) and asked what they would bid with the South hand over 5♠ doubled. Three of the four players with 3,000-6,000 MP passed; the fourth bid 6♥, calling the decision "very close." One expert passed, saying "partner wants to defend." A second expert pointed out that N/S's agreements about a pass of 5♠ by North were relevant, but absent any special agreements he would pass. The third expert thought that a pass of 5♠ by North would be forcing, so the double indicated a desire to defend; therefore he would pass. Based on this input the Panel decided that a pass of 5♠ doubled was clearly an LA for South. Therefore, the contract was changed to 5♠ doubled down two, +500 for N/S. The Panel also determined that the appeal had merit.

DIC of Event: Bernie Gorkin

Panel: Gary Zeiger (Reviewer), Matt Smith, Ken Van Cleve

Players consulted: Henry Bethe, Eric Kokish, Kit Woolsey, four players with 3,000-6,000 MP

Directors' Ruling: 93.0 Panel's Decision: 85.3

☞ Hmm. I don't suppose it's possible that North has a balanced hand that was too

strong to overcall 1NT, perhaps something like ♠KQx ♥QJx ♦Axx ♣AKxx? Now 6♥ needs a miracle (even 5♥ is in jeopardy) while 5♣ doubled goes for 1100. Weakening North's hand to ♠Kx ♥Qxx ♦Qxxx ♣AQxx places even 4♥ in jeopardy while 5♠ doubled will produce an easy 500—perhaps even 800.

The only question I (and many of the panelists) have for the Panel is why they believed this appeal had merit.

Goldsmith: “If North had doubled 5♠ in tempo, wouldn't everyone play him for either a balanced 14-count with spade cards (some people double with that) or a hand too strong to overcall 1NT, say ♠AQ10 ♥xx ♦AQ10x ♣KQJx? Obviously the exact range of N/S's 1NT overcall and their doubling style matters, but let's say they play 15-17, so this hand is a bit on the strong side. The ruling is quite right, therefore, but the judgment as to merit of the appeal is not. This should have been an automatic AWMW.”

Gerard: “No merit. Every consultant passed or almost passed. That's a matter for the consultants anyway.”

Rigal: “Close to a PP here, I think. I believe the expert vote makes an AWMW entirely in point. What was there about partner's statement that he did not want you to bid 6♥ that made that action more attractive than on the previous round?”

Passell: “Good decision. Why did this case have merit?”

Polisner: “Everything good except no AWMW—which is clearly deserved.”

Wildavsky: “South was willing to stop in 5♥ until his partner doubled 5♠? Where was the merit in this appeal?”

L. Cohen: “Clearly, South can't pull. That is made even more clear from the consultants' opinions. That leaves two issues. First, was there merit? Not in my opinion. Second, was 5♠ doubled down two the correct determination? Probably, but is it not possible that North would lead a high club and then try a second high club? That would result in down only one. Should North switch to the ♥Q after leading a top club? Probably, but we do have to give the benefit of doubt to the non-offenders (E/W) so I might have ruled 5♠ doubled down only one.”

☞ Larry's point about 5♠ doubled maybe going down only one is an interesting one. But after South produces the ♣2 (or its discouraging equivalent) at trick one isn't North almost certain to perceive the danger in dummy's five-card side suit and switch to the ♥Q (or ♦A), after which 500 is virtually guaranteed? Should we really bend over that far backward?

Kooijman: “Hasn't the ACBL decided that a pause for 10 seconds should not be considered an unmistakable hesitation in a highly competitive high-level auction, even without screens? If not, it should consider doing so. I believe it impossible to make such decisions within 2 seconds in many cases. And those who succeed quite often give their partner at least as much UI, which is a plea for an obligatory pause in these cases. Given that 10-15 seconds has been 'translated' into a hesitation there is no option but to deny the 6♥ bid. (Did anybody show South a North hand like ♠KJ ♥QJxx ♦Axxx ♣Axx?) I would like to know what merit this appeal had.”

☞ Ton was not the only panelist who questioned the BIT judgment...

R. Cohen: “Are 10 seconds a BIT when there have been five calls without a pass and the bidding is at the five level? Anything quicker might be construed as 'undue haste.' A close case. I would want to be at the hearing to make a firm call; I might be persuaded either way. Based on the required consultations the Panel got it right.”

Weinstein: “I don't believe most pairs would play a pass of 5♠ as forcing. I would like to see 10-15 seconds as the appropriate tempo in this auction. I guess the Director's ruling and Panel's decision are correct, but I don't have to like it.”

Stevenson: “No doubt the Panel's approach has led to the right decision, since the BIT suggested doubt about the double and pass has been demonstrated to be an LA. But I wonder: Double shows extra values, not a trump stack, and I find it difficult to believe South would actually pass at the table. This is the sort of case where a Committee discussing together might come to a different view from individuals consulted separately.”

☞ It seems just a bit presumptuous to impute the meaning David does to North's double when many would play it (absent any discussion about whether North's pass of 5♠ is forcing) as simply warning South not to bid again. In fact, as both Jeff Goldsmith and I pointed out earlier North could easily hold nothing more than a sound minimum that includes wasted spade values.

Another David lends the above David's view of the undiscussed meaning of North's double a bit of support. Could this be an English thing?

Burn: “Neither the Director nor the Panel appears to have conducted enough investigation into the possible meaning of a pass over 5♠ by North. If this were forcing, then South's arguments would have little merit, and an AWMW would be appropriate. If not, then North's double of 5♠ does not mean 'I want to defend,' merely that 'I have more than a minimum for a double of 1♠' and South could very well argue that there were no LAs to 6♥. If, however, the Panel did in fact determine that N/S had no agreement to the effect that a pass of 5♠ would be forcing, then both its decision and that of the Director are sound.”

☞ One panelist proposes a possible explanation for the Panel's merit decision.

Allison: “I will accept (barely) that because of South's relative inexperience at tournament bridge (although you don't get 400 MP overnight) the Panel may have decided that the appeal had merit. However, I would have liked to see the Panel educate South on the reasons why his case really would not have merit were he a more experienced player.”

☞ Agreeing with or simply not mentioning the Panel's merit decision are...

Treadwell: “South had a chance to bid 6♥ immediately and chose not to. The double by North does not improve the chances for making slam, except for the BIT which may have. Hence a good decision, including not assessing an AWMW.”

Bramley: “Good work. Blind polling solves a lot of problems.”

Wolff: “This very simple situation is a very important case. Shouldn't the rhetoric go something like this: When South bids 5♥ he could be pushing, he could be saving, he could have a pat 5♥ bid or he could have a hand like he has—one that should make eleven tricks but on a bad day goes down against 4♠ going down, and on a good day makes six or even seven, which might still be bid if partner deems it right. Here partner's double should indicate that one of the earlier descriptions is right so how can South now be inspired to overrule partner's double and his own original bid. Could be the BIT, hence the decision.”

☞ Your rhetoric is impeccable, Wolffie. Now just add that AWMW and you're golden.

CASE SIX

Subject (Tempo): The Return Of The Doubt-Showing Double

Event: Reisinger BAM Teams, 06 Dec 02, First Qualifying Session

Bd: 1	Brenda Bertrand		
Dlr: North	♠ K1074		
Vul: None	♥ KJ984		
	♦ A102		
	♣ A		
Shirley Blum	Stephen McConnell		
♠ A32	♠ QJ8		
♥ A72	♥ 6		
♦ K7654	♦ J9		
♣ 52	♣ QJ109864		
	Lorne Nicol		
	♠ 965		
	♥ Q1053		
	♦ Q83		
	♣ K73		
West	North	East	South
	2♦(1)	Pass	2♥
Pass	Pass	3♣	3♥
Dbl(2)	Pass	4♣	Dbl
All Pass			
(1) Alerted; Flannery			
(2) BIT (agreed)			
<hr/>			
The Play (South on lead):			
Trick	1	♥5, ♥A, ♥9, ♥6	
	2	♣2, ♣A, ♣4, ♣3	
	3	♥K, ♥6, ♥3, ♥2	
	4	♣8, ♣7, ♣5, ♥4	
	5	♦J, ♦Q, ♦K, ♦A	
	6	♥8, ♥9, ♥10, ♥7	
	7	♦9, ♦3, ♦4, ♦10	
	8	♦2, ♣10, ♦8, ♦5	
	9	Club to the king; claim	

The Facts: 4♣ doubled went down one, +100 for N/S. The opening lead was a low heart. The Director was called after the 4♣ bid. The Director ruled that East's 4♣ bid was demonstrably suggested by the BIT and pass was an LA. The contract was changed to 3♥ doubled made three, +530 for N/S.

The Appeal: E/W appealed the Director's ruling. E/W believed that while East's club suit would provide five tricks on offense, neither it nor the rest of his hand was likely to provide much help on defense. Thus, it was clear to pull the double to 4♣. N/S said they believed that passing the double of 3♥ was an LA to bidding 4♣, and that the BIT (agreed by both sides to be roughly 30-40 seconds) suggested pulling the double.

The Committee Decision: While an in-tempo double of 3♥ would normally have shown good hearts and confidence that the contract would be set, the hesitation implied doubt and thus demonstrably suggested East's pull to 4♣. While it's true that East's hand is much better suited to offense than defense, there was still a reasonable chance that East's spades and ♦J9 would be of some value on defense. Furthermore, if West had heart values and the high cards were approximately evenly divided between the two sides, there would be a fair chance that 4♣ would be doubled and defeated

two tricks. Thus, passing the double could offer the best chance to win the board. The Committee decided that passing the double was an LA to the suggested bid of 4♣, and changed the contract to 3♥ doubled. After the likely club lead against 3♥ doubled, South would win in dummy perforce and could take ten tricks by playing the ♥J, ♥9, or ♥8 and overtaking in hand. West would then be unable to prevent declarer from eliminating both clubs and hearts and eventually leading a spade toward dummy. If declarer were to play the ♠K on the first round of the suit and guess diamonds if East led one, he would make an overtrick. However, the

Committee judged it to be far more likely that declarer would not play the ♠K on the first round of the suit since making the contract would likely be enough to win the board, and the play of a smaller spade would guard against East's having ♠Ax and ♦Jxx. Therefore, the score for 3♥ doubled made three, +530 for N/S, was assigned to both sides. The Committee also considered the quality of N/S's defense of 4♣ doubled. They should have achieved +300. However, since that would still not have been as good as the score for 3♥ doubled making, they were entitled to +530.

DIC of Event: Henry Cukoff

Committee: Doug Doub (chair), Gary Cohler, Adam Wildavsky

Directors' Ruling: 93.9 Committee's Decision: 91.4

Even the most jaded observer would have to admit that 30-40 seconds here was a clear BIT, and surely the message it sent was "I'm not sure about this double so pull if you have doubt." So the only thing left is to decide whether pass was an LA to East's 4♣ bid.

I agree with the Committee that East's ♠QJx and ♦J9 represent not insignificant defensive assets, though the overall weakness of his hand and the defenseless seven-card club suit are definitely detractors. Also worthy of consideration, though no mention of it was made in the write-up, is West's failure to act over 2♥, which places certain limits on her hand. Had she held significant heart cards and marginal high-cards for use on offense she could not have entered the auction over 2♥ where any action she might take (especially a double) would encourage East to bid.

Thus, while West's initial pass placed certain limits on her hand, it did not deny substantial defensive assets. So West's double was purely penalty and East had no reason to pull it since his balancing 3♣ bid did not promise anything in the way of defense (his safety net came from the fact that N/S had voluntarily subsided in 2♥). So both the Director and Committee were right on target on this one.

Further, in spite of what some panelists will tell you, this case does not warrant an AWMW. It is certainly very tempting to pull the double with the East hand and that alone makes it worth having some experts double check the bridge judgment.

Agreeing...

Burn: "An excellent performance all around. The Committee did particularly well to examine the possibility of an overtrick in 3♥ doubled. Refreshing also that an AWMW was not considered."

Gerard: "Great reasoning and write-up."

Bramley: "Good again. No overtrick is correct."

L. Cohen: "It's tough to make East sit with that ugly hand, but it takes a lot to ever get me to allow taking advantage of a BIT. This is close, but not enough. So I make E/W defend 3♥ doubled. I'm also with the Committee on assigning 530. It's too unlikely that declarer would make four. However, what is this nonsense at the end of the write-up about the quality of defense to 4♣ doubled ('They should have achieved +300...but that was not as good a score as 530, so...'). Ridiculous! The criteria is that N/S need to 'continue to play bridge.' They are entitled to 'rationally' misdefend 4♣ doubled—even let it make. What they can't do is lose their minds at every trick. What had to be determined is: was the N/S defense egregious? It is close. Why didn't North return a heart at trick eight instead of setting up dummy's diamond suit? (Compare this to CASE ONE, where N/S didn't defend perfectly, but the defense was decent enough to let them benefit from the ruling to change the contract.) Here, N/S might not have earned that right. The Committee missed that point by making the irrelevant observation that 530 is greater than 300. Duh!"

☞ Larry's point about the defense of 4♣ is well-taken: North's diamond return at trick eight was pretty ill-conceived when the heart return looks so obvious. But what the Committee said at the end really isn't so ridiculous. To see why let's assume that N/S defended egregiously (even worse than they did) and allowed 4♣ doubled to make. Had they defended perfectly they would have been +300 against the +530 due them in 3♥ doubled (had East passed as he should have). Now the difference between +300 and -510 is nonexistent at BAM scoring—both would lead to a loss against (say) +530, +590 or +420 at the other table. If N/S's egregious defense was irrelevant to the result on the board, and if they would have done better had the opponents not taken an illegal action, then they should not be held accountable for their misdefense. Only if it turned what would have been a win (or a top board at matchpoints) into a loss should they be held accountable; only then would their damage have been self-inflicted.

As an aside, the same is not true in the WBF where score adjustments under Law 12C3 are allowed and where under their Code of Practice it is possible to hold the damaged (non-offending) side responsible for "such part of the damage as is self-inflicted" while still giving the worst of it to the offenders.

The following is an accurate assessment of the situation just discussed.

Kooijman: "4♣ is not allowed. But again the Committee suggests that if N/S could have gathered +800 on defense the score of +530 wouldn't have been given. This should only be true if play was horrible, not just less accurate."

Rigal: "I would hate to be in East's seat after the double—perhaps that explains why the 3♣ bid is so terrible. Having said that I guess when I bid 3♣ it was with the expectation that partner had four tricks in his hand, else the opponents make 4♥. So one has to pass here and bite the bullet.

"Note: the principle contained in the decision—that N/S were due more relief for inaccurate defense since 530 is more than 300—is not yet statute I believe; just an interpretation."

☞ Actually it might be considered "statute" since it speaks to the issue of damage. If N/S's misdefense did not cause their damage (as in the actual case if we judge the defense to be egregious) then the law says to protect them since E/W's infraction damaged them and their defense was immaterial. But if their misdefense caused the damage when they'd have won the board had they simply "played bridge" (as when their teammates are -140 at the other table), then they should be held accountable since the damage was self-inflicted (but the opponents still get the worst of it since they profited from their infraction).

Stevenson: "Pass does not really look like an LA on the East hand where 4♣ and 3♥ could both be making? Either N/S's defense was egregiously bad so they should not be given redress, or it was not. It does not matter that 530 is greater than 300."

☞ Yes, David, it does (for the reasons stated above).

Polisner: "Good work by all. This case is a good example of the process wherein West can take as much time as she wants/needs to make a decision what to do over 3♥. However, she places her side in jeopardy by taking partner out of the process except where no LA exists."

Treadwell: "The extremely slow double by West makes the pull by East much more attractive, and thus cannot be allowed. Very good decisions by both the Director and the Committee."

Wildavsky: "Good decisions. Directors used to allow players to get away with the 'obvious pull' on hands like this. It's also worth noting that if the West hand were

a routine double for this partnership then West would likely have doubled in tempo. The fact that she didn't provides a clue that E/W's doubles usually show more defense, and perhaps more trump tricks. In order to comply with Law 12C2 the Director and the Committee also needed to note that they judged that it was not even 'at all probable' that N/S would make an overtrick in 3♥ doubled."

Goldsmith: "I would not bid 3♣, but I know that's a strange stance. Balancing against Flannery is very dangerous. Here if 3♣ is making, partner is going to hang me, as he did. I might as well hope to win the board by having teammates play 2NT for +120 to beat their +110 in 2♥ or simply hope that the opponents didn't have room to judge their diamond fit and missed a game. At the other table, moreover, the bidding will not start this way; it'll probably start 1♥-3♣. If LHO is willing to sit for a double of 3♣, I don't want to bid it now. If not, there are lots of hands where he'll double me now where he'd have to bid something at the other table. I'm going to hope my teammates find a better spot than 2♥. Given that I bid 3♣, I think pulling is clear-cut, so I gave the problem to a panel of good players. They mostly shot out 3♥ doubled, so clearly passing is an LA.

"The only thing wrong with the Committee performance was that they didn't say why they didn't give an AWMW. It seems reasonable to me that they figured that bidding 4♣ was close enough to automatic that the appellants ought to be able to make a case on that behalf, but they didn't say. They should have, at least so that we don't think they didn't consider it."

☞ Looking for an AWMW are...

Allison: "I don't think the defense against 4♣ was egregious so a case cannot be made for allowing that result. I'm pleased to see we are being tougher on these BIT cases and certainly agree with the Committee's decision. However, where is the AWMW? If we are to spend our precious time adjudicating these sorts of cases, we must press for penalties when that time is wasted."

Passell: "Clear cut. No merit to the appeal."

Weinstein: "Good except for the lack of an AWMW or at least the consideration of one."

☞ Taking the view that pass is not an LA for East is our (again) "lone" panelist...

R. Cohen: "Let's look at the AI available to East. In order to defeat 3♥ five tricks are required. All that East might contribute defensively is the ♠QJx, which might take a trick. The other four tricks (or maybe five) would have to come from West. What hand can West have that would take that many tricks and would also pass over 2♥? BIT or not, pass is not an LA for East. Had N/S defended properly and got their +300, we probably wouldn't be reading and critiquing this case."

☞ And finally, get ready, ... get set, ... rant!

Wolff: "Okay, but with these circumstances we are penalizing the hesitation (okay with me) when East cannot takeout. What can East do to protect himself except to talk to his partner beforehand? Probably nothing. This case should be available whenever Committees meet. When Committees talk about the defensive values of a queen-jack and a jack-nine they lose me. Next on the agenda would be a total yarborough but a singleton trump deuce. 'Well, it could be worse.' Why don't we just accept that once there is a BIT partner can't take out unless he had made a tactical bid with game in hand. I want those Committee members for my pallbearers, because if I can overhear them I'll be glad where I am and where I'm going wherever it is. This echoes the problem with our system—too many idiots."

CASE SEVEN

Subject (Tempo): If I Change My Mind, It's Only That I'm So Concerned

Event: Sat/Sun Bracketed Knockout Teams, 07 Dec 02, First Session

Bd: 17	♠ KJ1076		
Dlr: North	♥ KQJ10		
Vul: None	♦ AK4		
	♣ 5		
♠ Q		♠ 3	
♥ 76543		♥ 98	
♦ J832		♦ 9765	
♣ Q109		♣ AJ7432	
	♠ A98542		
	♥ A2		
	♦ Q10		
	♣ K86		
West	North	East	South
	1♠	Pass	3♣(1)
Pass	4NT	Pass	5♥(2)
Pass	5♠(3)	Pass	6♠
All Pass			
(1) Alerted; Jacoby-like, 15 points maximum; no explanation requested			
(2) Two keycards without the ♠Q			
(3) BIT; N/S: 7-8 sec, E/W: 30 sec			

The Facts: 6♠ made six, +980 for N/S. The opening lead was the ♣A. The Director was called at the end of the auction and told of the BIT. He instructed that play continue and at the end of hand was told that there was no problem. However, after the comparison, when the result of the match was known, he was called back and asked for a ruling. The Director determined that there had been a BIT before the 5♠ bid which suggested that bidding on would be more successful than passing. The contract was changed to 5♠ made six, +480 for N/S (Laws 73F1 and 12C2).

The Appeal: N/S appealed the Director's ruling. South said she always intended to bid at least 6♠ after North launched into Blackwood. She also said she should have responded 5♠ initially with her extra spade length (to show the ♠Q) and was trying to make up for her error. She could not conceive of a hand where North would use Blackwood and they could be off two aces. E/W offered a North hand

of ♠KQJ10xx ♥KQJxx ♦K ♣Q.

The Panel Decision: The Panel found that there had been a BIT of 10-15 seconds which made bidding on more attractive for South. Six experts were consulted about the possibility of bidding on over 5♠. One said that partner had to have at least two keycards to launch into Blackwood and so he would bid 6♠. A second said there was no black or white decision and the Panel should "split the difference." The remaining four experts were emphatic that pass was an LA and that N/S should play 5♠. Based on the fact that South had consistently undervalued her hand (she could have responded 2NT to North's 1♠ opening to show 15-plus points and she should have responded 5♠ to 4NT to show the ♠Q) and the advice of the consultants that passing 5♠ was an LA to bidding on, the Panel changed the contract to 5♠ made six, +480 for N/S. (They believed the lead of the ♣A was sufficiently likely to allow it.) In addition, the Panel found the appeal to be without merit and awarded an AWMW to N/S and their team captain.

DIC of Event: Patty Holmes

Panel: Charlie MacCracken (Reviewer), Matt Smith, Ken Van Cleve

Players consulted: Henry Bethe, Jo Morse, Alan Sontag, Jo Ann Sprung, Haig Tchamitch, Peter Weichsel

Directors' Ruling: 87.0 Panel's Decision: 95.1

✍ The consultant who said "partner had to have at least two keycards to launch into Blackwood" must have never picked up ♠QJxxxx ♥KQJ ♦AKQ ♣x or ♠KQJxx ♥KQxxx ♦Kx ♣x and heard his partner make a forcing raise of his 1♠ opening, and the consultant who advised the Panel to "split the difference" obviously didn't know the laws. Aside from that, the Panel did a fine job, right down to the AWMW.

Agreeing...

Allison: "It just doesn't matter what you were 'always going to do' when you get UI from a BIT. Good exercise in Director's ruling and good Panel work. 'When will they ever learn...when will they ever learn?'"

Bramley: "Peculiar that E/W did not complain until they needed it. However, given that the Director call was still timely, his ruling and the Panel decision, including the AWMW, were clear-cut."

R. Cohen: "When are players going to give up appealing after 'Hesitation' Blackwood? Better yet, when will they stop employing Hesitation Blackwood? Everybody correct, including the AWMW."

Kooijman: "Strange case, both North and South should bid 6♠ and none succeeds in a normal way. Which gives away my final opinion. Only when the CC shows that Blackwood can't be used without at least two KeyCards (and none does) can 6♠ be allowed. What call other than 4NT does North have available if he has ♠KQ10xx ♥KQx ♦KQJx ♣x or a comparable holding? Not very likely at the time he bids 4NT but quite likely when he bids a normal 5♠ after inquiring—and an impossible holding after he bids a slow 5♠. The AWMW was an inevitable decision. My colleagues in the Dutch Appeals Committee are united: no way to bid 6♠."

Polisner: "When will they ever learn? The appellants of course."

Wildavsky: "Three AWMWs—well done!"

✍ Yes, three total but still only one per appellant (as per regulation).

Goldsmith: "An easy one: Hesitation Blackwood in action. I'm a little concerned that the Panel's report suggests strongly that the players consulted were given the UI. The first order of business is to find whether anyone would pass without UI."

✍ Hopefully this was just a poor choice of phraseology in the write-up.

Several panelists are unhappy with E/W's dismissal of the Director at the end of the hand with "no problem," only to recall him after the comparison.

Brissman: "I like the ruling and the Panel decision, but I very much dislike E/W's dismissal of the ruling at the end of the hand and their pleas for redress after the comparison. Yes, what they did was legal, since the table statement is akin to a dismissal without prejudice, but it leaves a sour taste. No wonder N/S appealed."

Wolff: "The hesitations surrounding Key Card Blackwood are a growing problem. Players should realize that if they want conventions to show more and more they need to become more and more sensitive to the ethical demands this places on them (at latest report this isn't happening). This Director screwed up and caused a problem. Eventually the right result was obtained, but I also don't like the Director being called back when the match came to be in the balance. What if an umpire failed to call strike three and then the batter hit a game winning homer, whereupon the umpire reversed himself and called strike three? Think about it."

Weinstein: “E/W deserved an AWMW as well for their weasel-like request for a ruling. Many moons ago we instituted (or at least suggested) a rule that an appeal could not be dismissed in a knockout match without the permission of the Director. This was to help prevent meritless appeals by creating a downside. If a match was won small by the appealing side, a score adjustment worse than that assigned at the table could occur that might turn the match. Also in my dreams was an IMP penalty for a meritless appeal that might turn the match as well.

“So now, we don’t have this ‘dismissal rule’ or if we do nobody pays attention to it. Just as well, since E/W weaseled their way around the rule by not even getting a Director’s ruling until after the match result was known. Though I know there are reasons to allow it, protesting only after a match result is known is odious. Calling for an initial ruling after the match result is known is putrid. Can we limit or bar this? I know, the damn laws probably get in the way again.”

✍ The regulation Howard refers to, requiring the Director’s approval to withdraw an appeal, is indeed still in place. To my knowledge it has never actually been invoked, although we came close once—in Boston in 1999—but in that case the winning margin by the appealing side was so great that no score change or PP could have affected the outcome of the match so the appeal was allowed to be dropped.

Several panelists suggest an additional action which should have been taken by the Directors.

L. Cohen: “An obvious Hesitation Blackwood case; surely South must pass 5♠. (Before I saw the example hand, my actual construction for North was: ♠KQJ109x ♥KQ ♦Jx ♣Kxx). The slow 5♠ makes it clear that two aces aren’t missing. Case closed? No! My complaints: (1) Why was the Director told at the end of the play that there was ‘no problem’? Looks like a problem to me. (Why did the players wait to compare scores and then decide they didn’t like South’s actions? Wrong timing.) (2) Why does the Panel Decision include: ‘Based on the fact that South consistently undervalued her hand...’ Who cares? What does that have to do with the price of tea in China? (3) I’d have given a PP to South for taking blatant advantage.”

Rigal: “Yes just right for an AWMW, and again not entirely inappropriate to award a PP for an expert who might be deemed to know better in a Hesitation Blackwood auction. Given that this was not a National event I would not insist on that.”

Stevenson: “South is required by the laws to pass 5♠. She has no excuse whatever for continuing. Hesitation Blackwood must be stamped out. Players always have an argument for continuing and it is not acceptable. A further penalty should be assessed for egregious use of UI—an AWMW is not enough.”

✍ I agree with the above panelists. South certainly deserved a PP for her flagrant 6♠ bid after North’s huddle. Unfortunately, Directors have been reluctant to issue PPs at the table—even when one is as well-deserved as it was here. As I’ve said in these pages before, if PPs for flagrant actions were issued promptly and consistently at the table we would no doubt begin to see fewer infractions of this sort and fewer appeals stemming from those that did occur.

The next panelist clarifies some additional points.

Gerard: “The decision is fine, but there’s some loose language floating about. South didn’t undervalue. If 2NT were also a spade raise, it’s not clear what the South hand evaluates to and 3♣ might have been more detailed than the alternative. Also, responding 5♥ wasn’t an evaluation, it was just a failure to count properly, as the Total Tricks folks are always telling us. You don’t need to indulge in the Intelligence Transfer Defense (what would a player who thought her hand was only worth such-and-such do, etc.) to prevent 6♠. E/W’s sample hand was right on target.”

✍ As much as I hate exposing this next comment to public scrutiny, our tell-it-like-it-is editorial policy precludes my suppressing it. I will only preface it with the traditional, “baa-a-aa.”

Treadwell: “I would tend to allow the 6♠ bid since it is inconceivable that partner launched into Blackwood with but one Key Card. One is allowed to realize on the next round that a mistake had been made in responding to Blackwood, BIT or no BIT.”

✍ The next panelist presents such an intelligent, well-rounded—albeit lengthy (I know, I know, the pot calling the kettle...)—comment on this case that he has earned the final word.

Burn: “I suppose that ‘Hesitation Blackwood’ is viewed differently in different parts of the world. To me, it seems almost incredible that a Director may decide that there is ‘no problem’ in an auction of this kind. Even if E/W do not wish to pursue the matter, the Law obliges a Director ‘to rectify an error or irregularity of which he becomes aware in any manner’ (Law 81C6), and Hesitation Blackwood is so blatant an irregularity that I would consider the Director justified in awarding an adjusted score without further reference to the players.

“But it appears from the Panel’s investigations that there are cases in which it may be appropriate for the partner of a Blackwood bidder to continue after partner’s signoff facing the correct response (South’s remarks about the ♠Q are not completely self-serving: she should have shown it, and then North would have bid a slam, but she could not know that North did not have that card). If there are indeed cases where a player may bid on after a slow signoff—and I can well believe that ‘Hesitation Key Card Blackwood’ may be a more difficult animal to deal with than its progenitor—then both the Director’s ruling and the Panel’s are sound (though it was fortunate that the Panel did not cease its investigations after consulting only the first two experts). The AWMW was the least that could be done; I would not consider a severe PP inappropriate.

“There may be some disquiet as to the timing of the various requests for a ruling. E/W appear to have called the Director at the appropriate time during the course of the hand, then called him back to advise him that there was ‘no problem,’ then called him once more, having lost the match, on the basis that perhaps there was a problem after all. I don’t have any difficulty with this. It is certainly permitted by law, and it may very well be that at the time E/W considered South’s bidding justified, discovering only later (on the advice of more experienced players) that it was not. Of course, one would take a dim view of a team who, having lost a match narrowly, searched only then for possible infractions by the opponents, but there is no evidence that this was such a case.”

CASE EIGHT

Subject (Tempo): Captain Of My Soul?

Event: Flight A/X Pairs, 07 Dec 02, Second Session

Bd: 22	Robert Stolinski		
Dlr: East	♠ 865		
Vul: E/W	♥ Q8		
	♦ 104		
	♣ KQ9542		
Paul Benedict	Helene Fournier		
♠ 3		♠ J94	
♥ K762		♥ AJ954	
♦ AKJ85		♦ Q93	
♣ 1076		♣ A8	
	Rygmunt Smyczek		
	♠ AKQ1072		
	♥ 103		
	♦ 762		
	♣ J3		
West	North	East	South
		1♥	2♠
3♦	3♠	Pass	Pass
4♥	Pass(1)	Pass	4♠
Dbl	All Pass		
(1) BIT (agreed, but length disputed)			

The Facts: 4♠ doubled went down two, +300 for E/W. The opening lead was the ♦A. The Director was called after South's 4♠ bid. The players agreed that North broke tempo before passing 4♥: North thought he took 7-10 seconds while West thought it was longer. The Director ruled that there had been a BIT which demonstrably suggested bidding 4♠ and that pass was an LA for South. The contract was changed to 4♥ by East made six, +680 for E/W (Law 16A2).

The Appeal: N/S appealed the Director's ruling. N/S were a Polish pair: South was not an ACBL member who, in Poland, was a "1st League" player who had won a national junior championship; North had about 50 ACBL MP but was considerably less experienced than South. N/S were a new partnership: they had played together for two days at this tournament, but not before. North said he thought South's 4♠ bid at this vulnerability was a 100% action. N/S estimated the length of the hesitation as 7-10

seconds. E/W were an experienced partnership with about 3700 MP each. They said that North's hesitation was about 30 seconds and made it easier for South to take the action he did.

The Panel Decision: The Panel gave three experts and four players with about 5000 MP South's hand and the auction through 4♥-Pass-Pass (without the BIT). One expert said he'd probably bid 4♠ at this form of scoring but thought pass was an LA. The other two passed. Of the 5000-MP players, two passed and two bid 4♠. One of the 4♠ bidders thought 4♠ was a 100% action, the other thought it was an 80% action. The Panel decided that UI was present from the BIT which demonstrably suggested the action taken, and that pass was an LA for South. The contract was changed to 4♥ made six, +680 for E/W.

DIC of Event: Matt Smith

Panel: Ken Van Cleve (Reviewer), Steve Bates, Patty Holmes

Players consulted: Chuck Burger, Chuck Said, Claude Vogel, four players with about 5000 MP

Directors' Ruling: 91.9 Panel's Decision: 85.7

☞ As in CASE FIVE, all that's missing is N/S's well-deserved AWMW. Right?

Bramley: "Yes, you *might* bid 4♠, but pass is clearly an LA. This appeal deserved

an AWMW."

R. Cohen: "Pass was certainly an LA to 4♠. An AWMW would not have been out of line."

L. Cohen: "Fairly routine. I do wonder if, from South's perspective, North's BIT could have been due to considering a penalty double instead of a 4♠ bid—but past experience shows that we shouldn't consider the penalty-double option. Even with that possibility, I still don't think there was merit."

Wildavsky: "Why not even a discussion of an AWMW?"

Passell: "Good decision for the ongoing theme. If bidding over a hesitation you better have a 100% action. Completely different from CASE FOUR."

Rigal: "Once you assume South had the values for his bid (yes, none of us would make it but that is not the point, we have to assume that South thought this was a 2♠ bid) then he is barred from bidding 4♠ with no extra trump length and no side shortage. Why should 4♥ not be going down? Partner did not bid 3♠ to direct the lead; presumably he has values, else he'd have bid 4♠. And why did he not by the way?"

Stevenson: "Fair enough. 3♠ is not going to be passed out so if South really thought 4♠ automatic he would have bid it over 3♠."

Weinstein: "The access to players to poll gives the Panel an opportunity to better assess LAs than a Committee seeing all four hands. As much as Committee members in a less objective setting believe they can impute others' actions, it would be an improved process if logistically a Committee could have access to similar input. This input could also be used to gauge whether an action is truly suggested. The idea of polling a bunch of players has been passed around for at least a decade. Perhaps the Directing staff that operates the Panels and gets this input could do the same when an appeal is pending that may hinge on LAs or the suggested action."

☞ All good points.

One panelist goes just a bit off the deep end here...

Wolff: "The decision is okay, but this case needs to be available to Committees because it shows how far we have come in disallowing actions after hesitations. South only needs one trick from partner to make it a worthwhile save. It certainly figures to be a good save after E/W's strong auction and so it is. We must rule consistently and South's hand should set the standard of how, after a hesitation, we are not allowing any action by partner. It is not logical to argue 'What if North was thinking of doubling?' What if he was? Are we ready to have a new rule that supercedes the LA rule? How about 'No winning affirmative action is allowed' after a BIT."

☞ I'd be remiss not to point out that *no* save will be worthwhile if the opponents' contract is not making. In addition, this case does not demonstrate our willingness to not allow *any* action by partner after a BIT. As several panelists have mentioned, as long as there is evidence that the 4♠ bid was not clear-cut (e.g., he might have bid it a round earlier since E/W were not likely to ever pass out 3♠; it is not clear from his hand that he always intended to "walk the dog") then he cannot bid on in the presence of UI—even if we can see the compelling logic in making the bid (this is simply the Intelligence Transfer trap again).

The next two panelists offer witness to their conversion...

Burn: "I would consider that at the vulnerability and form of scoring, South had a

completely obvious 4♠ bid to which there were no conceivable LAs: partner needs either no trick in a spade contract or three tricks against a heart contract before 4♠ is wrong (unless E/W's spades are two-two), and the odds are overwhelming that this is not the case. But the Panel has done a thorough job of investigating whether this is actually the right view of the matter, and although the judgment of the players concerned is surprising to me, it is a salutary lesson never to impose one's own view of a hand but to seek evidence before applying the law. The Panel system is not one with which I am familiar, but it appears to have worked very well in this case, and the Director has also made an excellent call. I've got some humble pie in the refrigerator; better eat it for lunch."

Goldsmith: "In theory, I think bidding 4♠ in the problem situation is automatic, a 100% action with no reasonable alternative. I think that partner's 3♠ bid here says, 'I don't have enough to commit to 4♠ on my own, partner, but if you want to bid it, please do.' There's just no reason otherwise to bid 3♠: the opponents are in a game force already and it doesn't take up much room. If they don't have a fit it gives them a fielder's choice. Therefore, it must be a 3-1/2♠ bid. Since South is authorized, should he save? Saving is right if: (1) The opponents make 4♥, (2) we make seven or more tricks in spades *and* (3) the field gets to game. The latter two are pretty much 100%. We might beat 4♥ if spades are two-two and partner has two tricks on the side. That's at best 40%, making the save a clear percentage matchpoint action.

"If the appellants had discussed this theory in the hearing, they might have had a case, but then North would have had no reason to hesitate. If he had already suggested to partner that he save in 4♠, there'd be nothing at all to think about.

"Step by step, then: Was there UI? Yes. Did it demonstrably suggest bidding 4♠? What are the other possibilities? North might be thinking of doubling. No way. He would not have bid 3♠ last time for fear that the auction might proceed in a way that partner might bid 4♠ before he could double 4♥. He must be thinking of bidding 4♠. Therefore, yes, the UI demonstrably suggests bidding 4♠.

"Are there any LAs to 4♠ not suggested by the UI? Passing is not suggested. Is it an LA? For a partnership on the same theoretical wavelength as I described above, it wouldn't be, but these guys were provably not there. Bidding 4♠ still seemed obvious, so I gave it as a problem. Most of my panelists passed. (I was rather surprised.) Therefore, passing is an LA.

"Did the infraction lead directly to E/W's poor result? Is bidding 5♥ so automatic that E/W failed to play up to a reasonable standard? With 11 HCP opposite 12 and no outstanding shape, doubling 4♠ is normal, though probably a mild mistake, conceding a poor matchpoint score. It's not close to being enough to break the chain of causality. So yes, the infraction led directly to E/W's poor result.

"Therefore, we must adjust the score.

"Finally, does the appeal have merit? The only possible merit is the fact that 4♠ is such a clear-cut bid that N/S could claim that passing wasn't an LA. In fact, that was their argument. I'd buy the argument for a different pair, but once North hesitated over 4♥ I don't believe it for them anymore. That hesitation is strong evidence that 4♠ is not automatic. Therefore, I'd award an AWMW."

☞ Jeff makes as sound an argument as I've seen in these pages in quite a while and these two comments together create as compelling a case for an AWMW as one could imagine, coming as they do from died-in-the-wool 4♠ bidders.

As I settled back in my seat, a self-satisfied glow slowly enveloping me, my eyes settled on this other form of conversion...

Allison: "Only because of a peer's firm belief that 4♠ was the *only* possible bid by South (not my firm belief—there is room in North's hand for a lot of defensive values until he hesitates), I agree with not assessing an AWMW. However, the rulings by the Director and the Panel were sterling."

☞ And then three more daggers appeared on my computer screen...

Kooijman: "What UI is given by the hesitation? In my opinion 4♠ is clear-cut and it is obvious for South that partner will consider such call, not contributing anything he didn't know yet. That is not completely true. If South had passed now and 4♥ had been one off that would have been a good reason to call for the Director, telling him that the decision to pass was suggested by the BIT. But how to keep up such opinion when the experts say pass? And how to disqualify the decisions as taken? Don't ask me to evaluate. This is another case fore which I consulted my members of the Dutch Appeals Committee. We apparently play another game. No doubt at all, 4♠ is allowed. (Hardly UI, probably a suggestion to bid 4♠ but no LA for bidding 4♠.)"

Polisner: "Does North's BIT indicate whether he was thinking about doubling 4♥, in which case South sits happily, or about saving, in which case South wants to save also. Couldn't North have ♠AK or ♦AQ doubleton and was thinking of doubling for a club or diamond lead? I don't believe that the BIT demonstrably suggests that South bid 4♠, so I would keep the table result."

☞ Perhaps this Jeff should read the "other" Jeff's comment, for homework.

Treadwell: "Assuming there was a BIT, what information was conveyed? North could be thinking only of either doubling or bidding 4♠. So, if the thought was about doubling, then 4♠ might have been the wrong action for South to take. In other words, to fail to bid 4♠ with this hand would be taking advantage of the BIT. Had North made a slow double it would be an entirely different situation. So, after a pass by North, whether fast or slow, South has a clear-cut action."

☞ Again, the "other" Jeff's comment ably refutes Dave's "North could have been thinking of doubling 4♥" argument.

Had this last panelist's comment been alone in supporting allowing South's 4♠ bid to stand I'd have bleated out a preface to it. But while it's still quite clear from all the comments that the 4♠ bid cannot be allowed, the question of an AWMW must be decided in N/S's favor.

Rats!

CASE NINE

Subject (Tempo): A Case Of GIGO?

Event: Stratified Open Pairs, 07 Dec 02, Second Session

Bd: 19 ♠ 95 Dlr: South ♥ AKQ6 Vul: E/W ♦ 643 ♣ A986 ♠ AKQ10 ♠ J87 ♥ 1054 ♥ 93 ♦ K1085 ♦ AQ9 ♣ Q7 ♣ K10432 ♠ 6432 ♥ J872 ♦ J72 ♣ J5	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">West</th> <th style="text-align: left;">North</th> <th style="text-align: left;">East</th> <th style="text-align: left;">South</th> </tr> </thead> <tbody> <tr> <td>1♦</td> <td>1♥</td> <td>2♣</td> <td>Pass</td> </tr> <tr> <td>4♣(2)</td> <td>Pass</td> <td>4♦</td> <td>3♥(1)</td> </tr> <tr> <td colspan="4">(1) Explained as preemptive</td> </tr> <tr> <td colspan="4">(2) Long pause</td> </tr> </tbody> </table>	West	North	East	South	1♦	1♥	2♣	Pass	4♣(2)	Pass	4♦	3♥(1)	(1) Explained as preemptive				(2) Long pause			
West	North	East	South																		
1♦	1♥	2♣	Pass																		
4♣(2)	Pass	4♦	3♥(1)																		
(1) Explained as preemptive																					
(2) Long pause																					

The Facts: 4♦ made four, +130 for E/W. The opening lead was the ♥A. The Director was called after dummy was tabled. West agreed that she huddled before bidding 4♣. The Director ruled that West's BIT did not demonstrably suggest one action over another for East. The table result was allowed to stand.

The Appeal: N/S appealed the Director's ruling. Both N/S and E/W were first-time partnerships, N/S with about 4500 MP each and E/W with about 400 MP each. N/S said West took 1-2 minutes before bidding 4♣. They believed East had already bid his full values and took action over 4♣ based on West's hesitation. E/W did not play a 2/1-type system. East said he considered West's 4♣ bid forward going and was surprised when she passed 4♦. E/W both agreed that West hesitated "about a minute" before bidding 4♣.

The Panel Decision: The Panel gave four experts and four other players with about 400 MP East's hand as a bidding problem (without the BIT). One expert bid 5♣, the other three passed. Three of the four experts believed that the hesitation did not suggest anything, that it was meaningless because of the multitude of actions (some stronger, some weaker) that West may have been considering. The fourth expert thought "hesitations always show extras"; when shown West's hand he said, "West didn't have the values for her hesitation." Of the four players with about 400 MP, one said he would either pass or bid 5♣ while the other three passed 4♣. When asked what a hesitation by partner before the 4♣ bid might mean, one thought it showed extras, a second thought it showed a marginal 4♣ bid, a third thought it showed that partner was considering a different bid and the fourth thought it gave no information. Based on this input, the Panel decided that East's action was not demonstrably suggested by the UI. The table result was allowed to stand.

DIC of Event: Susan Doe

Panel: Ken Van Cleve (Reviewer), Mike Flader, Charlie MacCracken, Matt Smith
Players consulted: Martin Caley, Rob Crawford, Richard Popper, Michael White, four players with about 400 MP

Directors' Ruling: 84.8 Panel's Decision: 85.2

✍ This was an excellent effort by everyone—with the exception of that (fourth) consultant who substituted cliché for actual thought. On the other hand, while N/S's decision to appeal the ruling is, to my mind, somewhat distasteful it does not quite rise to the level of warranting an AWMW, which is why I cannot fully agree with...

Allison: "I certainly can't think that a long pause followed by a 4♣ bid shows a

relatively weak opening bid like this one. I agree that West hasn't got her hesitation and I can't imagine doing anything but allowing her to make her bid. And what was the merit in this appeal? So far there have been several cases where everyone would have done better to go early to sleep and this is yet another. AWMW!"

R. Cohen: "N/S, with 4500 MPs each, thought they were fixed, so they called for the cops. No wonder we have trouble keeping new players. N/S were lucky E/W didn't find their really profitable four-three trump suit—*spades*. Shame on N/S."

✍ "Shame on you," yes, but not "How dare you bring this appeal."

The next panelist has the right slant on the "hesitations always show extras" issue...

Gerard: "Pass 4♣? You deserve to buy ♠Axx ♥xx ♦K10xxx ♣AQx. Hesitations in competition don't necessarily show extras, merely awkwardness."

Stevenson: "Good ruling and decision. It is pleasing to see neither the Director nor the Panel getting suckered into the 'If it hesitates, shoot it' approach."

✍ Right, and since one of the consultants even succumbed to this approach it is not beyond comprehension that N/S chose to appeal.

Another good point concerning the "reliability" of tempo variations of players having about 400 MP is brought out by...

Rigal: "Superior decision by both the Director and Panel. Any pair who bid like this can't be held accountable for subtle inferences on tempo, etc."

✍ More support for the Director's and Panel's actions...

Polisner: "Okay. East's 4♦ was a middle-of-the-road bid which leaves all options open as he would not imagine that West was this weak with the bid of 4♣."

Weinstein: "Good consideration and initial Director's ruling. This hand is why 'demonstrably' was added a few years ago."

Wildavsky: "Good work all around."

Treadwell: "This BIT certainly did not suggest any particular action by East. Nice to see that both the Director and Panel got this one right."

Passell: "I don't feel great about this one but I can't find fault either."

Wolff: "Correct decision but sour grapes on the part of N/S and if left unattended may encourage others to try for something with no risk. Certainly an admonition for N/S was in order."

✍ Yes, perhaps that is the best way to deal with our discomfort...an admonition would have been just about right.

Goldsmith: "I think the table Director should have ruled against the offenders (E/W) in this case and let the Panel sort it out. There's not enough time at the table to judge the meaning of hesitations in unusual situations. But having said that I do think the Panel got it right, as therefore did the Director, so perhaps he ought to have made his ruling as he did.

"What probably really happened was that West wanted to double 3♥, but realized she had been thinking about it long enough that partner would never pull and she wanted partner to pull with a high offense-to-defense ratio, but pass with a normal hand. In practice, doubling would have been the winning action. That does

not suggest bidding 4♦ over passing 4♣; rather, instead it suggests passing.

“In general, when the player’s real problem *can* be figured out and it does not suggest the decision made, one might consider that the hesitation does not demonstrably suggest the decision made unless there is very strong reason to believe it does.”

Given Barry’s earlier point it seems dangerous to attribute such sophisticated motives to West, a player with 400 MP. However, Jeff’s last point, that when the hesitator’s actual problem does not suggest his partner’s action we should be slow to conclude that the action was demonstrably suggested by the UI without a very good reason to believe otherwise, seems very good advice.

The following panelists represent a minority view which, when I first read this case, I feared might be in the majority; I was relieved to discover I was wrong.

Kooijman: “Interesting case, especially the fact that the Director decided that no suggestive UI existed. Did he ask around? We have had this before: peers not supporting the bid made and the Committee/Panel allowing it. Yes, I know that the reasons were quite different, but does that matter? The 400 MP do. Let me tell what the 4♣ hesitation means: Not a minimum, then she would have passed, and no three-card support, then she would have bid faster. So possibly no five-card diamonds either, as then she might have preferred 4♦, and at most ♠Qxx, otherwise she would have bid 3NT. Let us see: ♠AKx(x) ♥Qxx ♦Kxxx(x) ♣Qx or the ace and queen in the black suits exchanged. Only when 4♣ is forcing, and I don’t think it is, would I consider a pass not to be an LA.

“This is the fourth case that I consulted the Dutch Appeals Committee for. You should know that I presented them only the hand that had to make a decision after partner’s hesitation. One member suggested the doubleton club for this hesitation. Seems enough proof for not allowing 4♦. None of them did allow it.”

Burn: “As a newcomer to the task of reviewing these cases, and as a foreigner to boot, perhaps it does not become me to give everyone a 0 on a scale where a 1 is designated ‘poor.’ But this is abysmal. East bids 2♣ with some diffidence; true, West might not expect more in a context where two-over-one is not game-forcing, but for sure East will be quite happy if West supports clubs at a level where East can pass. So West supports clubs at a level where East can pass—and East bids on. Then, a Director and Panel think West’s slow club support does not demonstrably show distinct unhappiness with the notion that her bid might be the final contract, so that it is perfectly okay for East to bid on. Then, West passes a 4♦ bid that is a try for slam, not a suggestion of an alternative contract, and still no one perceives anything untoward. Words rather fail me, so I had better not write any more of them (especially since, if West had been aware of her responsibilities, she might have bid 4♣ and she might have made it).”

Perhaps this is a European thing (which does not account for David Stevenson’s position, though Barry’s might be attributed to his “Americanization”). If West’s tempo indicated unhappiness with 4♣ as a final contract, might that not have been because she was afraid of being *dropped* in 4♣ holding true club support and higher aspirations but was afraid to cue-bid 4♥ for lack of a first-round heart control (400 masterpoint players tend to think that cue-bids must have first-round control) and did not think she had enough distribution to jump to 5♣? After all, if East has as little as ♠Jxx ♥x ♦Axx ♣AJ109xx slam needs only the club finesse (make the ♣J the ♣K and now it’s virtually cold) and opposite ♠Jxx ♥x ♦Qxx ♣AKJxxx 5♣ is cold. As for her pass of 4♦, if in fact 4♦ was a slam try (though I doubt it for players at this level) then what UI did she have to justify questioning her pass?

CASE TEN

Subject (Tempo): “Operating” Just Outside The Law

Event: Life Master Open Pairs, 29 Nov 02, Second Qualifying Session

Bd: 24	Martin Schifko		
Dlr: West	♠ KQ1063		
Vul: None	♥ 73		
	♦ AK92		
	♣ 32		
Paul Bethé	Henry Bethé		
♠ J95	♠ 842		
♥ AQ942	♥ KJ865		
♦ Q	♦ 1076		
♣ AK105	♣ 96		
	Mike Moss		
	♠ A7		
	♥ 10		
	♦ J8543		
	♣ QJ874		
West	North	East	South
1♥	1♠	2♥	Dbl
3♣	3♦	4♥	4♠
Dbl(1)	Pass	5♥	All Pass
(1) Admitted BIT (about 15 seconds)			

The Facts: 5♥ went down two, +100 for N/S. The opening lead was the ♦A. The Director was called after the 5♥ bid, N/S claiming that West broke tempo (West said he took about 15 seconds) before doubling 4♣. The Director ruled that the BIT demonstrably suggested removing the double and that passing was an LA for East. The contract was changed to 4♣ doubled made four, +590 for N/S.

The Appeal: E/W appealed the Director’s ruling. South did not attend the hearing. East said that West took longer to bid 3♣ (approximately 20-25 seconds) than he did to double 4♣, and that players should be afforded additional time to consider their actions in highly competitive auctions, as here. He said he really hadn’t noticed any BIT before the double of 4♣; he believed West had taken about 4-8 seconds. Additionally, East thought his own 5♥ bid was clear-cut holding a hand with negative

defense and with the potential that 5♥ might make. North said he believed it took West approximately 17 seconds to double 4♣ because he started counting it down after West did not bid in tempo. West, when asked, said he believed he took somewhere around 10-15 seconds before doubling. North additionally said that after the hand was over E/W started discussing the fact that there were a lot of hands where 4♣ would go down given that it seemed fairly clear that they possessed a three-three spade fit on the auction. E/W did not contradict North on this. The Committee determined that E/W were playing a fairly standard 2/1 game forcing structure with five-card majors, splinters, and fit-showing jumps in competition. A 3♥ bid by East over 1♠ would have been a mixed raise with four trumps, so East’s actual 2♥ bid was fairly wide ranging. None of the players remembered whether East had used the Stop Card for his jump to 4♥, but everyone agreed that South took about 10-15 seconds before bidding 4♣.

The Committee Decision: The Committee determined that there had been a BIT before the double of 4♣ which made UI available to East. Although the Committee agreed that West had a difficult problem, they deemed that pass was an LA for East and that the UI clearly suggested removing the double. The time it had taken West to bid 3♣ was deemed irrelevant to the issue at hand. The contract was therefore changed to 4♣ doubled made four, +590 for N/S. Finally, the Committee noted that players with an excellent knowledge of the laws are held to a higher standard when a potential UI situation occurs, as it had here, and they were surprised that E/W chose to appeal this ruling. Consequently, E/W were each assigned an AWMW.

DIC of Event: Henry Cukoff

Committee: Mark Bartusek (chair), Doug Heron, Ed Lazarus, David Stevenson, Jon Wittes

Directors' Ruling: 97.9 Committee's Decision: 97.5

☞ All things considered, a fairly routine case with E/W's unfortunate decision to appeal earning them a deserved AWMW. Agreeing is...well, almost everyone.

R. Cohen: "I'm surprised E/W would appeal the ruling. However, everybody got it absolutely right."

Bramley: "Sorry, Henry, I agree with the decision and the AWMW."

Kooijman: "Fifteen seconds is too long, even when extra time should be added in these kinds of auctions (see CASE FIVE). Clear case and a consistent approach of awarding the AWMW, for which I award a congratulation."

Passell: "Great job by all. An easy ruling and an easy decision."

Allison: "Bravo to the Committee and to the Directors. Someone here should have known better than to bring this one to Committee."

L. Cohen: "Good decision, including the AWMW. But, as usual, I have a small gripe about the write-up. The second sentence of the Committee Decision starts: 'Although the Committee agreed that West had a difficult problem...' Who cares about West's problem? It is absolutely irrelevant. Whether West has a 20-minute headache of a problem or a routine in-tempo pass is not of interest. It was established that West broke tempo. That is the end. Period. From there we discuss if East had an LA. Scribes, please do not tell us about the huddler's (in this case, West's) problems; don't confuse the main issue with irrelevancies."

☞ Yes, whatever problem(s) the huddler may have had are irrelevant to the issue of the appeal, which is whether the huddler's partner's actions were significantly aided or otherwise justified.

Burn: "You can see why East did what he did, of course. But he hadn't promised any defense to spades and he hadn't promised any more playing strength in hearts than he actually held. A small side issue, since I am not familiar with the AWMW system (though I applaud it): Suppose that only East had turned up to the hearing. Would a warning still have been given to West?"

☞ Yes. Law 92D requires both members of a pair (or their captain in a team event) to concur before an appeal may be heard; an absent member is deemed to concur. Thus, if West did not show up and made no effort to inform the Director that he did not concur in the appeal, then he is liable for any AWMW.

Goldsmith: "The ruling seems straightforward. The claim 'players with an excellent knowledge of the laws are held to a higher standard when a potential UI situation occurs' is nonsense and counterproductive. If it were true, it would encourage players to avoid understanding the laws. This isn't to say that inexperienced players are not to be given any slack in this sort of situation, but acting more harshly against East just because he is a member of the National Appeals Committee is poorly reasoned. Regardless, E/W deserved an AWMW."

☞ I don't see how the Committee's statement would encourage players to avoid understanding the laws. The standard is not whether a player *actually* understands the laws (we aren't expected to read a player's mind) but rather whether a player is expert or experienced enough that he *should* understand how UI from his partner

can affect his actions and how the laws restrict what actions he may take under such circumstances. Thus, any expert/experienced player can gain no advantage simply by avoiding knowing the laws—in fact, doing so will likely *disadvantage* him in situations in which knowing the laws would have helped him avoid a problem.

Also, I find the Committee's sentiment, that NAC members should be held to a higher standard for appeals lacking merit than others, to be well-conceived. NAC members (should) understand the laws and the issues involved in bringing an appeal. They should be intimately aware of the burden of proof that is placed on the appellants for their appeal to be successful. When they bring a case which their experience on NAC should tell them has virtually no chance of being won (unless they are the lucky recipients of an aberrant decision), they must be held responsible even if players who are naive about appeals issues might be let off with just an admonition.

Stevenson: "Whether there was a BIT before 3♣ was irrelevant. Once the ruling was made, East knew that there was a BIT before the double so 5♥ was illegal, and he should not have brought the appeal."

Treadwell: "Had East jumped immediately to 4♥, as many would, and his partner then made a slow double of 4♠, obviously he would not be permitted to pull. This situation is essentially the same, so the Committee decision is correct, including the award of an AWMW."

Wildavsky: "Well-done all around."

Polisner: "I generally agree with the decision except that West's normal tempo is relevant to determine if the double of 4♠ was "out of tempo"; i.e., if West takes 15 seconds to make every bid or call..."

☞ Yes, that's true. Players (and we know who you are) who habitually take, say, at least 10-15 seconds to make every call would not be breaking tempo by taking about that same amount of time before doubling 4♠ in the present auction.

Wolff: "Very tough. E/W are an ethical pair who are not looking for any edge. To me it shows the difficulty of administering our game. Hesitations resulting in UI denigrate the whole game, so at our level we must regard them that way. One trouble is that our mind set encourages hesitations by many saying they are part of the game. Just not so and we must rid them of that notion. Rulings like this will speed it up."

☞ Finally, one panelist goes on record as being uncomfortable with the decision (although he is willing to live with it) and even more at odds with the AWMW.

Rigal: "I can't help feeling that E/W were hard done by, particularly as regards the AWMW. Yes East must be held to higher standards but passing with this trump length and the doubleton club is far from clear. I can live with this decision but I do not think I'd give the AWMW."

CASE ELEVEN

Subject (UI): The Return Of Lamont Cranston—In Quadruplicate
Event: Life Master Open Pairs, 29 Nov 02, First Qualifying Session

Bd: 10	Craig Shanafelt		
Dlr: East	♠ AQJ72		
Vul: Both	♥ A942		
	♦ 76		
	♣ QJ		
Craig Zastera	Harry Steiner		
♠ 653	♠ 98		
♥ K75	♥ QJ1063		
♦ Q95	♦ A832		
♣ A875	♣ 94		
	Stephen Hosch		
	♠ K104		
	♥ 8		
	♦ KJ104		
	♣ K10632		
West	North	East	South
		Pass	Pass
Pass	1♠	Pass	2♣(1)
Pass	2♥	Pass	3♠
Pass	4♠	All Pass	
(1) Not Alerted; intended as Reverse Drury			

The Facts: 4♠ made five, +650 for N/S. The opening lead was the ♠9. East called the Director as soon as dummy came down saying he did not believe South's hand justified a jump to 3♠ after the failure to Alert 2♣. South informed E/W of the failure to Alert before the opening lead. After the play ended E/W asked the Director for redress, saying they did not believe N/S would have reached game without South's jump to 3♠. (North said that if South had bid only 2♠ he would not have bid again.) The Director ruled that North's failure to Alert 2♣ was UI which demonstrably suggested the 3♠ bid, and that 2♠ was an LA for South at his third turn. Therefore, the contract was changed to 2♠ made five, +200 for N/S (Laws 16A2 and 73F1).

The Appeal: N/S appealed the Director's ruling and were the only players to attend the hearing. N/S said they had played together for 10-15 years, then took a break, and had recently resumed playing together (for the last two years). They played five-card majors in third and fourth seats and regular Drury. North's 2♥ bid was natural in their system and forcing for one round, promising a full opening bid. When asked, South said that North frequently forgot to Alert some bids even though he was good at remembering their system.

The Committee Decision: The Committee discussed the correct bridge auction (absent any UI) after the 2♥ bid. Some favored South's rebidding 2♠ while others favored his rebidding 3♠—which clearly made 2♠ an LA. They agreed that if UI had been passed a score adjustment to 2♠ was appropriate. The Committee members agreed that the failure to Alert conveyed UI (North might have forgotten Drury), 2♠ was an LA to 3♠, and the UI suggested bidding 3♠. However, N/S's statements had been remarkably convincing that North was aware of their system but prone to forgetting to Alert. The Committee decided that in this particular case South had not acted upon UI and made what he deemed to be the right bridge bid which, in the absence of UI, he was free to do so. The Committee appreciated that it would be normal to impute UI, since South's statement (that North is prone to forget to Alert even though he remembers his system) is clearly self-serving, but in this case South's reluctance to admit North's failing convinced most of the Committee members of its truth. The Committee restored the table result of 4♠ made five, +650 for N/S, and warned N/S about the problems inherent in forgetting to Alert. In addition, they determined that this was an appropriate issue to bring to

the attention of the Recorder in N/S's home District.

Dissenting Opinion (Jeff Goldsmith): While it is certainly legal for the Committee to decide as it did, I believe there is not nearly enough evidence to do so. I do not buy the non-UI argument at all. Given UI, South's LAs seem to include 2♠, 2NT, 3♣, 3♠ and 4♠. The two of these not suggested over the others by the UI are 2♠ and 3♣. Since South never thought about bidding 3♣, 2♠ should be the action imposed on him. (As an aside, if South's assertion that North never forgot their system but often forgot to Alert were true then 3♣ would be a clear choice: it's not suggested by the UI and if North did forget Drury they would end up in a silly spot while if he did not forget they would reach game and be able to keep their result.) In a poll taken after the hearing I found several good players who would (and some who did) pass 2♠ with the North hand; so the Directors got this one right. Question: Is a warning or a PP appropriate for South? I would warn him, firmly making him aware of his responsibilities when playing with someone who often fails to Alert. I'd also award an AWMW, although since the Committee decided in N/S's favor perhaps that is too harsh.

DIC of Event: Henry Cukoff
Committee: Barry Rigal (chair), Jeff Goldsmith, Richard Popper, Riggs Thayer, Dave Treadwell

Directors' Ruling: 88.4 Committee's Decision: 49.0

✍ Whatever power South appears to have had over this Committee should be bottled and marked with a skull and crossbones. My sentiments lie entirely with...

L. Cohen: "I know of a bridge (hint: part of it is in Manhattan) that may be for sale. I don't get it. Why did the Committee (four out of five of them, anyway) buy N/S's story? The dissenter's comments (including the AWMW and PP) would have been perfect if only they were listed under The Committee Decision."

✍ And if it's any help I know of a causeway in Florida...

Allison: "Sorry, but I cannot accept a self-serving statement 'Oh, he often forgets to Alert even though he knows the meaning of the bid.' When partner fails to Alert, it behooves bidder to lean over backwards to avoid helping things along by *not* making doubtful bids that may be based on UI. I agree with the dissenting opinion and think this Committee allowed itself to be seduced by a fast-talking appellant."

Gerard: "The Dissenter can serve on my Committee any time. Only the AWMW is out of line, not because the decision was in N/S's favor but because South had legitimate grounds for believing there was no extraneous information. But that doesn't mean the majority should have bought into it. In fact, there's no indication that they understood Law 16 since they didn't even consider the key issue. Everything else pointed to an adjustment: the non-Alert 'may' have suggested 3♠, 2♠ was clearly an LA and a non-signoff was demonstrably suggested by the non-Alert. So was the failure to Alert 'extraneous information'? I don't care if North never forgets his system, failing to live up to one's legal obligations is never redundant. Under Law 73B1, Alerts given or not given constitute gratuitous information. Someone who had forgotten would fail to Alert so there was some chance that this was one of those times that North was more than just lazy. South may have been on the side of the angels but appeals are about more than just believing someone who says 'I always would have done thus-and-so.'

"Now here's the real question. Having seen the two explanations side-by-side, wouldn't anyone in the majority change his vote? Rigal? Treadwell? I'll erase one of your demerits if you admit the error of your ways."

Stevenson: “Did South have UI from his partner’s failure to Alert? Yes. Does the UI suggest 3♣ over (say) 2♠? Yes. Is 2♠ an LA? Yes, this was demonstrated. So to adjust is obvious. The argument produced by the Committee takes no notice of the laws. Without disagreeing with any of the facts they gleaned or the deductions they made, it does not alter the fact that players are limited by Laws 73C and 16A when their partner makes UI available to them, and failure to Alert an Alertable bid is UI. I believe an AWMW should have been awarded to N/S. Players must learn to follow the Laws on UI, and not to appeal when they are caught using UI.”

✍ I think that next-to-last sentence needs to be prefaced with, “Had the Committee made the correct decision, ‘I believe an AWMW...’”

The following panelist suggests that some consideration should have been given to a score adjustment other than +200 for N/S in 3♣.

Wildavsky: “The Committee would have us believe that North is the only bridge player known who never forgets an agreement and always remembers that partner is a passed hand. I’m not buying any of it. The dissent is 100% correct, except that perhaps N/S should be +150 in 3♣ instead of +200 in 2♠. There was no reason for this to happen. Law 16 is clear. Partner’s failure to Alert is not AI, so it must be UI. It is nonsensical to declare otherwise. What did the Committee hope to achieve with a decision like this? It is unjust to E/W and to the N/S field and sets a poor precedent besides. E/W would have been better off asking their opponents not to Alert at all. This was a perfect ruling by the Director and the appeal had no merit.”

✍ For N/S to be +150 North would have to make a move toward game over 2♠ with 3♣ (quite possible) and South would have to decide to play there (not even at all probable) rather than decide to return to 3♣, bid game (4♠) or take some other action. If I were South and intended 2♣ as Reverse Drury, and then heard partner make a 3♣ game try, I’d likely just bid 4♠ but I’d surely at least make a counter try with 3♦, which would get us back to spades at the three or four level.

R. Cohen: “With only three trumps, South’s hand is not really worth more than 2♠. Certainly North would pass 2♠. I’m with the Director and the dissenter.”

Passell: “Certainly there was UI and 3♣ is not clear cut. I don’t agree with this Committee.”

Polisner: “I agree with the dissent. South (behind a screen) should know that the minor-suit kings may not carry full weight and the aggressive decision to bid 3♣ is likely due to the UI. In any event, we must presume that is the case and bidding only 2♠ is an LA.”

✍ I guess it’s time we allowed the three panelists who served on this Committee to defend themselves. First, the two majority members.

Rigal: “I am not going into the legality or otherwise of the decision; I am sure plenty of others will have enough to say.”

Treadwell: “Although as a member of the Committee I thought the self-serving statement about being prone to forget to Alert should not be relevant to the decision, I agree with the decision on the basis that South has maximum values for his Drury call and should bid 3♠.”

✍ Next let’s hear from the dissenter, who does his best to mask the odor from this decision but is clearly hampered by his lack of a can of Lysol.

Goldsmith: “Actually, the Committee’s decision wasn’t as weird as it seems from the write-up. First, their decision was legal. Imagine that N/S came in with evidence

that on the very previous hand, the auction went Pass-1♠; 2♣-4♠; Pass and North held a 5=3=1=4 14-count. Of course, he had forgotten to Alert 2♣ as Drury. Wouldn’t that be sufficiently convincing that a Committee would believe that North just forgot to Alert again? Of course it would; the argument would be that the UI duplicated AI that North had some sort of mental block against Alerting Drury and South clearly already knew it.

“Second, Barry’s write-up does not fully include the by-play between the Committee and the appellants. The Committee believed that they had tricked South in the questioning and that he had let slip reasons to believe that North habitually failed to Alert, but nearly never forgot system. Several members of the Committee were convinced, by how that was dredged out of him, that it was the honest truth.

“The reason I dissented is that I didn’t buy the psychological arguments which convinced the bulk of the Committee. It wouldn’t surprise me if they were right in a sense. I don’t think their findings were strong enough to support their decision—nowhere near as strong as the hypothetical example above—but that’s a judgment call and another Committee in the same situation might make the same decision.

“Which leads me to a digression: from time to time, Committees try to trick players during the questioning. Usually, I have found the answers to such trickery to have been pretty self-incriminating. I do not remember an instance, however, in which such a self-incriminating statement did more than shorten the deliberation. Never before, in my experience, has one been enough to change a decision. If that experience parallels that of most other Committee members, perhaps Committees ought to stop using that approach and judge cases on technical grounds.”

✍ Although we can only hope that (at least after reading this) other Committees will not make the same decision under even vaguely similar circumstances, several panelists choose to lend (at least partial) support to the Committee’s decision.

Weinstein: “Tough case. The Committee is entitled to believe South’s story. Rather than believing that South was a good actor as well as a good bridge lawyer, they accepted his self-serving statement. Since I was not present at the hearing, I am inclined to accept the Committee’s views. Just as a paranoid may have enemies, a self-serving statement may be truthful. The offending side should have a high bar to jump over if there was useful UI. The Committee does have more leeway in deciding whether there was useful UI. The dissenter makes valid points and I suspect that most of the commentators (including Mr. Gerard, but presumably not Mr. Rigal) will agree with that viewpoint. This could be a candidate for a split decision.”

✍ Funny he should mention a split decision...

Wolff: “E/W should definitely receive –650 rather than two shots at this hand. They did nothing to deserve anything different. N/S should get +650 and whatever PP the Committee may deem appropriate, perhaps a 1/8- to 1/4-board penalty for their Alert problem. Covers all the bases including PTF.”

✍ I’ll agree that South deserves a PP for his jump to 3♠ in the face of the UI from North (in flagrant disregard of Law 73C), but the damage deriving therefrom should properly be remedied via a score adjustment rather than a disciplinary penalty—and should be done reciprocally (unless the non-offenders committed some egregious bridge act subsequent to the infraction which caused the damage when otherwise they would have obtained a better result than had there been no infraction).

Brissman: “The decision turns on the credibility the Appeals Committee assigns to South’s statement about North’s Alerting history. The members of the Committee were in the best position to judge that credibility and I have no reason to substitute my judgment for theirs.”

✍ And why would that be true in this case but not in the others we analyze?
And now, are you ready for a double whammy (shades of Adam Wildavsky)?

Bramley: “The majority was wrong. Bidding only 2♠ looks normal after having bid Drury, since South’s minor-suit honors will not be pulling full weight opposite a major two-suiter. The burden of proof for UI from a failure to Alert is greater than that for UI when an Alert is made, but South’s 3♠ bid is compelling evidence that there was UI, notwithstanding his eloquent defense of his partner’s haphazard Alerting habits. Thus, UI was present, it suggested bidding 3♠ and 2♠ was an LA.

“However, I also disagree with the dissenter. Although he found some players who passed 2♠ with the North hand, that is a deep conservative position, regardless of North’s interpretation of South’s bidding. If South is bidding naturally, surely North is worth 3♣ at this turn. If South is bidding Drury, again North must continue. (Bidding game would be a much more likely action than passing.) If North bids again, then N/S will reach game. Therefore, I would have decided that reaching game was inevitable even after a 2♠ bid by South, and I would have assigned a result of 4♠ making five for both sides.

“For E/W this adjustment is clear, as it is the best result that was likely in the absence of the infraction. For N/S the adjustment is less clear. If you accept the dissenter’s poll results you should split the decision and assign N/S +200, the worst result that was at all probable. But I don’t buy that. I consider passing 2♠ to be aberrant, so I would not find it to be at all probable.

“The Director and the majority both failed to address key issues. The dissenter found all of the issues but showed inferior judgment in making the correct adjustment.”

✍ However deeply conservative a position North’s passing 2♠ might be, we have evidence in the dissent that “several good players” chose it. And while the law does not require calls other than alternatives to a to-be-disallowed action to be subject to the criterion for an LA (in other words, South’s 2♠ must qualify as an LA to 3♠ for us to impose it on him, but North’s possible actions over a putative 2♠ need not so qualify), my reading of the dissent coupled with my own intuition suggests that passing 2♠ may be as much as likely for North.

Along similar (if confused) lines to the previous panelist...

Kooijman: “I survived the hesitation cases, what next?”

“I am not sure I understand this case. Is Reverse Drury Alertable and Drury not? In that case there is clear UI, North showing a weak hand (if that is what Drury does) while South has to understand it as a sound opening. And bidding 3♠ now could be seen as using this UI. South taking 2♥ as positive can do what he wants, in ‘my’ Drury game is reached when opener has a sound call, so North will bid game anyway. Similar reasoning when all Drury versions are Alertable: game will be reached. This shows that I don’t understand what the Committee is saying (nor what Goldsmith adds) but agree with its decision to allow 4♠.”

✍ Ton wrote me asking about Drury and Reverse Drury (the latter apparently not being a familiar convention in The Netherlands). I wrote back and explained the difference, not expecting that simply reversing the meanings of opener’s 2♦ and 2M rebids would somehow be taken as affecting whether the 2♣ bid was Alertable.

Once again, for his intelligent and well-rounded (and yes, amusing) comment the next panelist has earned the final word.

Burn: “The Director has acted correctly in judging that South, in possession of the UI that North does not know about South’s spade support, should not take some emphatic measure to show that support when his hand does not warrant such an action. I don’t know how to play Drury, so I don’t know whether South might be considered to have a 3♠ bid anyway, but I have some vague idea of how to play

bridge and I know that if I had shown a near-maximum pass with spade support and my partner had bid hearts, I would be back-pedaling like fury, not giving the impression that partner’s 2♥ bid had improved my hand.

“If I wanted to bid at the three level I would consider it 110% obvious to bid 3♣ and not 3♠. I can see why South didn’t want to do this given that he knew—as he was not allowed to know, and knew that he was not allowed to know—that North thought South had clubs and did not think that South had spades. Because North had not Alerted 2♣, South’s overwhelming compulsion was to show his spade support despite having shown it already and not to ‘repeat’ his club suit despite not having bid it at all.

“The ‘no UI’ argument might safely be dismissed as nonsense were it not for the fact that it is extremely dangerous nonsense. We never accept the argument of a man who says: ‘Given our methods and our style, for me personally there was no LA to pulling partner’s double (or accepting partner’s game try, or doing anything else after partner’s slow action).’ Instead, we judge by an objective standard: what would the majority of players have done? Similarly, we should never accept the argument of a man who says: ‘Given the circumstances of our partnership, for me personally there was no UI from partner’s non-Alert.’ Instead, we should judge by an objective standard: what information might that non-Alert convey?”

“In so doing, of course, we wrong people who are telling us the absolute truth about their methods, their style, their partnership circumstances, and who are acting for the best insofar as their limited understanding of the Law allows (CASE SIX is an example: the poor guy thought he had a 4♣ bid and it was not until better men than he pointed out the defensive nature of his spade and diamond holdings that he saw the error of his ways). We know that we wrong these honest but deluded men, and we cushion the blow by saying: ‘We believe you, but you must understand that we have to rule against you, for there are villains in the world who would act exactly as you have acted not from the purest of motives, but from a desire to pull the wool over our august and all-seeing eyes.’

“Now, here is a South who has produced a villainous auction, no doubt from the purest of motives. And here is a Committee who has listened to, and been convinced by, a sob story. And yet the Committee wants to warn N/S and publish N/S’s actions in the streets of Ashkelon (or wherever their home District may be). Here, I would say, is a Committee without the faintest idea of what it is doing, with the honorable exception and to the understandable chagrin of one of its members.”

CASE TWELVE

Subject (UI): Permission To Slam?

Event: 1st Sunday A/X Swiss Teams, 01 Dec 02, First Session

Bd: 13	John Burgener		
Dlr: North	♠ AQ5		
Vul: Both	♥ ---		
	♦ KQJ84		
	♣ AK943		
Jeff Rothstein	Aviv Shahaf		
♠ K732	♠ J98		
♥ J9753	♥ KQ6		
♦ 72	♦ 10953		
♣ 86	♣ 1072		
	Karen Erlanger		
	♠ 1064		
	♥ A10842		
	♦ A6		
	♣ QJ5		
West	North	East	South
	1♦	Pass	1♥
Pass	3♣(1)	Pass	4♥
Pass	6NT	All Pass	
(1) Not Alerted until just before South bid 4♥; explained as fit-showing (actual agreement: strong and natural)			

The Facts: 6NT made six, +1440 for N/S. The opening lead was the ♥K. E/W called the Director after the 6NT bid and told her that after East passed 3♣ South hesitated for some time, then belatedly Alerted the 3♣ bid. East then asked and was told “fit-showing,” after which South bid 4♥. N/S told the Director that in auctions like 1♦-1♥; 3♣-3♥ (only their side bidding) they play 3♥ as better than 4♥. The Director decided that, while the explanation of 3♣ was UI, North would have bid again over 4♥ (presumably 5♣) and South would then have bid 5♦, after which North would bid 6♦. The contract was therefore changed to 6♦ made seven, +1390 for N/S.

The Appeal: E/W appealed the Director’s ruling. West did not attend the hearing. East said that North did not have another bid if he really thought South had a one-suited hand that was weaker than a 3♥ bid would have shown. Further, if North was allowed to bid 5♣ and South preferenced to

5♦, there was no reason to believe that North would bid 6♦. North said he was taking a wild shot when he bid 6NT and no one would have complained if he went down six. South said that had North bid 5♣ over 4♥ she would have raised to 6♣.

The Panel Decision: The Panel polled five experts on North’s likely action over 4♥; three of the five said they would pass. Based on this and the other information the Panel decided that UI was present which demonstrably suggested bidding on over 4♥, and that pass was an LA for North. The contract was therefore changed to 4♥ (Laws 16A and 73F1) and the Panel considered the likely result in that contract. After a spade lead to the queen (best), declarer would play a diamond to the ace followed by ace and another heart. East would win and lead a second spade to North’s ace, after which declarer would play two more rounds of diamonds shedding her third spade as West ruffed. West would then lead a third spade. South would ruff and lead a third trump to East, who would have to play a minor. South would win and play minor-suit winners until West ruffed, eventually losing only four trump tricks for down one. Thus, the contract was changed to 4♥ down one, +100 for E/W.

DIC of Event: John Ashton

Panel: Charlie MacCracken (Reviewer), Matt Smith, Gary Zeiger

Players consulted: Doug Heron, Jim Linhart, Kent Mignocchi, Ken Monzingo, Gene Simpson

Directors’ Ruling: 30.0 Panel’s Decision: 92.6

Suppose South held ♠xxx ♥KQJ10xxx ♦xx ♣x (or the equivalent), responded 1♥ to her partner’s 1♦ opening, and then jumped to 4♥ (“Don’t bother me any more”) over the strong natural 3♣ rebid. How would North justify his action if he then bid 5♣, heard South preference to 5♦, and then raised to 6♦? On a trump lead he’d be lucky to take eight tricks (seven tricks are more likely) while ten tricks would be normal in 4♥. Given this, the table ruling cannot be correct.

Fortunately, E/W appealed and the Panel was up to the task. 4♥ down one looks about right to me, so I agree with their decision. On the other hand, North’s 6NT bid is such a flagrant action that I would have issued a PP to him on the spot.

Predictably most of the panelists are virtually apoplectic over the table ruling and totally supportive of the Panel’s decision.

Passell: “I gave this ruling a zero only because I couldn’t give it a negative score. The Director concocted her own ridiculous auction and made it her ruling. What was she possibly thinking?”

Bramley: “Hopeless ruling. Correct Panel decision. I’m amazed that two out of five experts bid over 4♥. Good analysis of the play leading to down only one.”

L. Cohen: “Time for my Valium pill. This is outrageous! The worst ruling in world history (not just bridge history). (1) Given the UI, North absolutely cannot bid over 4♥. Routine! (2) If North were to bid again, I’d think 4♠ (to complete the pattern) would be a better choice than 5♣. As to 6NT, (3) ‘North said that he was taking a wild shot when he bid 6NT.’ Give me a break. ‘Wild shot’ my ass. How about wild use of UI? He took the shot at 6NT because he knew his partner didn’t have a ‘normal’ 4♥ bid. Was he able to keep a straight face when he made that outlandish statement?”

“I want to hit North with an AWMW, but it was E/W that had to appeal. Can we give North one anyway? And while we’re at it, let’s give something to the Director. Slaps on the wrist to everyone who perpetrated this nonsense.”

The table ruling certainly could have benefitted from some expert advice about the likely continuation (or absence thereof) of the auction following South’s 4♥ bid, just as the Panel did. And the PP I mentioned is the right way to deal with North’s egregious 6NT bid, as the next six panelists point out.

Gerard: “That’s about the most incompetent ruling I’ve seen in a while. Didn’t the Director consult with other staff? If so, who trains these guys? The play analysis is okay, but what about a PP to North for blatant use of UI? And while we’re carping, N/S were free to convict themselves by playing 4♥ as fast arrival but have you ever heard of a stupider agreement? For their sake, I hope they confused the auction with something else.”

I guess we don’t need to wonder how Ron’s Anger Management sessions with Jack Nicholson have been going.

If you’re a Director and are still reading this, the only solace I can offer is to take heart in the next panelist’s comment, which finds room on its skewer for the two consultants who bid on over 4♥.

Weinstein: “I don’t know who the table Director was, but the only thing that comes to mind is to paraphrase Simon Cowell, one of the judges on American Idol (yes, I admit to watching some trash TV). So in my best snooty British (or whatever) accent, maybe with Barry Rival’s help (on the British part—not the snooty part), here goes. ‘You, madam, have made possibly the worst ruling I have ever heard.’ Besides allowing a bid over 4♥ (after the explanation that this was weaker than 3♥), the imputing of the auction up to 6♦ was from outer space. I could accept the

extrapolation of a 5♥ bid from South with North passing. The 6NT call was a blatant use of UI and deserves a PP.

“Not to disparage the players consulted, but which two said they would bid on over 4♥? I don’t know North or his bridge strength, but unless North was an expert the Panel that in other cases made some attempt to get input from comparable peers (probably redundant) failed to do so here.”

Goldsmith: “N/S’s testimony was self-serving and backfired against them. I’d give them a PP in addition to the score adjustment and tell them to read up on their legal responsibilities. I also wouldn’t assume down one in the play. Lots of lines do worse; I think there are surely some lines that are at all probable which will end up down two. I’m not sure they are likely, so a split score (+100 E/W, –200 N/S) seems reasonable. Not that it matters much... shouldn’t they be forced to play 6♥ (undoubled)? If North thought he had enough to drive to slam, then surely it must be reasonable to play that slam in the suit partner bid and jump rebid. Of course, knowing that partner was jumping because he thought partner had support would discourage that bid. If South had, say, ♠xxx ♥KQJ109xx ♦--- ♣Qxx, wouldn’t 6♥ be a pretty reasonable spot?”

“Oddly, if North had kept his mouth shut during the hearing the Panel might have assumed that 4♥ showed a good heart suit and some values, perhaps something like ♠xxx ♥KQJxxx ♦Ax ♣Qx, in which case 6NT looks pretty easy.”

✍ Since the UI clearly suggests bidding on and since pass is so clearly an LA to 6♥, it’s difficult for me to justify allowing North to bid on only so that N/S can be stuck with an even worse result in 6♥. As for the possibility that N/S might have been allowed to play in 6NT, hopefully someone would have asked them about their fast/slow arrival agreements before making a final ruling.

R. Cohen: “Where was the PP of a VP against North for the 6NT bid? The bid was outrageous. The Director was off the walls in her ruling, as demonstrated by the consultants.”

Polisner: “Why would North bid over 4♥ when South could have ♠xxx ♥KQJxxxx ♦x ♣QJx or the like? Bidding is taking clear advantage of the UI and would have drawn a PP if the Director had ruled correctly and N/S appealed. This is really a baby case and the Director really missed the boat.”

✍ Yes, and there might be a cabin on that same boat for someone who thinks South should have fourteen cards to play with.

I think Howard needs to make room on his skewer for another consultant...

Treadwell: “North did take advantage of the UI by jumping to 6NT to shut South up. On the other hand, I cannot imagine a meek pass of 4♥ by North with this great hand and would condone a 6♣ call. Perhaps a PP to N/S in addition would be in order for North’s untoward action.”

✍ At least Dave’s inability to imagine North “meekly” passing 4♥ (while most of us would no doubt classify a pass as prudent) is partly offset by his recognition that North’s 6NT bid was “untoward” and that a PP was in order.

Allison: “I can’t imagine why the Director thought that when a weak hand with a long heart suit gave a choked preference to 5♦ (and the 5♣ bid should not be allowed, per the Panel’s good decision) North would then continue with a 6♦ bid. I don’t really know what world the Director was in when she gave that ruling. It’s easy with all the cards showing to think what might happen but the fact is, the Director was out to lunch. The Panel got it quite right.”

Burn: “I don’t begin to understand the table ruling. Why, as the Panel correctly

asked, should North bid at all over 4♥ if that showed a long heart suit without enough to bid 3♥? And why would South bid 5♦ over 5♣, and why would North then...but enough. This is a graphic illustration of the huge dangers in allowing the floor Director’s decision to become final and of the absolute necessity for a review process of some kind.

“The review process appears to have worked very well. The Panel judged the position to a nicety. I trust the names of the ‘experts’ who would not have passed 4♥ have been noted so that they don’t get asked in that category again. [Directors, if you’re still with us, take note.—*Ed.*]

“One small doubt remains: Why did East ask what 3♣ meant? It’s not as if he could want his bid back in any circumstances. I believe that you should ask about all Alerted calls whatever your hand to avoid all manner of legal difficulties [hear, hear—*Ed.*], so that there would be nothing untoward in East’s action. But if he hadn’t asked, then of course North would have been a free agent and could do what he liked over 4♥. Maybe the Director had some sneaking sympathy for the predicament in which East’s motiveless question had placed N/S. That, if anyone cares, is why I gave her a small positive rating instead of a zero or a minus score.”

Kooijman: “This appeal really should have been avoided by the Directing staff by taking a better decision itself. They were put on the right track by N/S who explained 4♥ to be not as strong as 3♥ in this situation; quite useful information. Therefore, this case would have been nicer had South called 3♥ now. Do you have AWMWs for calls that shouldn’t be made for sure? [No, but we do have PPs.—*Ed.*] Then N/S should have received one. This is not a borderline case at all.”

Rigal: “Another Pet Peeve: if 4♥ is worse than 3♥ might North pass 4♥? Some would and some would not. Even if North bids on over 4♥ he might end up in hearts, believing South to have shown a solid or semi-solid suit. But 4♥ down one is probably equivalent in IMPs to down two (an equally plausible result) so I cannot get worked up over that.”

Wolff: “The lethal combination of CD and UI strikes again. Got by the Director but was ambushed by the Panel. Nothing to be proud of on our part. Fine with me to give E/W either Average, Average Plus, –1390 or –1440 but they don’t deserve +100. It is clear that N/S deserve –100 and since it was a Swiss Team I can live with both sides getting reciprocal 100s.”

✍ Why don’t E/W deserve +100 if North must pass 4♥? Weren’t they there at the table (as they would have been if N/S revoked or had some other bidding accident)?

Wildavsky: “The Director seems to have gone out of her way to rule in favor of the offenders. She’d have done better to try to follow the laws. Under Law 12C2 it’s crystal clear that the offenders can’t be allowed to play 6♦, and if the Director simply compiled a list of the likely results she’d realize that the non-offenders do not deserve that score either. The Director seems to have believed that she had to find the one most likely continuation in the absence of the UI. That’s not what the laws require, and she failed even at that. She’d also have done better to consult a few players.”

✍ In an attempt to counterbalance some of the venom in many of the comments, the final word goes to a man who, in his role as an Englishman, has spent his entire life perfecting his understatement...

Stevenson: “A good decision. North’s 6NT was not the bid of someone trying to avoid using UI, and Law 73C needs to be explained to him. The Directors seem to have had an attack of generosity.”

CASE THIRTEEN

Subject (UI): What's A Pass Between Partners?

Event: Stratified Open Pairs, 03 Dec 02, Second Session

Bd: 14 ♠ AKQJ7 Dir: East ♥ K8 Vul: None ♦ J743 ♣ K2 ♠ 10862 ♠ 9 ♥ A965 ♥ QJ42 ♦ Q96 ♦ K105 ♣ 64 ♣ J9853 ♠ 543 ♥ 1073 ♦ A82 ♣ AQ107	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">West</th> <th style="text-align: left;">North</th> <th style="text-align: left;">East</th> <th style="text-align: left;">South</th> </tr> </thead> <tbody> <tr> <td>Pass</td> <td>1♠</td> <td>Pass</td> <td>Pass</td> </tr> <tr> <td>Pass</td> <td>3♠(1)</td> <td>Pass</td> <td>2NT</td> </tr> <tr> <td>All Pass</td> <td></td> <td></td> <td>3NT</td> </tr> </tbody> </table> <p>(1) After announcing that he probably should have Alerted South's 2NT bid</p>	West	North	East	South	Pass	1♠	Pass	Pass	Pass	3♠(1)	Pass	2NT	All Pass			3NT
West	North	East	South														
Pass	1♠	Pass	Pass														
Pass	3♠(1)	Pass	2NT														
All Pass			3NT														

The Facts: 3NT made four, +430 for N/S. The opening lead was the ♥5. E/W called the Director after the final pass and told her about North's comment before his 3♠ bid. Away from the table North explained that he thought 2NT was Jacoby. When North bid 3♠—normally a signoff—South bid 3NT freely because if North thought 2NT was Jacoby then 3♠ showed a king better than a minimum opening hand, and thus 3NT became relatively risk free. The Director changed the contract to 3♠ made four, +170 for N/S.

The Appeal: N/S appealed the Director's ruling. North said he Alerted the 2NT bid because they were playing a 2NT response to a major-suit opening as a forcing raise by an unpassed hand and at the time it didn't occur to him that his partner was a passed hand. South intended his 2NT bid to show a balanced hand with values

slightly less than an opening bid and said he was always bidding again if his partner took a call over 2NT. N/S were an established partnership, both with around 200 MP, and did not play 1NT forcing or any form of Drury. East said that since a 3♠ response to a Jacoby 2NT bid shows extra values, it makes it easier for South to take another call. West said she did not ask the meaning of the "delayed" Alert because she thought N/S might be having a misunderstanding. (E/W were a pro-client pair, East having 6000 MP and West 500).

The Panel Decision: Two experts and four players with about 200 MP were given the South hand and the auction (without the UI). Both experts passed 3♠ saying no other bid merited consideration. One of the four 200-MP players passed 3♠ while the other three bid 4♠ (one of the 4♠ bidders adding that 3NT was his second choice). When the 4♠ bidders were asked why they bid on all mentioned that they hadn't shown their fit yet and that they were aggressive bidders. All three 4♠ bidders also said they would also consider passing. The four 200-masterpoint players were also given a description of N/S's bidding methods and asked what they would think it meant if partner Alerted their 2NT bid. Two of them said that partner probably thought 2NT was a forcing spade raise; one said partner probably thought that 2NT showing 10-11 HCP was Alertable; the fourth said, "I don't know—it means he's confused." The Panel found that there was UI from the Alert which demonstrably suggested bidding rather than passing, and that pass was an LA to the action taken (3NT). The contract was changed to 3♠ made four, +170 for N/S. Because of the input from the 200-masterpoint players, no AWMW was issued.

DIC of Event: Cary Snider

Panel: Ken Van Cleve (Reviewer), John Ashton, Mike Flader, Gary Zeiger

Players consulted: David Adams, Steve Landen, four players with about 200 MP

Directors' Ruling: 97.8 Panel's Decision: 90.1

☞ South's statement to the Director at the table, that he bid 3NT because "if North thought 2NT was Jacoby then 3♠ showed a king better than a minimum opening hand, and thus 3NT became relatively risk free," was a clear admission that he used the UI from North's Alert (3♠ might otherwise have been interpreted as a sign off by North with a minimum unbalanced hand). While South no doubt bid 3NT out of naivety the bid cannot be allowed so stand and N/S are both in need of education as to their obligations regarding UI and the proper way to correct an Alerting error (which is not to just blurt out what you think partner's bid meant). One hopes that this guidance was provided even though no mention of it is made in the write-up.

While South's 3NT bid clearly justifies a PP and while this appeal is clearly lacking in merit, N/S's inexperience (200 MP) suggests that the Panel's choice not to issue either of these was acceptable. However, if N/S were properly counseled before the appeal regarding UI and their obligations when it is present and still chose to bring the appeal, I think I would have issued an AWMW anyhow (it's only a *warning*, remember) but withheld the PP, cautioning them that only their inexperience saved them this time (but it would not save them in the future).

Agreeing with the Panel's choice not to issue an AWMW are...

Allison: "Good Panel decision. North gave South a road map to the auction and South was clever enough to accept and use the UI. I hope the Panel took the opportunity to educate N/S in the ways of the world. Given the relative inexperience of N/S as well as the input from other less experienced players, I agree with not issuing an AWMW."

Goldsmith: "I don't think I'd ever give a player with 200 MP an AWMW. I don't know where I'd start, but Life Master seems like a reasonable minimum. Maybe 1000 MP would be a better minimum. Obviously, there has to be a point at which a player's inexperience protects him from AWMWs. Who'd give one to a player with 5 MP?"

Bramley: "Lucky that they found one peer who knew to pass. With such strong peer support for bidding, eschewing the AWMW was also correct, unfortunately."

Passell: "Good work by all—especially not giving an AWMW to inexperienced players."

Stevenson: "Players are required to be positive in the face of UI from partner. It is not good enough 'to bid as I was always intending to.' When partner Alerts 2NT South has to avoid taking any advantage, and this South failed to do. It is hoped that South has learnt his responsibilities from this ruling and appeal."

R. Cohen: "No problems here. Director and Panel both correct."

Treadwell: "Clear-cut decision; only the UI makes a further bid attractive."

☞ The remaining panelists want blood...

L. Cohen: "More UI abuse by N/S. I cringe when I read South's 'I was always bidding again...' Yeah, right. You make the slight overbid of 2NT and then claim you intend to bid again. Where is the PP? Where is the AWMW? How else do we stop these people?? I want hangings!"

Kooijman: "The approach I suggested in CASE TWELVE leads to two AWMWs here. There is no justification for South's 4♠ bid. Only if South really did convince

the Panel away from the table that he hadn't a clue what North was talking about, together with providing a satisfactory explanation of why he bid 4♠ (I can't find one), would I remove the AWMW."

☞ Sorry, but ACBL regulations permit only one AWMW to a customer.

Weinstein: "The Panel was doing sort of okay until the last sentence, 'Because of the input from the 200 masterpoint players no AWMW was issued.' South admitted he bid 3NT because of the UI. Where's the outrage? Where's the PP at the table? Where's the AWMW? Where's the memo to the Recorder? South blatantly flaunted the laws, was caught doing so, and admitted it. So instead of being educated South walks away with the Panel saying, 'We can't rule for you, but nice appeal.'"

Wildavsky: "I do not understand the Panel's reasoning regarding their failure to issue an AWMW."

Polisner: "I would have issued an AWMW even to these less experienced players to attempt to teach them the process. How could North show a light fourth-seat opener which did not wish to accept game opposite a passed hand? This is like 'perverse' Landy where double shows the majors and 2♣ is for penalties."

☞ Right. If we can't even issue a *warning* to inexperienced players, what hope is there that they'll ever learn the proper ethics of the game?

Rigal: "Again a mixed vote from the experts should not prevent the Panel from awarding an AWMW where as here they know it to be right."

☞ One panelist thought it was appropriate to punish the non-offenders (E/W) here. Hey, get a grip Wolfie.

Wolff: "Good, simple decision. Only contention is what to give the non-offenders. I'd rather give them an Average Plus than a top of -170."

☞ Once again our newest English panelist gets the final word...

Burn: "As in CASE EIGHT, I am amazed at what players without very many MP might do (though the ones consulted have all got around 200 more ACBL MP than I have). And I am again impressed by a system that investigates LAs by empirical reference to the peer group of the players concerned. I suppose that if North has a six-card spade suit in a hand that he'd chosen to open 1♠ and not 2♠ in fourth seat, then with ace-queen-ace and three spades maybe 4♠ isn't so silly, and maybe 3NT isn't either. But you're not allowed to be not so silly when UI is present and the officials have done an impeccable (though entirely routine) job with this case. Mind you, if N/S had 201 MP, I might have thought an AWMW warranted..."

CASE FOURTEEN

Subject (UI): I Know A Player's Hand When I See One—I Think

Event: Side Game Series, 05 Dec 02, Evening Session

Bd: 22	♠ K4		
Dlr: East	♥ K62		
Vul: E/W	♦ KJ1052		
	♣ 973		
♠ 7		♠ 10952	
♥ AJ94		♥ 853	
♦ AQ964		♦ 873	
♣ KQ5		♣ J64	
	♠ AQJ863		
	♥ Q107		
	♦ ---		
	♣ A1082		
West	North	East	South
		Pass	1♠
Dbl	1NT	Pass	2♠
All Pass			

The Facts: 2♠ made three, +140 for N/S. The opening lead was the ♠K. In a two-card ending with South (declarer) to play, East placed the ♦3 on the table and then picked it up. Neither South nor West claimed to have seen the card and dummy (properly) took no action until the hand was over, at which point he called the Director claiming that UI had been present which allowed West to make the correct discard (the ♦A) at trick twelve. The Director ruled that the table result would stand but also assessed a 3-matchpoint PP against E/W for (East) attempting to conceal an irregularity.

The Appeal: N/S appealed the Director's ruling. South did not attend the hearing. In screening North, East and West agreed that the play went as follows: ♠K, holding; ♣Q, won by

the ace; ♥Q, won by the ace; a club to the jack; ♥8 to the ten, jack and king; spades run. E/W believed that the last two cards in East's hand were the ♦73, South having the ♠10 and ♥7. North believed that East had come down to the ♥5 and ♦7 and that South had played the ♠10 earlier, so that her last two cards were the ♠3 and ♥7. North said that the card East exposed prematurely was placed fully out on the table, which he demonstrated to the Reviewer by taking a card and placing it face up touching the table while still holding on to it. He said that after this happened West thought for 10-15 seconds before playing to trick twelve. He (North) did not call the Director or say anything until after play had finished because he was the dummy. Since North thought that East had a heart left, he believed that West's statement to the Reviewer (see below), that he was looking for a heart pitch, was damning. (Had he seen East's ♦3 he would have known that it was safe to throw the ♦A since the ♦3 was the last unaccounted for diamond in the deck.) E/W played upside-down attitude and standard count. E/W said West thought for 2-3 seconds before playing to trick twelve. West said he would have expected declarer to lead a diamond toward dummy earlier if he had one and he was watching for a heart pitch from partner if she had it. When East didn't pitch the last heart he presumed declarer had it (he had seen partner produce three hearts already). East said she had detached the diamond from her hand prematurely but that it was not on the table or visible to anyone except perhaps North (dummy). (She demonstrated this for the Reviewer.)

The Panel Decision: The table Director understood that East's actions occurred before South played to trick twelve. Since North and East said otherwise, the table Director was interviewed. He said that when he was called to the table North did all the talking—during which East left the table. North pulled everyone's last two cards from the board and placed them on the table, putting the ♦73 in the East hand and the ♥7 and ♠10 in the South hand. (Later, in screening, he placed the ♥5 and ♦7 in the East hand and the ♠3 and ♥7 in the South hand.) The table Director confirmed that at the table South and West both said they did not see East put a card on the table and that East said nothing to indicate that she agreed with what North

saw (she left the table during his statement). The Panel did not consult any players since its decision relied only on a determination of fact, making player input unnecessary. Since the table Director had not been present to witness what actually happened with East's cards, the Panel decided that the statements made by the players to him and to them and the circumstantial evidence that was available were not sufficient to determine that East's diamond had been held in such a position that it was visible to West. Neither West nor South (the latter more importantly) noticed anything, so North's contention that the card was fully played seemed unlikely. Had the card been visible to West, Law 57 (Premature Lead or Play by Defender) would have been applied if the Director had been called at the time; declarer could then have barred West from pitching a diamond. As it was, even if the diamond had been held so that it was visible to West and had it not come to light until the end of the hand, when the UI provision of the laws would apply, the Panel would have agreed with the table Director that the UI would not have helped West since, assuming that East's last two cards were both diamonds (as E/W and North originally contended), West would still have had no indication as to who held the last diamond. West also made a convincing argument that there was enough AI available from the play for him to get the discard right. In any case, such analysis was rendered moot by the Panel's determination that East's card was not visible to West. The Panel assigned both pairs the result for 2♠ made three, +140 for N/S, and rescinded the PP against E/W since it was determined that no irregularity had occurred. The appeal was also judged to have merit since, if North's version of the events had been accepted, the appeal might have succeeded.

DIC of Event: Doris Allen
Panel: Matt Smith (Reviewer), Patty Holmes, Gary Zeiger
Players consulted: none

Directors' Ruling: 60.7 Panel's Decision: 91.3

✍ It strikes me that this was one of those situations where you had to be there to make a decision; so much depends on the believability of the players. However, one thing strikes me as very odd (and counter to the Panel's decision): If I were East and my opponent had just called the Director to accuse me of passing UI to my partner by prematurely placing a card from my hand face up on the table and then retracting it, I sure as heck wouldn't leave the table in the middle of his statement and not defend myself—unless East left the table out of disgust.

Unfortunately, few panelists chose to comment on the plausibility of the events alleged to have happened at the table.

Brissman: "The Director didn't know Law 45C1 and/or ruled inconsistently. In assessing a PP for East's attempt to conceal an irregularity, he must have concluded that East had held the ♠3 in a position in which it was possible for her partner to see it (whether he actually saw it or not is irrelevant), then retracted it. This conclusion coupled with allowing the result to stand is inexplicable.

"I am astounded that the table Director did not seek out East to obtain an admission or denial of the facts as related by North before making a ruling. Assuming that East would have contemporaneously denied the allegations, maybe the table Director got the ruling right as a coincidence. Otherwise, faulty fact-finding foiledfeasance. Any admission or denial by East made to the table Director shortly after completion of the hand would have been inherently more reliable than the statement and demonstration she later made to the Reviewer. Generally, the earlier a statement is elicited, the more credible (and less self-serving)."

✍ I can't agree with Jon's conclusion about the table ruling. While the information provided on the appeal form was clearly inadequate, from the information presented in the Panel Decision the ruling allowing the table result to stand seems to have been based on North's placing the ♠73 in the East hand (rather

than the ♠7 and ♠5, as he did in screening), which would not have allowed West to infer who had the missing diamond. Thus, I believe the table ruling was that there was UI but that it did not demonstrably suggest West's discard at trick twelve.

On the other hand, I agree with Jon that the failure to seek out East and obtain a statement is quite perplexing, as do...

Wildavsky: "I have a few questions: Why did East leave the table during North's statement? Why did the Director allow East to leave the table? Why didn't the Director ask East (if indeed she ever returned) whether she had faced a card out of turn?"

Goldsmith: "Generally, unless there is a strong reason to do otherwise, matters of fact should be determined by the table Director. Here, he determined that what North claimed happened did happen, so why did the Panel overrule him? I don't see any good reason for them to do so.

"Why was East permitted to leave the table? She was the most important witness. If I were ruling and East had left the table, I'd take that as tacit acceptance of the opponents' story, that she was too embarrassed by her actions to talk to the Director or opponents. If North's claim were false and I were East, I would definitely not be willing not to be there to defend what is essentially an accusation of deliberate cheating. Regardless of East's desires, I do not see why the Director permitted her to leave. If she were having some sort of medical problem, then the inquiry could wait for her return.

"On the other hand, North's story is hard to believe, too. Surely South would have seen *something* if North's story were precisely true. And perhaps he would have had the cards right.

"So what really happened? We'll never know, but most likely East detached a card prematurely (from a two-card hand?) and North overreacted. I would like to see Recorder forms filled out for both sides; if a pattern emerges we'll have a good guess as to what really happened and can then educate the appropriate player."

R. Cohen: "This case is a matter of fact. The Director and Panel seem to agree on the ruling, with a difference of opinion about the PP. Perhaps a report to the Recorder is appropriate."

✍ There is little the Recorder can do in such situations unless E/W make a regular practice of this sort of thing. But if they do then what I'd like to know is where they find their supply of oblivious opponents. I guess in the side game, right Howard?

Weinstein: "This was a side game for heaven's sake. South and West see nothing and North is going nuts enough that the Director assesses a PP for allegedly attempting to conceal an irregularity? Tough crowd in these side games. Valium for the Director and North. As an aside, East must have been wondering how it could possibly go all pass over 2♠ with her 1-count and only four spades. North's aggressiveness was misplaced; it should have been in the bidding."

✍ Several panelists focused on the PP issue...

Bramley: "The Director's PP against East was awful. Even if the Panel had found that East had played the card, the PP was excessive. Otherwise, much ado about nothing."

Gerard: "The Panel was confused about the basis for a PP. The irregularity would have been in placing the card in a position in which partner could possibly see its face (Law 49), not in having partner actually see it so that UI applied (Law 50C). The Panel treated the two as the same for PP purposes, so we don't really know whether there should have been a penalty card. It looks like the Panel found that it wasn't even potentially visible, which would have made the removal of the PP

correct, and that indeed looks preferable to the Director's ruling. But we can't really tell because the Panel's PP analysis was incomplete."

Passell: "Too close to call. The table Director perhaps should get a little more info before assessing penalties. The Panel seems to have had a good handle on this one."

✍ ...while others simply accepted the Panel's resolution...

Stevenson: "A bit of a mess. The Panel seems to have investigated fully, and it seems credible that North exaggerated East's action."

Allison: "Whether or not dummy can see a defender's card is irrelevant to whether the card is in the played position. From the discussion, it certainly appears that the card was not placed at or near the table so that West could see it and, having made that determination, along with the telling statement, 'West said he would have expected declarer to lead a diamond toward dummy earlier if he had one and he was watching for a heart pitch from partner if she had it,' there was no reason to change the table result. Good work by the Panel."

Wolff: "Good decision by a hard working Director Panel."

Polisner: "Good decision."

✍ Some panelists were more assertive in their opinions about North's allegation. On the one hand we have...

Burn: "I have read this case from beginning to end six times now and I still have no more idea of what was supposed to have been going on than I did before I started. Of one thing I am sure: this North should be locked up and the key discarded so that no one has any chance of seeing it."

"It is not clear to me why The Facts state that 'East placed the $\diamond 3$ on the table' in a two-card ending. It is almost vanishingly unlikely that East would have had the $\diamond 3$ left anyway, since this would have been discarded on the fifth round of spades at trick ten, East having the $\heartsuit 5$ and the $\diamond 873$ left at this point and playing standard count. Since the write-up says 'spades run' one assumes that South played the last spade rather than the thirteenth club to trick eleven; again, there is no earthly reason why East should not have discarded the $\diamond 3$ on this trick."

"But here are four players (well, three, given South's well-judged absence from the whole business) and a Director who do not seem to know what anyone had left, or when, or why. And here is a North—dummy, to boot—who seems to have orchestrated a case for damage out of pure fresh air. If East really did put some card somewhere in the visible spectrum when it was not her go, and then attempted to whip it back again before anyone had noticed, the Director was correct to award a penalty. If neither South nor West had seen the wretched card, as appears to have been the case, then there is nothing to judge over and above the procedural infraction. The Panel, though, does not deserve full marks—as with CASE THREE, a Panel should not adopt a 'belt and braces' approach. It should first consider whether there was UI; if it decides that there was not, it should adjourn to the bar and not produce rulings on the lines of 'Even if there were UI it would not have mattered, because...'"

✍ ...while on the other hand we have...

Kooijman: "Even side games come up with appeals? And not the most dull ones. But then the Panel made it a dull one again by deciding that the card prematurely played by East was not visible for her partner. Case closed? Probably, but let me make some remarks. With all respect to West, his statement that he didn't see the card is the extreme example of a self-serving statement, not helpful in any way. So

the decision should be based on the fact that declarer didn't notice anything, which makes the call for a Director plus the statement by North rather peculiar.

"I don't agree with the analysis given. It seems possible that East showed this card as her contribution to trick twelve regardless the play by declarer, proving she had the last two small diamonds (which is my guess for her holding); giving a lot of useful UI to her partner. So it is a pity that the Panel had to be sure that West didn't see the card. I would not have allowed him to keep the $\diamond A$ otherwise. I am talking about a decision to be made after play, otherwise Law 57, as described, applies."

✍ So maybe the following panelist has it right...

Rigal: "After reading and re-reading I still could not work out how a two-card ending could produce so much paperwork. Since no one seemed able to agree on anything I'd like to rule against them all; and maybe I will."

CASE FIFTEEN

Subject (UI): It Must Have Been The Sparkle In Your Eyes
Event: TGIF Bracketed Knockout Teams, 06 Dec 02, First Session

Bd: 5	♠ Q10432		
Dlr: North	♥ QJ73		
Vul: N/S	♦ ---		
	♣ A752		
♠ 86		♠ J97	
♥ K942		♥ 65	
♦ Q10962		♦ 754	
♣ 43		♣ KQ1086	
	♠ AK5		
	♥ A108		
	♦ AKJ83		
	♣ J9		
West	North	East	South
Pass	Pass	Pass	2NT
Pass	3♣	Dbl	3♦
Pass	3♠(1)	Pass	4♥
All Pass			
(1) Alerted			

The Facts: 4♥ made four, +620 for N/S. The opening lead was the ♣3. At the end of the auction North informed E/W that his 3♠ bid was not Smolen (as suggested by South’s Alert). After the comparison E/W approached a Director and asked for a ruling based on the UI to North from South’s Alert of 3♠. While the staff knew that a delay as long as this in asking for a ruling usually indicated a lack of conviction that there had been damage, in this case the offense was judged serious enough that it needed to be addressed. The contract was subsequently changed to 6♣ down two, +200 for E/W (Laws 16A and 12C2).

The Appeal: N/S appealed the Director’s ruling. South did not attend the hearing. North said that his partner had Alerted an agreement which did not apply in

the auction, and although he believed his side might be missing a slam, ethically he thought he should pass 4♥. He said he could understand the Director’s position that he might be forced to bid a slam, but if so he believed the contract was likely to be down one rather than down two. E/W’s teammate at the other table who went down two in a slam said the reason he didn’t cash a second high diamond before ruffing a diamond (the play had gone: a club lead by West won with the ace; a spade to the ace; ♦A; a small diamond ruffed; a heart to the ten) was that he was worried about diamonds being overruffed by East who had shown long clubs in the auction.

The Panel Decision: The Panel thought South’s Alert of 3♠ followed by 4♥ suggested he was raising North’s (presumed) five-card heart suit with three-card support rather than cue-bidding in support of spades, as it would have had he not Alerted. Hence, not passing 4♥ was an LA. The Panel also agreed that a likely contract would then be 6♠. The next issue was the number of tricks that were likely to be taken in 6♠, and the Panel consulted three experts to help with this decision. One of the consultants produced a line of play that led to down two, while the others were of the opinion that a line of play that involved playing the ♦AK to pitch clubs, drawing trumps ending in dummy, and then leading a heart to the ten would probably produce down one as West would take his king and lead a club. It was noted, however, that if West ducks the ♥10 declarer may actually go to dummy to repeat the heart finesse and this would lead to only ten tricks (down two). Thus, the Panel judged that down two was the most favorable result that was likely (Law 12C2) and assigned that score (+200 for E/W) to both pairs.

DIC of Event: Patty Holmes
Panel: Mike Flader (Reviewer), Matt Smith
Players consulted: Miguel Reygadas, Eric Rodwell, Kit Woolsey

Directors’ Ruling: 86.4 Panel’s Decision: 83.9

Some North players would have “corrected” to 4♠ and then tried to rationalize being allowed to keep their result when South passed. It may seem that North here “took his medicine” by passing 4♥ and playing in what might be an inferior four-three fit. But if South held only a doubleton spade North’s “correcting” to 4♠ might produce an even worse result, not to mention that 4♠ might be interpreted by South as a cue-bid and catapult N/S into a hopeless slam. (For the record, North here was a top pro and E/W accomplished experts.)

Of course North must treat South’s 4♥ bid just as he would have had South not Alerted 3♠ and explained it as natural: as a slammish cue-bid in support of spades (likely denying the two minor-suit aces). Thus, given South’s (presumed natural) 3♦ bid and East’s lead-directing double of 3♣ South should hold something like ♠AKx ♥AKx ♦KQJ9x ♣xx. So from North’s perspective what are the prospects for slam? On the expected ♣K lead North wins, draws trumps, and takes the ruffing finesse in diamonds, hoping to pitch his club losers. Of course success depends on finding South with the strong diamond holding shown. Weaken dummy’s diamonds to ♦KQ109x and slam is not nearly so good; eliminate the ♦9 it’s even worse.

So while North might work all this out and sign off in 4♠ (in which case South might become suspicious—he holds the spade controls and knows North is marked with four spades for his Smolen bid and cannot be cue-bidding—and work out to pass 4♠), he might also cue-bid 5♣ trying for slam. As South could not have more for his 2NT opening he would drive to 6♥ and then pass 6♠ when North “corrects.”

Based on this analysis, while I think it’s “at all probable” that N/S would reach slam I don’t find it “likely.” Thus, I’d adjust the scores non-reciprocally, assigning N/S –300 for 6♠ down three (see Gerard’s analysis below, assuming West is good enough to duck the ♥10) and leaving E/W with the table result. And in spite of the fact that I would alter the table ruling, I find N/S’s attempt to better their own score deserving of an AWMW. In addition, North’s pass of 4♥ looks like a thinly-veiled attempt to minimize his losses based on the UI from South’s Alert. Therefore, I would issue a PP to N/S for North’s failure to bid (higher than 4♠) over 4♥.

The panelists propose a variety of score assignments and views on the AWMW and PP issues. But everyone, I think (see Barry’s comment later), agrees that North cannot pass 4♥.

Allison: “The ethics involved in passing 4♥ were scurrilous to say the least and the Director and Panel saw through North’s attempt to rescue his side and gave an excellent ruling and decision. However, this blatant use of UI (from the Alert) and this appeal without merit were not adequately rewarded with both a PP and an AWMW. *Why?*”

Wildavsky: “Good work, but why not even a discussion of an AWMW?”

L. Cohen: “The only merit is the down one or two decision, which was correctly decided. Was the lead really the ♣3 (not the ♣4)?”

That’s what the appeal form says. (Perhaps E/W’s agreement was to lead low from doubletons.)

Burn: “This is a complex case. The best I can do is to take it a step at a time. “North, who has bid spades (as he thinks) hears South bid 4♥. What should he make of that? The normal interpretation would be that it is a control bid in support of spades (South did not bid 3♥ over the double of 3♣ so cannot have a long heart suit). So North cannot pass 4♥, whether in the face of UI or not. But North did pass 4♥. This could have been a ridiculous result if South were in fact control bidding, yet North was prepared to wear it. From his comments it appears that he thought he was acting ethically in passing 4♥. Was he? What thoughts might have passed through North’s mind?”

“Well, North knew (from UI) that South had three hearts (or four; why is there no mention in the write-up of whether 3♣ asked for four- or five-card majors?). [Puppet Stayman is Alertable in the ACBL; regular Stayman isn’t.—*Ed.*] He did not know how many spades South might have; he did not know what course the auction might take if he were to bid over 4♥. But he did know that 4♥ would have a play, whereas he had no idea what the outcome in a spade contract might be or how South might interpret further bidding in spades. North’s pass of 4♥ was therefore an infraction, since passing was suggested over LAs by UI. He should have bid over 4♥. Had he done so the partnership might have ended almost anywhere, but 6♠ is not unlikely and two down is certainly a result within the purview of Law 12C2.”

✍ Down two you say? Not so says...

Gerard: “It’s a long way from 4♥ to 6♠. Careful bidders would avoid it, but in the era of instant gratification there’s enough chance that North would just blast away to deem that a likely contract.

“The play is involved, so it would have helped if the Panel didn’t reverse the dummy. I propose this line: win the club, spade to the ace, ♠K, two high diamonds and a diamond ruff with the ten, ♠Q (with trumps three-two, not ruffing a diamond before taking the heart finesse seems clearly inferior). Then heart to the ten, ducked, a diamond ruff (imagine East with ♠J9x ♥K9xx ♦Qxxx ♣KQ—once diamonds aren’t worse than five-three they will break evenly more often than hearts will) and the ♥Q. If West pitched a diamond on the third trump, declarer would let it ride and go down three. If West pitched a heart on the third trump, declarer should rise with the ace but probably wouldn’t so the result would again be down three.

“Now, was the best line of play to make the contract likely? I have no idea; further questioning of the players is not an integral part of the Panel structure. So we don’t know how competent North was. The Panel thought it likely that West would find the heart duck, or else they were just anxious to uphold the Director. If West can duck the heart, shouldn’t declarer in a bracketed knockout play it correctly? I think the levels of ability have to go hand in hand, so the result should have been down one or down three, not down two. My guess is down one (you need a real killer instinct to effectively duck the setting trick in a slam), but in an all-expert game I would bet on down three.”

Goldsmith: “The hardest problem of the lot. Yes, there was UI. But what are the LAs? What does 4♥ mean assuming 3♠ is not Smolen? I think 4♥ should be to play versus five-four in the majors (that’s how I used to play this sequence before I ever heard of Smolen) with no slam implications at all. If that’s what it ought to mean, then there’s no LA to passing 4♥. But not everyone agrees. So I took a poll. Roughly half the folks I polled think 4♥ is to play versus something like ♠K ♥AKx ♦AKQxxx ♣xxx. The other half think it’s a cue-bid in support of spades. I think they are wrong; a 2NT opener would be able to find a 4♦ or 4♣ cue if he were looking for slam; he can’t have two suits wide open. But what else can he do with a hand with weak clubs and no primary support for either major?

“Very few, however, are 100% sure that 4♥ is natural. Some were willing to bid 4♠ to avoid a catastrophe by playing in a cue-bid. If N/S don’t know whether they are playing Smolen or not, I’m not giving them credit for figuring out what 4♥ means. If they aren’t sure what’s going on, 4♠ becomes an LA and passing is suggested over it by the UI. So North has to bid it, which will get him to some major-suit slam down two.

“The Panel’s write-up suggests a little confusion here. The issue as to what 4♥ means is more complicated by a step than what they wrote. I don’t know if they just mis-wrote it by a tiny bit or were actually confused. I was. No one considered the MI part of the problem. If we believe the guy who showed up, ‘Smolen’ was a misexplanation. If E/W get to know that, perhaps they’ll double 6♠.”

✍ For many pairs cue-bidding second-round controls as a first action is *verboten*.

North’s ♣A and East’s double make it unlikely that South has that suit controlled, and if he doesn’t have the ♦A (see my example hands) then he doesn’t have a cue-bid below 4♥. However, Jeff’s other point—that South needs some way to get to a makeable major-suit game, even one in a four-three fit, when his clubs are weak (e.g., ♠Ax ♥AKx ♦AKJxx ♣xxx)—is a cogent one.

As for Jeff’s last point, we’ve been over this before but it still bears repeating: A pair is entitled to know the correct meaning of their opponents’ bids, but they are not entitled to know that they are having a misunderstanding. If either East or West has a legitimate double of 6♠ (assuming that contract is imposed on N/S) then they are entitled to make it. However, they are not entitled to double on the basis that they should have been told that N/S were having a bidding misunderstanding.

R. Cohen: “A case of this type might depend on the caliber of the N/S pair. I would agree if N/S were players with 3000 MP, but would disagree if they had 300 MP. The write-up doesn’t provide this information, so I will accept the Panel’s decision.”

✍ For the record, North had about 25,000 MP and South about 12,000.

Passell: “Good work by all, although down two may be too much to give.”

Polisner: “Perfectly correct. It is not always easy for players to put themselves behind imaginary screens to decide how to handle UI. I sympathize with North’s effort to be ethical—although he failed to do what he would have done behind a screen.”

Kooijman: “Isn’t there half-an-hour after comparison to ask for a ruling in the ACBL? Maybe less by regulation, but suggesting that the case might not be dealt with at all, for lack of conviction of damage at the appealing side, sounds rather strange. The decision looks okay to me.”

✍ Ton’s point is well-taken. There should have been no question about whether the case needed to be addressed: the appeal was timely. And why was it so clear that the delay reflected a lack of conviction on E/W’s part about damage? Couldn’t the delay have been because E/W needed a break in the play before they had time to think about the implications of the UI for North’s actions? Couldn’t their teammates have called the issue into question? Or couldn’t they simply have not wanted to waste anyone’s time if the result on the board wasn’t going to affect the outcome of the match. In any of these cases E/W’s appeal should not be prejudiced. Raising the latter issue and reaching the same conclusion is...

Stevenson: “The Panel determined that there was UI (from the Alert) and an LA to the chosen action, namely not passing. But did the UI suggest the chosen action? This question also requires a yes for an adjustment. It probably does. Without the UI, 4♥ appears to be a cue-bid showing good spades and a heart fit; with the UI it seems to show three hearts. Passing opposite either meaning seems pretty unlikely, but it is more likely to be disastrous opposite the cue-bid than the fragment. The rule of thumb quoted by the Directors is somewhat doubtful. Teams is a team game (obviously) and it is not unreasonable for a member of the team not present at the table to point something out that was overlooked. It is good practice to find out why a ruling is sought late but there are a number of acceptable answers.”

✍ The next panelist may be recommending allowing the table result to stand or the same sort of non-reciprocal adjustment that I did (but down one for N/S rather than down three)—it’s difficult to tell.

Rigal: “I just do not believe justice was done here. I see why the ruling and appeal went the way they did. If my partner bid 4♥ over 3♠ when we were not playing

Smolen I'd assume an off-center shape 2NT opening (how could partner cue-bid with no minor-suit ace?) Since I do not have enough to drive to slam I'd pass.

"If there was an Alert infraction maybe the initial ruling should go against the offenders, but to give the non-offenders the best of everything—and I understand they needed it to win the match—seems inequitable. The play in 6♠ is more likely to lead to down one than two since ruffing out ♠Qxx will make the slam without the heart finesse."

CASE SIXTEEN

Subject (UI): Variable Methods: More Room For Confusion

Event: TGIF Bracketed Knockout Teams, 06 Dec 02, Session (not reported)

Bd: 8	♠ 1062		
Dlr: West	♥ Q542		
Vul: None	♦ 764		
	♣ K42		
♠ 9843		♠ AKQJ7	
♥ KJ		♥ A98	
♦ KQ1095		♦ J32	
♣ J3		♣ Q10	
	♠ 5		
	♥ 10763		
	♦ A8		
	♣ A98765		
West	North	East	South
Pass	Pass	1♠	Dbl
3♣(1)	Pass	3NT	Pass
4♠	All Pass		

(1) Not Alerted; explained by East as invitational with a club suit (without any inquiry by either N or S)

The Facts: 4♠ made four, +420 for E/W. The opening lead was the ♠A. The Director was called at the end of the auction; he instructed that play continue. After consultation he ruled that the volunteered information about the 3♣ bid could have influenced West to bid over 3NT. The contract was changed to 3NT down three, +150 for N/S.

The Appeal: E/W appealed the Director's ruling. The appeal was filed quite late; the opposing team had already left the playing area and thus E/W were the only players to attend the hearing. West said that his partnership used reverse Bergen raises by an unpassed hand and natural, invitational minor-suit jumps by a passed hand. At the table he forgot which applied: his correct response according to his agreement was 3♦. He said that the explanation offered by his partner was not what woke him up. Rather, his hand clearly indicated that he should play

some number of spades and passing 3NT was not an option for him.

The Panel Decision: The Panel determined that West had UI, partially from East's failure to Alert but primarily from East's explanation. Eight players of approximately West's level of ability (West had about 1000 MP) were questioned to determine whether passing 3NT was an LA for West given the information that 3♣ was a Bergen-type raise showing four-card trump support and a limit raise, as he intended it. Three of the eight consultants passed 3NT, indicating that pass was an LA. Therefore, the contract was changed to 3NT down three, +150 for N/S.

DIC of Event: Patty Holmes

Panel: Mike Flader (Reviewer), Matt Smith

Players consulted: Eight players with about 1000 MP

Directors' Ruling: 85.0 Panel's Decision: 82.2

☞ Pretty straightforward. The non-Alert and (more obviously) the explanation gave West UI that East's 3NT bid was not made with the knowledge that West had four-card spade support. Clearly this suggested that bidding 4♠ could work out better than passing 3NT, and the peer consultants confirmed that pass was an LA (almost half of them passing 3NT). The only thing missing here was...

Allison: "Again, excellent reasoning by the Panel. Again no AWMW considered or applied. I thought we were automatically considering AWMW and at a minimum discussing them each and every time. No? Or do we simply sit up late and provide a forum for people who should know better each and every time?"

✍ It is (remotely) possible that the discussion just didn't get reported.

Goldsmith: "This is how the Panel system is supposed to work. Go find some of the player's peers, find out what they'd do sans UI, and apply the laws appropriately. The only missing issue is the AWMW. If we judge that players with 1000 MP can get them, then why wasn't this pair given one?"

L. Cohen: "No merit. East can and must pass 3NT. East can but must not appeal."

Wildavsky: "I see no merit here. How about a PP for the unasked-for explanation?"

✍ The main intent of the laws (and Regulations) is not to punish infractions but to redress damage. Punishment is appropriate for flagrant or egregious acts, or for careless disregard (e.g., repeated offenses; disregarding a Director's instructions). Now if you want to discuss assessing a PP for West's flagrant 4♠ bid after East's explanation, *then* we could do some business.

Bramley: "Peers to the rescue again."

R. Cohen: "Another easy case for the Directors. Well done."

Polisner: "Good all around."

✍ Several panelists think that pass is not an LA at IMPs—or that it's unlikely...

Passell: "I would go along with the decision at matchpoints but passing 3NT with that hand at IMPs is not an LA to me."

Treadwell: "With four-card trump support, a 4♠ contract looks far superior to 3NT, regardless of any UI. I would have allowed the 4♠ call."

Kooijman: "The Panel should have asked five players, with four bidding 4♠, making it possible to allow that bid. This was teams. Was that clear during the questioning? Nothing more to say, the peers have to win."

Rigal: "Correct Panel decision for the offenders I suppose, but the non-offenders should not get the benefit here. Passing 3NT is an enormous position I believe, and most would not do so."

Stevenson: "Personally I would never have thought anyone would not play in a known five-four major fit with a weak doubleton. Nevertheless, the methodology suggests I am wrong and the ruling and decision are right. I am left with one nagging doubt: When there is a 'clever' action, as against a standard action (and not playing a five-four major fit is a 'clever' action), are people more likely to find it when consulted than when actually playing? I think the answer is yes, but there is no better methodology available to test LAs."

✍ I guess the above panelists' partners never open 1♠ with a hand like ♠Qxxxx ♥AQx ♦AJ ♣KQx. The point should also be made that what is judged to be an LA by players with 1000 MP may not bear that close a resemblance to what is judged an LA by more experienced or expert players. It's the former that counts here. The point should also be made that the above five panelists' opinions discredit the notion that the 4♠ bid deserved a PP or that this appeal lacked merit—but that's still how I would have voted.

Subject (UI/MD): The Tell-Tale Doubles?

Event: Reisinger BAM Teams, 06 Dec 02, First Qualifying Session

Bd: 14	Eileen Cripps		
Dir: East	♠ AK4		
Vul: None	♥ AK5		
	♦ Q732		
	♣ J76		
Stephen Landen	Pratap Rajadhyaksha		
♠ 72	♠ QJ853		
♥ 32	♥ Q8		
♦ AK96	♦ 854		
♣ AQ1053	♣ K92		
	Sue Joy Sobota		
	♠ 1096		
	♥ J109764		
	♦ J10		
	♣ 84		
West	North	East	South
		Pass	Pass
1♦	1NT	Dbl	2♥(1)
Pass	2♠	Dbl	3♥
All Pass			
(1) Announced as a transfer			

The Facts: 3♥ made three, +140 for N/S. The opening lead was the ♦K. The Director was called to the table after South's 3♥ bid. He determined that North's CC was marked "System on over double" but South said she did not play that method and did not have her CC so marked. Away from the table East told the Director that he wanted to bid spades, but not at the three level. West said he would have doubled 3♥. Several rounds later both E/W players told the Director they thought South should have to pass 2♠ doubled. The Director ruled that Law 16 did not apply: 2♠ was not considered natural after the penalty doubles of 1NT and 2♠ and so pass was not an LA for South; North had no UI and was allowed to judge that 3♥ was to play. Therefore, the table result was allowed to stand.

The Appeal: E/W appealed the Director's ruling and were the only players to attend the hearing.

E/W raised two issues with the Committee: (1) Was South entitled to bid 3♥ over 2♠? (2) Was North entitled to pass 3♥?

The Committee Decision: The Committee agreed that this appeal raised pertinent issues with respect to the interplay between the regulations and the laws. They decided that South, who bid 2♥ to play, was entitled to bid 3♥ over 2♠ because (a) the 2♠ bid might have been a game try in hearts, and (b) with the double there was every reason to play in a known six-two fit where the weak hand would provide tricks rather than a possible five-three fit where the weak hand would provide few if any tricks. The Committee also believed that bridge, and not table action, suggested that North pass 3♥. Thus, the table result of 3♥ made three, +140 for N/S, was allowed to stand.

DIC of Event: Henry Cukoff

Committee: Henry Bethe (chair), Darwin Afdahl, David Berkowitz, Mike Passell, Eddie Wold

Directors' Ruling: 82.8 Committee's Decision: 75.8

✍ I have no doubt that there are a few enterprising players who would overcall 1♦ with 1NT holding ♠AKQxxx ♥xx ♦QJx ♣Kx at BAM, but I would not base an appeal decision on that assumption without some evidence that North here was such a player. When a player responds in a red suit to his partner's notrump bid—with or without an intervening double—and his partner bids the next higher suit, it's a

good bet that partner thought the bid was a transfer. And while I would not allow the red-suit bidder to rebid his suit in the presence of UI with complete impunity, I would require some evidence that the suit bid by the notrumper could be natural (and not a game-try of some sort) before I'd force him to pass.

In the present case South's spade holding, the auction (including East's double of 2♠) and more importantly the overall nature of South's hand argue convincingly for bidding 3♥. So I would allow the table result to stand and consider E/W's appeal in poor taste, suggesting an AWMW. Happily, a number of panelists join me in allowing the 3♥ bid and share my view of E/W's decision to press the issue...

Bramley: "They may be winners, but they're also whiners. Give them the AWMW they deserve."

Rigal: "Excellent ruling by the Director: South's six-card suit makes her actions clear. The 2♠ bid is almost a self-Alert. Even with screens you would know what was going on. The facts are almost a duplicate of those in CASE TWELVE from Houston (involving Moss-Pollack). That being so, E/W, as real experts, should know better or be able to work it out after the decision, and receive an AWMW."

Kooijman: "This is a standard case and once again I miss the AWMW (probably two of them needed to be given here). If Committees don't make it clear beyond any level of doubt that such appeals should not be made, they will be made forever. I would like to add more considerations in case this E/W is not convinced. Did they ever bid 1NT as an overcall with five spades? And did they ever bid 2♠ after bidding 1NT when partner made it clear that he wants to play 2♥ instead of 1NT? The answer on the first question might be a proud 'yes' but if the second gets a 'yes' I don't take them seriously. And 'no' means that it is a 100% certainty that South becomes aware of the misunderstanding in a legal way."

Treadwell: "I cannot imagine a pass of 2♠ doubled by South. If there had not been a double, then it is a different matter. Why should E/W bring this to Committee? An AWMW should have been awarded."

Brissman: "Doubtful merit."

Allison: "I, too, believe that 2♠ in this auction is not necessarily (or logically, given North's failure to overcall in spades) natural. There would be no reason for North to run before any penalty double of 2♥. South has enough AI to be able to bid 3♥ after the double of 2♠. This case is complex and I would not insist on an AWMW although the Director's ruling was just fine."

R. Cohen: "It seems a lot of the appeals are pretty cut and dried. No arguments with the Director or Committee."

Passell: "Easiest one so far."

Polisner: "Good analysis by the Committee."

Weinstein: "Rather unlucky for E/W. I agree that South is entitled to her 3♥ bid. The bidding misunderstanding took away East's 2♠ bid which may well have bought the contract."

✍ And now for our version of Point-Counterpoint...

L. Cohen: "This auction has been coming up a lot recently (the Mike Moss deal in the Houston casebook). It is not quite the same as 1NT-4♥-4♠-5♥, but it falls into a category where the auction sure sounds like a misunderstanding/forget/screw-up. I wonder if there will eventually be a small list of such auctions where it is always

okay for the 'transferer' to correct back to her suit without penalty? I know it shouldn't be relevant, but I'd bet that with screens N/S would have produced the same auction and reached 3♥ without aid of the Alert/UI. If there were a short list of acceptable 'forgets,' I would *not* include/allow the dreaded 1NT-2NT (intended as natural, but Alerted as transfer to clubs); 3♣-3NT correction."

Burn: "Perhaps it is inappropriate for me to say this, but here is a case where English thinking is a long way removed from American thinking (little appears to have changed since 1773). A similar case happened in Houston and Larry Cohen gave an elegant summary of American thinking thus: 'Responses of 2♦ and 2♥ to 1NT that are followed by the no trumper's next step already raise a red flag. It's not quite the same, but imagine 1NT by partner, 4♥ by you, intended to play, 4♠ by partner. Do you really need the Alert/UI stuff to let you know he took it as a transfer? ... Maybe a general Committee concept in the future should be that you can 'self-correct' a diamonds-to-hearts or hearts-to-spades transfer.'

"If that is the way to regard all such matters in the ACBL, then the rulings in this case are correct and I have no difficulty with them given the original premise. But I have a serious difficulty with the original premise. Suppose that the bidding were to go like this:

West	North	East	South
1♦	1NT	Dbl	2♥
Dbl	3♣		

What is South to make of North's bid of 3♣? I imagine that most would say either 'North has psyched 1NT and has a weak hand with long clubs' or 'North has a 1NT overcall based on a diamond stop and a solid club suit; he may be very short in hearts.' It would occur to no one that North believed South to have clubs. Now if this is true of clubs in the example above, why is it not true of spades? In other words, why should not South in this auction:

West	North	East	South
1♦	1NT	Dbl	2♥
Dbl	2♠		

reason either 'North has psyched 1NT and has a weak hand with long spades' or 'North has a 1NT overcall based on a diamond stop and a solid spade suit; he may be very short in hearts.' If N/S's methods are that 2♥ shows hearts, why would it occur to anyone that North believed South to have spades?

"The difference is, of course, that South (or anyone) may have some reason for believing that North thinks South has spades. Whereas we don't bid hearts to show clubs we often bid hearts to show spades, and in the heat of battle our partners may sometimes not know that this is what we are doing.

"If North Alerts 2♥ South knows that North thinks South has spades and is not bidding his own long spade suit. But this information is not, as we all know, authorized to South. The question is: does South have sufficient AI from his hand, the auction, and in particular from North's 2♠ bid, to leave no LA to the possibility that North is not bidding his own spades, but thinks he is completing a 'transfer'?"

"To that question, we in England almost invariably answer 'No.' Perhaps the psychic no trump overcall is a more common gambit in our country; perhaps we are more likely to overcall 1♦ with 1NT on such as ♠AKQxx ♥x ♦AQx ♣Jxxx than Americans might be. Forgetting whether one plays 'system on' after a double is commonplace, while psychic or off-center overcalls of 1NT are a rarity. Nevertheless, it seems to me wrong that one should have a principle to the effect that South may conclude from AI alone that North (or South) has forgotten the methods, rather than that North has made a 'tactical' 1NT overcall of one kind or another and is now bidding his own spades.

"In the Houston case the player could perhaps legitimately infer from his own

hand that his partner had forgotten—he himself had four spades and could deduce that his partner could not also have great spade length, for his side would not have been doubled in 2♠ if that were the case. But this was happenstance; whereas there may occasionally be an exception to the principle that a player who removes hearts to spades is assumed to be bidding his own spades and not the spades he thinks partner has shown, I regard it as legally untenable to adopt the contrary principle.”

☞ David is not the only Englishman who favors a score adjustment...

Stevenson: “If, as the Committee suggested, 2♠ was a game try in hearts despite the double of 1NT, then surely South can pass 2♠ doubled, expecting North to retreat to 3♥. If North has bid this way with a 5=4=2=2 then 2♠ doubled may be the only making contract. There is no doubt that North was free to do as he liked since there was no suggestion that he was in receipt of UI. However, for South the logic given by the Committee was not correct.

“Was pass over 2♠ doubled an LA and, if so, did the UI suggest bidding 3♥? The second question is easy: knowing partner misunderstood the 2♥ bid suggests bidding 3♥ to avoid a disaster such as playing 2♠ doubled in a three-two fit. So, was pass an LA? If North’s 2♠ was made behind screens so that South did not know what it had been explained as would he not pass with a sigh of relief because of the double of 2♠? If 2♠ was natural because partner had bid an off-center 1NT on a 5=2=3=3 (or even 5=1=4=3 or 5=1=3=4) they would now play in an eight-card fit at the two level, and if partner meant it to show a strong heart raise presumably he would correct. I am not certain that every player behind screens would pass because some might be worried about a transfer misunderstanding, but some would pass, and that makes pass an LA. So the correct ruling and decision is to rule it as 2♠ doubled minus quite a few—the exact number probably does not matter at BAM.”

☞ Although not Englishmen, the following panelists would also disallow 3♥...

Wildavsky: “2♠ was not considered natural after the penalty doubles of 1NT and 2♠? By whom? What have they got to do with it? With a 2-count South expected 1NT to be doubled fairly often no matter what North held. What’s certain is that 2♠ was not natural after the Announcement. Rather, it’s unlikely that North would make a game try after the penalty double, and if he held a game try he wouldn’t sit for 2♠. I just commissioned an internet poll, giving the South hand and the auction with no Alerts. The first response was from an internationalist with 25 years of experience. He passed with no second choice. Sixteen other players responded, fifteen of them experienced and one a novice. When asked for their call over 2♠ doubled, eleven passed and five bid 3♥.”

Goldsmith: “The UI part is fine. Whatever North’s 2♠ bid meant, South was going to bid 3♥ and North was passing anything that wasn’t doubled. What about the MI part? If East had known that 2♥ was not a transfer to spades, he would have passed 2♠. Would that have created a force on his partner in their methods? If West also knows that 2♥ shows hearts, then he would probably be allowed to pass out 2♠. That’s probably +150 for E/W. I think E/W are entitled to that. Would South have passed 2♠ undoubled? I don’t know. Is it at all probable? Yes, so N/S should get -150. Is it likely? I don’t know, but I would have liked to ask South before she knew what her options were. Without conviction, I’d award E/W the same result.”

☞ Although few would argue that the UI from the Announcement makes it easier for South to rebid her own suit, the real issue (as David Burn points out) is whether there is sufficient AI to make the 3♥ bid clear despite the UI. As a practical matter, many conventional bids have become so “standard” that Alerting them has become a mere formality. So it is with 2♦ and 2♥ transfers. Perhaps that is not true in Merry Old but in my (and most other panelists’) experience it *is* true in North America.

Subject (MI): All Points Are Not Created Equal

Event: Blue Ribbon Pairs, 03 Dec 02, Second Qualifying Session

Bd: 25	Patricia Tucker
Dlr: North	♠ A4
Vul: E/W	♥ 5
	♦ K9872
	♣ AQJ105
Suzy Burger	Leon Lowe
♠ K75	♠ 1032
♥ J874	♥ AKQ962
♦ A654	♦ J103
♣ 32	♣ K
	Kevin Collins
	♠ QJ986
	♥ 103
	♦ Q
	♣ 98764

West	North	East	South
	1♦	1♥	1♠
3♦(1)	4♣	Pass	5♣

All Pass

(1) Alerted; explained as a mixed raise

The Play (East on lead):

Trick	1	♥A, ♥3, ♥7, ♥5
	2	♥Q, ♥10, ♥4, ♣5
	3	♦2, ♦3, ♦Q, ♦A
	4	♦4, ♦7, ♦J, ♣4
	5	♠Q, ♠5, ♠4, ♠2
	6*	♣6, ♣2, ♣Q, ♣K

* See The Facts

The Facts: 5♣ went down one, +50 for E/W. The opening lead was the ♥A and the play proceeded as shown. After play ended North called the Director, explaining that before she played to trick six she asked if the point range for the “mixed raise” was 6-9. She was told “10-11.” When she repeated her question she was again told “No, 10-11.” Based on this she inferred that West needed the ♣K for her raise and finessed, losing to the singleton king. The Director then asked about the range for the 3♦ bid and was told “9, 10, 11.” The Director ruled that Law 40C had not been satisfied (North had not been injured by the opponents’ failure to explain the full meaning of a call) and allowed the table result to stand.

The Appeal: N/S appealed the Director’s ruling. East did not attend the hearing. North said she placed the ♠K, ♦A, and possibly the ♥J in the West hand but West needed the ♣K as well to reach the 10-11 points promised by the 3♦ bid. When asked about the location of the top heart honors, North said it was obvious that East had all three based on his tempo of play. The Committee determined that North had not examined the opponents’ CCs nor determined their signaling methods. West said that E/W was basically a first-time partnership, although they had played 25 years ago. Her definition

of a mixed raise was 5-9 points with four trumps. The Committee also determined that the distinction between “support points” and “high-card points” was never mentioned at the table.

The Committee Decision: The Committee believed that the problems here basically arose from a failure to communicate between the two sides. North’s definition for a hand’s value was predicated upon high-card points while the E/W pair’s explanation implicitly described everything in terms of “support points.” West’s hand satisfied the commonly-held requirements for a “mixed raise,” even if a bit light. Additionally, North’s statement concerning the location of the heart honors was considered self-serving, especially when no effort had been made to determine the opponents’ lead conventions or signaling methods. The Committee

decided that there had been no MI and allowed the table result to stand.

DIC of Event: Henry Cukoff

Committee: Mark Bartusek (chair), Darwin Afdahl, Lowell Andrews, Jeff Polisner, Eddie Wold

Directors' Ruling: 80.9 Committee's Decision: 72.5

☞ West had shown four-card heart support so East could easily have led the ♠A from ♠AQJ962, West holding ♥K874, and the play have gone just as it did at tricks one and two. West would hold 10 HCP (the ♠K, ♥K and ♦A) without the ♣K and might hold the ♦J as well. So was North damaged? Maybe with correct information she would have gotten it right—maybe not. (Her inference from East's tempo was at her own risk—although, as David Stevenson points out, she *was* correct.)

On the other hand, E/W should have done a much better job disclosing their agreements (such as stating whether their requirement for a mixed raise was in high card or “support” points). And East surely must have known that his vagueness in answering North's questions would serve to protect his vulnerable ♣K. So E/W deserve the worst of it even if N/S are not to be afforded redress. I would assign N/S the score for 5♣ down one, -50, and E/W the score for 5♣ making five, -400. (I could also be talked into assigning reciprocal 400s without too much effort.)

Several panelists, like the Committee before them, seem too willing to ignore E/W's role in this affair—even to the point of suggesting that the appeal lacks merit.

Bramley: “North should either take her lumps or take an AWMW. No excuse for this appeal.”

Treadwell: “A good decision by the Committee, but why no AWMW? N/S were quibbling about a HCP or two because they mis-guessed. Actually, I would never have thought about even calling the Director, let alone appealing.”

Allison: “My goodness, East did not, by the play of the cards, show the ♥K. If West had that card, her hand (with the known ♦A and ♠K) had no room for the ♣K as well; this would make 13 HCP. North's self-serving discussion about the heart honors led her to a false conclusion about a club honor. There was no reason to give her redress (and anything she took from East's tempo on defense was at her own risk). The only question would be about merit and I'd give N/S the benefit of the doubt on that point. It appears the Committee never discussed the issue of merit.”

R. Cohen: “I have always thought a ‘mixed raise’ was a hand too good for a preemptive raise but not good enough to warrant a cue-bid—and containing at least four trumps. Certainly the West hand qualifies under that definition. Director and Committee right on.”

☞ The *Official Encyclopedia of Bridge*—the real one, not Ron—describes a Mixed Raise as a good preemptive raise, with 7-9 points (again vague as to whether these are HCP or “support” points). Thus, the presumption here is that a “mixed” raise is a “mixture” of a preemptive raise (based on trumps) with modest high-card values. In other places a Mixed Raise is described as a raise having both preemptive and constructive aspects, and as 6-9 (presumably HCP?) with four trumps.

Passell: “Good work, but E/W should be more careful in their wording.”

☞ Yes, E/W certainly could have defined the term “points” more precisely (even though, technically, it was North who used it—not E/W). In my opinion, when the opponents give a range for a bid, unless they state otherwise, you are entitled to interpret any numerical values as specifying HCP, not “support” points.

Polisner: “Okay by all.”

☞ Seeking additional clarification is...

Wildavsky: “The decision may be correct, but I don't like the Committee's reasoning and I don't understand the Director's. East appears to have explained an agreement his partnership did not have. North contributed, though, by asking a leading question. The Director's write-up is ambiguous. He was told 3♦ showed ‘9, 10, 11’ but by whom?”

“Unlike the Committee I don't think the distinction between HCP and support points is important here: declarer knew that West had no singletons and at most one doubleton. My research shows that a ‘mixed raise’ means different things to different players. Some think it shows a good preemptive raise, something line 7-9 support points with four trumps. Others, possibly including East, think it shows a distributional limit raise.”

☞ I'm sorry, I must have missed something. Why did declarer know that West had no singletons and at most one doubleton? If that's a “requirement” for a mixed raise whose requirement is it? Would that mean that ♠xx ♥Qxxx ♦KQxxx ♣xx would not qualify under the “good preemptive” definition because it has two doubletons?

The next group of panelists argue for protecting N/S...

Burn: “This appears to me to raise a serious concern. While the form of North's question was improper, it appears that East went out of his way to give an answer that was not in keeping with the partnership agreement (‘10-11’ would be a ludicrously narrow range for a ‘mixed raise’ in any case). Why did he do this? Well, if you look at his club holding, the answer may occur to you.

“There is nothing to suggest that ‘the E/W pair's explanation implicitly described everything in terms of support points.’ These were never mentioned, and it is clear from the report (and should therefore have been clear at the table) that North's question was in terms of high-card points. It seems obvious that East was, in fact, failing to disclose his partnership's actual agreement solely in order to protect his ♣K. I see nothing ‘self-serving’ about North's comment regarding the heart honors; if I were at the table, I could imagine being able to tell the difference between a man who had led from an ace-queen holding and a man who had led from ace-king-queen. Both the Director and the Committee appear to me to have dodged the relevant issue in lamentable fashion; the score should have been adjusted, and East should have been severely reprimanded (or worse).”

Stevenson: “If a player is told that a bid shows ‘10-11 points’ it is not unreasonable to expect the hand to contain 10 or 11 points. If E/W play it as 10-11 points including distribution then they should say so. Furthermore, it is clear from the write-up that West did not. North was misinformed by the casualness with which E/W approached the disclosure of their methods and their lack of agreement.

“Furthermore, the Committee seems to have indulged in the sport of treating the non-offenders as though they are unfairly trying to get something for nothing. North deduced that East had the ♥K from the defense's demeanor, and she *was* right. So why did the Committee treat her as though she had been careless? I do not know what agenda this Committee was working to, but North was misinformed and damaged, and an adjustment should have been routine.”

Goldsmith: “I don't see why either the Committee decided or the Director ruled as they did. East gave MI. The reason he did it was that he probably didn't understand what a mixed raise is; he thought it was a limit raise. That's extremely common, I have found. Never accept an explanation ‘Bergen Raise’; I doubt 10% of the users understand them. Given declarer's questioning, it was clear she understood what a mixed raise was, but knew that other players aren't all clear on the concept. When she was told twice that West was supposed to have 10-11 points, it was natural for

her to hook the ♣K. It is also obvious that she was going to try to drop it if the answer was, ‘yes, a normal mixed raise, 7-9 HCP with four trumps, just less than a limit raise.’ E/W weren’t intentionally trying to job her, but it’s their responsibility to answer questions fully and accurately, and they simply did not do that. The MI led directly to the non-offenders’ bad result, so they get redress. How could the Director and Committee blow this one so badly?”

Kooijman: “I have my doubts about this decision. The Committee apparently didn’t pay any attention to West’s statement that her mixed raise shows 5-9 with four trumps. Very sophisticated to make a distinction between high-card points and support points but might we call that self-serving, towards the easy decision? The real question here is what North would have done had West explained the meaning of her call and I consider dropping the ♣K as a clear possibility then. I would adjust the score based on Law 12C3, allowing dropping the ♣K half the time with the right information. I know you can’t do that, so an Average Plus/Average Minus seems reasonable then, assuming -50 got less.”

Rigal: “Everyone is missing the point here. East knew declarer was trying to guess clubs, and looking at the bare king knew that what he said was going to make declarer mis-guess. Get real, guys. Someone who is asked twice about the range for a bid and misstates it to persuade declarer to misplay a suit is due less than zero protection. At the very least E/W are due -400, and I think N/S are entitled to +400 or a 12C3 adjustment—watch this space.”

✍ Yes, a 12C3 adjustment for N/S would be my choice as well, if only...
 Finally, one panelist mentions a bad-bad non-reciprocal score adjustment (I’ll take my support where I find it)...

Weinstein: “When West admits she was playing the mixed raise as 5-9, it is MI even if she shows up with something close to limit raise values. East should have said ‘I play a mixed raise as 10-11 but we haven’t discussed it.’ The representation of an agreement that doesn’t exist is grounds for MI. However, the protest rates up there on the whininess scale, so while I think there is barely a legitimate case, I would still decide as the Committee did. Even though E/W were trying to be helpful and were the slight victim of ‘over-questioning,’ a case could be made to decide against everyone.”

Subject (MI): My Way Or The Highway
Event: Blue Ribbon Pairs, 03 Dec 02, Second Qualifying Session

Bd: 33	Richard Reitman		
Dlr: North	♠ Q1052		
Vul: None	♥ J73		
	♦ J43		
	♣ K84		
Chip Chapin	Richard Lanke		
♠ AK973	♠ 8		
♥ AK1052	♥ 94		
♦ 2	♦ 107		
♣ 95	♣ AQJ107632		
	Mike Levinson		
	♠ J64		
	♥ Q86		
	♦ AKQ9865		
	♣ ---		
West	North	East	South
	Pass	3♣	3♦
6♣	Pass	Pass	Pass/6♦
Dbl	All Pass		

The Facts: 6♦ doubled went down four, +800 for E/W. The opening lead was the ♥K. N/S called the Director after the auction when West volunteered to N/S that East’s clubs should be something like AKQ or KQJ10. South told the Director he wished to change his final pass (he previously thought a slow club trick from his partner and the ♦A might be enough to beat the contract, but that was not possible based on the new information) and the Director allowed him to do so. At the end of the hand South recalled the Director saying he had been misled by E/W’s statements about East’s club suit and that he would not have bid 6♦ had he been properly informed. The Director ruled that the table result would stand.

The Appeal: N/S appealed the Director’s ruling. Only N/S

attended the hearing. South said he interpreted the statement that East’s club suit should be something “like AKQ or KQJ10” to mean that no trump loser other than the ace was possible, an agreement that he himself had with some partners.

The Committee Decision: Although one Committee member was surprised that an agreement that preempter’s suit could be so strong was not Alertable, the directing staff confirmed that it was not. (The CC has a box to check to indicate sound or solid-suit preempts, either of which was believed to be a fair description of E/W’s agreement.) The Committee decided that AQJ10-eighth is sufficiently “like AKQ or KQJ10” that N/S had not been misinformed. The table result of 6♦ doubled down four, +800 for E/W, was therefore allowed to stand. The Committee also determined that this appeal lacked substantial merit and issued N/S an AWMW.

DIC of Event: Henry Cukoff
Committee: Henry Bethe (chair), Darwin Afdahl, Nell Cahn, Richard Popper, Dave Treadwell

Directors’ Ruling: 83.7 Committee’s Decision: 95.8

✍ Perfect. Playing sound preempts is not (and hopefully will never be) Alertable, so N/S’s complaint was whining (and resulting) to the nth degree. Right Bart?

Bramley: “The third time’s the charm. A well-deserved AWMW.”

✍ But hold on, there’s another issue here. Since N/S were not misinformed during the original auction in which South passed 6♣, the Director was wrong to allow

South to change his final pass to 6♦. Law 82C provides for rectifying such a ruling to allow the board to be scored normally. If that cannot be done, an adjusted score is supposed to be assigned considering both sides as non-offenders for that purpose.

Once a change in the auction was allowed the board could no longer be scored normally, so an adjusted score should have been assigned. If South passes, 6♣ by East becomes the final contract and South is on lead. After a normal top diamond the sight of dummy should convince South of the futility of a major-suit shift. Thus, the only hope for the defense is that North has a trump trick—the ♣A is best, but the ♣Kxx or ♣Qxxx will do. In both of the latter cases it will be necessary to tap dummy to prevent declarer from picking up partner's trumps. (North will signal for a continuation to reinforce this assessment.) So the defense is clear and at trick two South should continue with a second high diamond; down one, +50 for N/S. (Note: the instruction to treat both sides as non-offenders in awarding adjusted scores becomes relevant only if the Director determines that more than one line of play and/or defense is possible, each leading to a different outcome, in which case each side is assigned the most favorable result that's likely for them.)

R. Cohen: "Should the Director have allowed South to change his pass to 6♦? No infraction and no MI under ACBL regulations has occurred, so there was no reason to allow a change of call. Did the Committee consider the fact that there was a Director error, and that 6♦ should never have been allowed to be bid or played? Certainly the AWMW was not warranted. An adjudication was necessary. If both sides are treated as non-offenders—the Director was the offender—then the candy store is opened for E/W +920 and N/S +50."

☞ Yes, +920 was certainly an a priori possibility, but only if 6♣ making is judged "likely." I doubt anyone would judge that to be so—though we've all seen stranger things.

Wildavsky: "Since the agreement is not Alertable the Director had no reason to reopen the auction. That said, the table result seems just."

☞ If you're really repelled by N/S's appeal, the following panelist has an (illegal) suggestion...

Goldsmith: "The Director was inconsistent. If the 3♣ bid wasn't Alertable, then South had no right to change his call. Technically, Law 82C applies and since the score without the Director's error is obvious, E/W go -50 and N/S go +50. There's no way, however, that I'd award a third shot to South for that pathetic whining. South talked the Director into giving him something he didn't deserve. It didn't work out, and that's just too bad. But E/W don't deserve their windfall either. N/S -800, E/W -50. I know that's not technically legal. Too bad.

"Despite the fact that I'd change the scores, N/S get an AWMW and a 'stop yer whinin'!' You talk the Director into giving you a double shot and you complain because it doesn't work out? You want redress? Sympathy? You have to be kidding. If two AWMWs were allowed on the same hand, this one would qualify. At least they ought to get an asterisk for audacity."

☞ And if that doesn't satisfy your taste for blood, then try...

Gerard: "If at second you don't succeed, try really hard again. This is one of my pet peeves, playing the Committee for fools. South exercised bad judgment, should have gone for 1100 even if 6♣ were making, was given an accurate description of the E/W agreement, and faced a hand that was within range of the agreement. How was this appeal allowed to proceed?"

"A case that wasn't appealed involved an inquiry about what constituted a good suit for an Ogust response. The answer was 'two of the top three honors.' The defender went wrong (erroneously) when declarer turned up with AJ10xxx. Had

that been appealed, it would have been equally without merit.

"This is all the same syndrome as in CASE EIGHTEEN, trying to impale the opponents on their agreements. We're all so error-free these days that if something goes wrong we just up and sue lest word get out that our judgment is faulty. In fact, we've been drilled not to rely on our judgment, to look for any device as a substitute. The litigators would deny that judgment to their opponents as well, preventing them from upgrading certain holdings or even from having certain standards. While this is not the worst appeal in recent memory, it's right up there in the stomach-turning department."

☞ Don't you just love it when he gets angry?

Allison: "Good work by the Director and the Committee. Now we're supposed to do show-and-tell and open our hand to show the opponent whether there is a trump loser before they sacrifice. Bridge is a game of guesses too and when they make you guess and you guess wrong, that's life, baby. South had the information that there could be a trump loser and he decided to save. He's bound by that decision and trying to get his result back in the Committee room leads just where this got him: to an AWMW."

Rigal: "A gross series of actions by South—why not ask the opponents to show you their hands and state the line of play in 6♣ before deciding whether to save? A ridiculous appeal and one that was properly treated with the contempt it deserved. Somehow one AWMW does not seem enough."

Stevenson: "Until players like South stop trying to unfairly gain from rulings there will always be a lot of time wasted by meritless appeals like this one. Perhaps an AWMW is insufficient penalty: how about an ordinary PP as well?"

☞ If you can think of a good reason for one—other than your own righteous indignation—I'll sign the petition.

Passell: "What a ridiculous appeal."

Polisner: "Excellent—including the AWMW."

Weinstein: "Whiny, Whiny, Whiny. Listening to the appeal based on the mild subtleties about the strength of the club suit after South was already allowed to change his final pass is more than I can take. In the words of one of the Committee members, 'let's just play bridge.'"

Kooijman: "No comment, or should I be enthusiastic about the AWMW?"

☞ The following panelist, being unfamiliar with our new Alert regulations, has misconstrued West's act of volunteering information at the end of the auction—although he still manages to reach the proper conclusion: that appeal should fail.

Burn: "I don't understand this at all. What was West doing volunteering any information whatever? No one had asked him for any, and if his method is not Alertable then it does not require any disclosure over and above what is on the CC, if this is deemed 'adequate.' A cynic might suggest that West was trying to encourage South to sacrifice, which is the effect he achieved. The Director and the Committee do not seem to have addressed this issue at all. Did they ask whether East might have opened 3NT with solid clubs?"

"I don't particularly blame South for thinking, after West's 'helpful' explanation, that the trump suit at least would be solid. But even though the information he received was unsolicited, it was at least accurate and his claim that he had been 'misled' by it must therefore fail. However, I can imagine that South

was somewhat put out by what occurred, and I do not think that his appeal was without merit; if the Committee had focused more closely on West's actions, it might have concluded that there was some point to be addressed, even though it was not the point on which the appeal was founded."

✍ Sorry, David, but the ACBL's new Alert regulations (which became effective in March, 2002) include the recommendation that at the end of the auction the declaring side volunteer to explain their auction (especially any calls with "unusual" meanings). This removes the onus from the defenders to ask about any calls they are interested in and reduces the potential for such questions to transmit UI to partner.

Finally, one panelist has discovered a windmill...

L. Cohen: "First of all, 'should' and 'could' mean different things. West said East's clubs 'should be...' The Director told the Committee that it is not Alertable if the suit 'could be...' Which is it? If 3♣ guarantees AKQ or KQJ10 shouldn't that be Alertable? Didn't West indicate to South that 3♣ *should* show such a holding? If it only 'could be' that good, then there is no need to Alert and no need for West to volunteer the information.

"That said, I see plenty of merit. If West told me, it 'should be' something like 'AKQ or KQJ10,' I'd think we were less likely to have a defensive trump trick than had West said nothing at all. I suppose AQJ10-eight times is 'like' AKQ or KQJ10 and it seems this agreement was in effect since West presumably expected AKQ for his leap to slam. Anyway, I have lots of sympathy for South who really didn't make an 'after the fact argument'—he really did *pass* until he heard the new information. That information got him to save in 6♦. I'd be close to bidding 6♦ myself with the 'MI' so I disagree strongly with the AWMW. (If I allowed South to pass I'd have to convince myself that the defense to beat 6♣ is easy enough—it is.)"

✍ Given today's climate for ultra-light preempts, I see nothing inappropriate in declarer volunteering that his side's preempts show good suits. It can't hurt—unless the pair is inclined to deviate from their agreement—and it might help unsuspecting opponents.

It is probably wrong to interpret words like "could" and "should" in a write-up as strictly as Larry has. Few Directors (who fill out the appeal forms) or scribes pay close attention to such details (unless they are in "quotes"), and in any case a closer examination of the write-up reveals that the Director reported that West said that "...East's clubs should be *something* like..." which implies a looser agreement than "should be" alone would imply. Also, the word "could" in the Committee Decision ("one Committee member was surprised... that preempter's suit *could* be so strong...") was used colloquially, and reflected what the *Committee member* said, not what the Director said. We do not know which word the Director used (if either) and I suspect it wouldn't have mattered; the bid isn't Alertable in any case.

As long as a three- or four-level opening bid is played as preemptive, whether sound, light, very light (or solid suit), it is not Alertable. However, as I pointed out above the new Alert regulation *recommends* (a mistake—it should be *required*) that declarer volunteer at the end of the auction to explain any non-Alertable call that had a different meaning than most of us would assume. And that is precisely what West did: he volunteered that 3♣ showed a good suit. Perhaps E/W's agreement was that 3♣ showed a one-loser suit, but even that is not Alertable. And since West said that East's clubs should be "*something* like..." clearly E/W allowed for some wiggle room (perhaps an eighth club or the ten-nine could be treated as equivalent to a missing jack). So I see no MI here. Nor can I fault the Committee for not catching the Director error (especially when the screener also failed to catch it).

Given the distasteful nature of this appeal, I find myself agreeing with Jeff Goldsmith: E/W deserve an AWMW—even if the score is changed.

Subject (Claim): They Don't Do It That Way Where I Come From
Event: Stratified Open Pairs, 29 Nov 02, First Session

Bd: 8	♠ Q		
Dlr: West	♥ AQ7653		
Vul: None	♦ A7543		
	♣ 7		
♠ A54		♠ 109762	
♥ 942		♥ J10	
♦ 109		♦ K862	
♣ AJ865		♣ KQ	
	♠ KJ83		
	♥ K8		
	♦ QJ		
	♣ 109432		
West	North	East	South
Pass	1♥	1♠	1NT
2♥	3♦	Pass	3NT
Pass	4♥	All Pass	

The Facts: The play proceeded: ♣K (holding); spade to the ace; low club, ruffed; diamond to the king; diamond to the queen; ♠KJ (North pitching diamonds); ♥K; ♥8 to the queen. In the diagrammed position below, with a trump still out, declarer claimed saying only "My hand is good." After some discussion the Director was called and ruled that the result was 4♥ down one, +50 for E/W.

	♠ ---		
	♥ A76		
	♦ A		
	♣ ---		
♠ ---		♠ 109	
♥ 9		♥ ---	
♦ ---		♦ 86	
♣ AJ8		♣ ---	
	♠ 8		
	♥		
	♦ ---		
	♣ 1094		

The Appeal: N/S appealed the Director's ruling. The two sides were interviewed separately. N/S said that both of the opponents were putting their hands away, in apparent acceptance of the claim, when West stopped and started talking to East about the validity of the claim. North said that in her experience (in China, where she learned the game, then later on the Internet and at her U.S. club) such claims are routinely accepted and she was unaware that she needed to say more than she did with a trump out in order for her claim to be accepted as valid. When asked why she didn't either draw the last trump or state that she would do so she said she thought it was obvious. E/W said that at the point of the claim East folded up her cards, but West kept his in his hand and waited 5-10 seconds to give North a chance to mention the outstanding trump. When she didn't, he mentioned it as he called the Director. West expressed surprise that even then North didn't mention the trump. N/S disputed E/W's account of the events. N/S were non-ACBL members and were sold a Strat B entry by the staff based on their experience (particularly North's).

The Panel Decision: Law 70C addresses this situation. It instructs the Director to award a trick or tricks to the non-claiming side if the claimer failed to mention the outstanding trump, if it is "at all likely" that the claimer was unaware that a trump remained in an opponent's hand, and if a trick could be lost to that trump by any "normal" (i.e. careless or inferior, but not irrational, for the class of player involved) play. The Panel decided that the first and third conditions were fulfilled but sought advice from three players on how likely it was that a player taking these actions might have forgotten that there was an outstanding trump. One consultant thought it likely that a player who saw his opponent wait for 5-10 seconds and still said nothing had forgotten the trump, but not otherwise. A second consultant thought it was "reasonably likely" that the trump had been forgotten. The third consultant (a strong Flight B player) thought it was very likely that this player had forgotten the

trump. Based on this input (which largely matched the Panel's collective judgment), the claimer's inability to come up with a good reason for not mentioning the trump (such as knowing the hand was over when each opponent showed in to trumps twice), and the strict wording of the Law, the Panel assigned the result of 4♥ down one, +50 for E/W. N/S were instructed during the hearing on what to do in the future to avoid this kind of problem.

DIC of Event: Gary Zeiger

Panel: Matt Smith (Reviewer), John Ashton, Chris Patrias

Players consulted: Mike Passell, Barry Schaffer, and a strong Flight B player

Directors' Ruling: 81.8 Panel's Decision: 81.0

☞ I'm sure North's background prevented her from being convinced by any one Director that her failure to mention the outstanding trump was a problem; probably she needed to have this reinforced by the Panel. However, it is not clear to me, since trumps were being drawn at the point where North claimed, that she had forgotten about the remaining trump. Yes, I know what the consultants said.

Feeling quite uneasy about this decision, I decided to look through Edgar's old (1981-84) *Appeals Committee* series in *The Bridge World*. In *Appeals Committee X*, Case 3 is close enough to the present situation to convince me that the decision here is correct. In Edgar's example, declarer's trump suit is AKJ102 opposite 654. Declarer cashes the ace, dropping the queen, then cashes the king and jack. Now he claims with no statement. Edgar's comment is: "The sequence of plays strongly suggests that he has [forgotten the missing trump], for why else would he draw all but one trump before claiming?" This case is contrasted with several others where declarer claims with a trump still out, but does so as soon as the distribution of the outstanding trumps is revealed. For example, in one case (Case 2) he cashes the ace, the queen falling on his left, and immediately claims with no statement. Here Edgar answers the has-he-forgotten question with, "Surely not."

So did this console my dis-ease? Not really. While I concede that the Director and Panel probably made the technically correct ruling and decision, respectively, I am nonetheless distressed that E/W even chose to call the Director in the present situation. The following panelist shares my discomfort with what happened here...

L. Cohen: "Time for more drugs—this time I'll skip the Valium and ask for blood-pressure pills. Throw me out of the legal system if you wish, but this ruling disgusts me. Even if we followed the letter of the law, I don't see why North would play the ♠A in the ending before playing the ♥A. Can't we make it a law that if declarer's hand is high and he has the trump *ace*, that would be the first card he would cash when taking the remainder of the tricks? Even without that law, it irks me that West would actually dispute such a claim. He really wants to win matchpoints by having North lead the ♠A (or a *low* heart?) in the diagramed position? Get a life. If the lawmakers think E/W should be +50 in this situation then we need new laws. If I am violating the laws (or the spirit of the laws), too bad—throw me off the Appeals Committee and throw me off this casebook panel. Cancel the blood pressure pills—send me some cyanide. I don't want to be in a world where West asks for +50 and then is rewarded with that score."

☞ Well, suicidal tendencies aside, he does have a valid point about how the laws force us to adjudicate some situations in a way which offends many of our senses of justice. This case reminds me of a similar one (in terms of pitting the laws against justice) that occurred at the 2002 World Olympiad in Maastricht. Declarer claimed in a grand slam at trick five on a non-simultaneous double squeeze, and in fact the claim was a valid one. However, when an opponent requested that he play it out he (naively) did so. As he played on politely, inside he became more and more agitated about being asked to perform what he considered drudgery. Finally at trick twelve his ire got the better of him and he pitched the wrong card from his

hand and went down. The Director was eventually consulted and the ruling was made according to law, which says that play ceases upon a claim and any subsequent play is void. The claim is then judged for its validity. Since the squeeze he described in his claim operated in only one way (and that was the line he took when he played it out) the Director allowed the claim. Later the case came up on appeal and I was a member of the Committee (as was Jeff Polisner). Again we ruled according to the law (Jeff disagrees) and allowed the claim. Our application of the law was later examined and validated by the WBF Laws Committee. But most of us on the Committee, myself included, believe that justice is not served by such a decision.

Now let's hear from the current chairman of the WBF Laws Committee, who has found the same examples in Edgar's writings that I described earlier.

Kooijman: "With the claims we arrive at the *crème de la crème* of the Phoenix cases. And I already will give the show away: I don't like these decisions at all.

"Kaplan (relative of Peggy in CASE TEWNTY-ONE? [Not according to the information I have available.—*Ed.*]) did write nice articles about the bridge laws. Long ago he produced two booklets for Appeals Committees explaining how to rule, in which claims got good attention. Handling trumps was part of it. Take AKJ102 opposite 654 (in dummy), other suits irrelevant. Declarer plays the ace and: (1) the queen drops. He claims without any statement. (2) both opponents follow small. He crosses to dummy and finesses, both opponents follow small again, and he claims without any statement. (3) the queen drops. He now plays the king and the jack and then claims. In (1) and (2) the claim should be allowed, in (3) not. What is relevant is the relation between the play and the moment of the claim, always assuming that a player claiming is able to count up to thirteen, unless he demonstrates he didn't. This means that declarer with ace-king-queen eight times playing the ace and king on which both opponents follow suit should not lose a trick when she now claims without mentioning the last trump. Mind you, she did not play other tricks after two rounds of trumps before claiming. I consider it awful that a lady coming from China tells the Panel that she found the play obvious after which the Panel decides that she might have forgotten the last trump."

☞ Oh, and he was doing so well, right up until the end there. Players always have something to rationalize ("I always intended to bid 4♣"; "I knew a trump was still out"; "I had a clear pull of partner's double"; etc.) and Committees rule against them all the time saying, in effect, "We are certain that you would have pulled that double (or trump) but there are those who would not have and who would have come before us and made the same statements you have. So while we do not doubt your word for a minute, we very much regret that we cannot allow you to make that bid (or play)." The fact that declarer came from China (though I suspect she did not arrive the day before this appeal was heard) makes the decision the Panel reached all the more regrettable, but nonetheless legal.

The next panelist has said, "The law is an ass." Remember, Barry?

Rigal: "Everyone did a thorough job of exploring the facts here. I really think that N/S were not well-treated by the law, but here we have a very specific instruction and North really did it all to herself; she had her chances and did not take them. Should the law be different? No, I think the occasional infelicity should not persuade us to meddle."

☞ Oh, how quickly we forget.

Next, a few words from two members of the ACBL Laws Commission. Think they agree? Hardly.

Polisner: "I strongly disagree as it would be irrational—not just careless or inferior—for any player of whatever level to even think about playing any card but the ♥A in this end position even if, for example, no claims were allowed and North

was required to play to all thirteen tricks. I would rule 420 for each side; however, there's no way I'd give E/W +50 and could understand a split ruling of -420 for E/W and -50 for N/S."

R. Cohen: "A straight case of applying the Law. Cut and dried."

☞ Really, they're on the *same* Laws Commission.

Treadwell: "A tough decision, but I guess correct under the law. Frankly, I think it highly likely that North knew a trump was out, or in any case would have played the ♡A next as a safety play. But the law is the law and one must learn one's responsibility in such a situation."

Burn: "This is a straightforward application of Law 70C. The only thing that surprises me is that the case was considered so complex. Practices may vary from country to country, of course, but it is hard to imagine that anyone should consider it 'obvious' that she does not need to announce the drawing of an outstanding trump as part of her claim. Since West could ruff a diamond, and since it would certainly be 'normal' for a player who believed that all trumps had been drawn to cash a side winner before any more trumps, the ruling is obviously correct. It is to be noted, however, that if West could not ruff the diamond, declarer would not then be compelled to lead a low trump from hand; it is 'irrational' with only one suit remaining to play other than from the top, and Law 70C does not constitute an exception in the case of the trump suit."

Stevenson: "This is tricky (as disputed claims often are). I think the ruling and appeal were wrong because it is so normal to play trumps until they are proved to break and then claim. In this case if declarer had miscounted trumps she would have stopped after the ♡K. It is also true that at many tables this claim would have been accepted without comment. However, it is very close."

Goldsmith: "The ruling was technically legal, but the judgment seems wrong. The question was whether it was at all likely that North didn't know about the missing trump. Due to (presumed) language difficulties and lack of experience in playing bridge with the standard law book (claims are handled differently in computer-assisted bridge), she didn't know there even was an issue about it. I think I'd judge that her explanation was accurate, but I can understand a Director or Panel taking a harder stance. I think I'd rule in declarer's favor, but if I were there, perhaps I would rule differently. Perhaps the on-line bridge services might write up a primer, 'Procedural Differences Between On-Line and Face-to-Face Bridge' which might cover situations like this one."

☞ More on the online versus face-to-face differences...

Allison: "Everyone did the right thing with this case and the education was also provided for the players concerned. Unfortunately the concomitant of playing only online is that a claim can be made and accepted without a statement of a line of play. There is normally no reason to dispute the line of play (I always state that I'm pulling that lurker and this player should do the same online as well from now on). For the opportunity to educate this player, I would eschew the AWMW."

Passell: "A very good job in an unfortunate but clear situation. The Panel looks like they did a good job of explaining the situation to an obviously inexperienced pair."

☞ Expressing slightly less sympathy for N/S...

Wildavsky: "I see no merit to the appeal, but I can understand not issuing an AWMW to non-ACBL members."

☞ ...and even less sympathy still...

Bramley: "Little merit here."

☞ Deep Throat, my Director advisor, indicated that he thought this was a very poor ruling, saying, "This is a player who knew about the trump."
Go figure.

CASE TWENTY-ONE

Subject (Claim): “Don’t Interrupt Me When I’m Claiming”

Event: NABC Open BAM Teams, 01 Dec 02, First Qualifying Session

Bd: 28	Peggy Kaplan		
Dlr: West	♠ AJ962		
Vul: N/S	♥ K763		
	♦ A9		
	♣ A5		
Joanne Minken	Haig Tchamitch		
♠ 10875	♠ 4		
♥ Q842	♥ A9		
♦ 4	♦ 8765		
♣ Q1093	♣ KJ8742		
	Roger Lord		
	♠ KQ3		
	♥ J105		
	♦ KQJ1032		
	♣ 6		
West	North	East	South
Pass	1♠	Pass	2♦
Pass	2♥	Pass	3♠
Pass	4NT	Pass	5♣(1)
Pass	5♦	Pass	6♦
Pass	6♠	All Pass	
(1) Delayed Alert; KC Blackwood			

The Facts: The opening lead was the ♥A. The Director was called following a claim at trick five by declarer (North). The play to the first four tricks was agreed by all. It went: ♥A, all following; diamond to the ace; spade to the king; ♠Q, East pitching a club. At this point declarer detached the ♠A from her hand, faced her cards, and according to E/W said she would overtake her (second) diamond in dummy. West then said she could ruff the diamond. Neither East nor West heard any statement from declarer to the effect that she would pull a fourth round of trumps before overtaking the diamond. South said he did not hear North’s claim statement due to his being deaf in one ear. The Director, who was told that North said at some point before her arrival that trumps were three-two, ruled that North was unaware of the four-one trump break and that West would therefore obtain a diamond ruff. The Director ruled that the score for 6♠ down three, +300 for E/W, would be assigned (Laws 70C2 and 70C3).

The Appeal: N/S appealed the Director’s ruling. All players agreed to the auction as presented and the play up to the claim, at which point the statements of the players diverged. According to North, after the ♠Q was led she counted her tricks and then showed her hand (or part of it) stating, “Let’s see, I’ve got five spades, six diamonds...” Before she could say any more West interrupted her to say that she (West) would get a trump trick (by ruffing the second diamond). North said she did not get to complete her claim statement because an exchange between the two sides ensued. She claimed she said nothing about trumps being three-two until later in the discussion, by which time any pretense of a formal claim had vanished and she had become a bit flustered and confused. West said that North detached the ♠A from her hand and said “I’m going to overtake the ♦9...” She (West) had been about to concede the slam until North said that spades were three-two and that everyone had followed to the second round. West believed declarer stated a line of play involving drawing only three rounds of trumps. North pointed out that the second round of trumps was irrelevant once they were not five-zero. She admitted that she did say that trumps were three-two at some point, but only after the players had commenced their discussion/argument.

The Committee Decision: The Committee believed that West interrupted North in the middle of her claim, thus not affording her the opportunity to make a clear statement which could have convicted (or acquitted) her of miscounting trumps.

North was obviously a competent player, but equally obviously we have all miscounted trumps. Laws 70C2 and 70C3 apply to this situation, with any doubt being resolved against the claimer. The Committee believed that this case fell precisely on the border of these provisions and that “equity” was clearly irrelevant here. Nevertheless, they were compelled to decide whether, on the facts presented, North had miscounted trumps or was simply less than clear in stating her line. The Committee ultimately decided that North was in the process of drawing trumps (rather than having finished the process): She had not led the third round (although she had detached the ♠A from her hand) when West interrupted her, preventing her from completing her statement. Nothing North had done to that point suggested that she would have miscounted trumps. The contract was therefore changed to 6♠ made six, +1430 for N/S.

DIC of Event: Henry Cukoff

Committee: Barry Rigal (chair), Danny Sprung, Kit Woolsey

Directors’ Ruling: 73.3 **Committee’s Decision:** 76.5

☞ The parallel with CASE TWENTY did not escape...

L. Cohen: “Use all my comments from CASE TWENTY (and make sure to be nasty to E/W). This time, at least, the Committee understood life. Again, I don’t care if the letter of the law wasn’t followed exactly. I’d like one catch-all law that overrides every other law: Use common sense.”

☞ Once again we find our panelists who sit on various law bodies in disagreement. Even our four aces from the ACBL Laws Commission split two-two...

R. Cohen: “The Director was not out of line in his ruling based on what he was told at the table. He had to keep a game moving, and perhaps couldn’t ferret out all the facts in the time available, as the Committee was able to do later. After hearing from all the participants the Committee came up with a reasonable decision.”

Allison: “It sounds to me as if North almost stated a line of play by saying, ‘I’ve got five spades, six diamonds...’ We have seen people forced to play all those cards in that order, which would, in this case, result in a successful outcome for North. I believe that West interrupted North’s thought process in the midst of the claim and that the benefit of the doubt rightly was given to North. I also believe that the table Director made a reasonable ruling but lost the gist of what happened during the claim when West interrupted.”

☞ Hmm. Doesn’t Law 70A say that “any doubtful points shall be resolved *against* the claimer” (italics added)?

Polisner: “I don’t agree. It’s clear that North mis-counted trumps, both because she detached the ♠A and later said that trumps were three-two. I concur with the table ruling.”

Gerard: “North miscounted trumps. If not, she would have claimed after the ♠K, not the queen. A real stylist would have claimed after West followed to the king, but I’ll let that pass. According to her the second round of trumps was irrelevant, so why did she cash it? And her subsequent statement about three-two trumps couldn’t have been completely independent of her previous state of mind after the cards had already been played. North didn’t refute the contention that she also said everyone followed to the second round of trumps (whenever she said it), so the argument that she was justifiably flustered doesn’t hold up.

“This is what happens when Committees strain to reach a particular result.

Questionable issues are supposed to go against the claimer. No one else agreed with North's version of the facts. 'Let's see, I've got five spades, six diamonds...' sounds like someone who has just reconnoitered after taking the hill, not someone still in pitched battle. And to my mind North's sequence of plays suggests a miscount, not full command of the situation. See CASE SIXTY-SEVEN from Toronto, remarkably similar in a number of ways."

✍️ But in that Toronto case declarer played a side suit (she cashed dummy's ♣K) after she had just ruffed a loser with dummy's last trump, and then said nothing about intending to return to her hand to draw the last trump. And as Ton pointed out in CASE TWENTY, that difference was critical to Edgar's analysis in his *Appeals Committee* article.

Still, I detect good arguments on both sides of this case. But before I put in my own 2¢ worth let's hear from that man from the WBF Laws Committee...

Kooijman: "So what happened here? Declarer had the AKQJ of trumps eight times. Based on the facts presented by E/W, declarer claimed by showing the trump ace and stating that she would cross to the free diamonds on the table. Other facts are that declarer at some point said that trumps were three-two and that West said that she would ruff a diamond. I really doubt that any West will say that when declarer had made clear that she would draw the last trump. And what interrupting and not allowing North to complete her statement? The description given by the Committee: 'She had not led the third round (although she had detached the ♠A from her hand) when West interrupted her, preventing her from completing her statement' sounds ridiculous. North showing the ♠A and West saying 'then I ruff a diamond'? It simply can't have taken place. You may believe either that the presentation of this case is completely wrong or that the decision is wrong (or both, to be complete).

"Another point to be addressed is the inconsistency between CASES TWENTY and TWENTY-ONE. Given both descriptions, it is much more likely that declarer in TWENTY-ONE forgot a trump than that declarer in TWENTY did. But then the two decisions are reversed. That should be impossible. When regulations say to treat Law 70C2 firmly, which is disputable but probably the prerogative of a sponsoring organization, both claims should be denied. And advise the Chinese to stay at home then or forget about a Mr. Kaplan, who tried to educate the ACBL.

"Being a loose projectile now, let me finish the job. Are Committee members and Directors aware of the vulnerability of their judgments concerning bias towards the players involved? In other words, are they aware of the possibility that their attitude might depend on quite subjective feelings? This is a question which comes up reading both cases and even some others (involving AWMWs). It is not based on any knowledge of the players and members involved: I do not know enough of them. But the issue should get attention."

✍️ Well, that's some indictment of Directors and appeals people alike. Perhaps I am being myopic (or even defensive), but I do not find the same bias here that Ton does. What I do find is subjectivity combined with an uncertain understanding of the laws. For example, while the ruling and decision in CASE TWENTY are correct from a legal perspective, many find the laws which dictate them objectionable. And while these two issues must be kept separate (witness my ratings of the ruling and decision in CASE TWENTY as good but the antipathy for the laws that led to them reflected by my comments), many cannot—or are unaware that the laws may require them to make decisions that conflict with their personal sympathies. (Indeed, some Committee members act as though the decision is theirs to make as they see fit, especially if no Director is present to guide them through the decision process and to insure that the law is properly applied.)

And what about Ton's point that "ridiculous" statements were made by both sides? E/W said declarer made no statement about drawing the fourth round of trumps, but neither did she say she would draw a third round. What she did do was detach the ♠A from her hand while still in dummy and curtail play by claiming. Did

that mean she only intended to play one more round of trumps? Not to my mind. It suggested that she intended to play *more* trumps—maybe one, maybe more.

That she then started naming her tricks ("Let's see, I've got five spades, six diamonds...") suggests to me that she realized that she had no reason to continue to play the hand out (she had the rest of the tricks) but was describing the twelve tricks she planned to take for the opponents.

Many players are not as logical as we assume (and as Ron suggests when he points out that North could have claimed two tricks earlier) and do not see things as soon as they first become logically possible. The fact that declarer stopped play after drawing only two rounds of trumps and only showed one trump from her hand is counterbalanced by the fact that she was drawing trumps when she claimed and indicated her intent to continue drawing trumps at the time of her claim. Could it be that she miscounted trumps? Of course. Did her later reference to trumps being three-two increase the chance that she had? Probably (though she could, as she claimed, have just become confused and flustered by the dissent at the table). So what should we do? Should we adjudicate this "as equitably as possible to both sides" by judging that North's intent was clear (she intended to continue drawing trumps) or should we resolve "any doubtful points against the claimer" by judging that North did not make as tight a claim statement as she should have and left some reasonable doubt as to her intent by her subsequent behavior?

One thing we tend to overlook in these situations is that the non-claiming side has just as much to gain by defeating the contract as the declaring side has to lose by going down. We've all seen opponents who are so anxious to profit from even the most minuscule flaw in the form of a claim that they jump on declarer's first errant word to stake their claim. And by the same token we've seen declarers who have lost touch with the hand, made an invalid claim, and then tried to use the opponents' valid objections to rationalize that of course they knew another trump was out and were just about mention it when they were so rudely interrupted. So the rebuttal of Ton's assertion, that "I really doubt that any West will say that [she would ruff a diamond] when declarer had made clear that she would draw the last trump," is that (unfortunately) many players would say that either because they are looking to capitalize on a minor flaw in the form of declarer's claim or because they truly misunderstood what she said.

So did the Committee decide incorrectly? I don't think we can answer that question definitively. The Law Ton refers to (Law 70C2) is one of a three-part law saying, in essence, that when a trump is still out after a claim, the Director shall award a trick or tricks to the opponents if: (1) claimer failed to mention the trump; *and* (2) it is "at all likely" that claimer was unaware of it; *and* (3) a trick could be lost to it by any normal play. So depending on how you interpret claimer's actions and statements, it is possible to decide either that she knew about the trump and/or that her stated line of play encompassed drawing trumps (see Karen's comment) or that she made no statement about it and it's "at all likely" she was unaware of it.

The bottom line is that on balance I see sufficient room for doubt to rule against declarer, but I don't like it one bit and I would not do it if I was the Director or one of the Committee members. I can't say that anyone did anything wrong, but I'm pleased with the end result and agree with Larry's perspective on these two cases.

And one other thing. How great would it have been if the opponents could simply have asked declarer to *play it out*? Would that have given it away? Not if the request was made in such a way as to suggest that it had nothing to do with the claim itself ("I have trouble visualizing claims, so would you mind playing it out?").

Another panelist who would disallow the claim is...

Bramley: "I disagree. If North thought that trumps were three-two, flustered or not, she might have failed to draw the last trump. A claim after just *one* round of trumps would have been more credible. Instead, the timing of the claim reinforced the impression that she thought trumps were three-two. I would have decided as the

Director did, down three.”

✍ The remaining panelists may be voting with their hearts, but they are far less divided than the laws people. They see the ambiguous facts and the possibility that West interrupted declarer as reason to support the Committee’s decision to allow the claim.

Burn: “It may seem odd to give all the officials full marks when the Committee changed the Director’s ruling, but it often happens that what the Director does is correct on the facts presented to him, and what the Committee does is correct on the more complete or more thoroughly investigated facts presented to it (the Director may not have time to determine all the facts completely, since he has a tournament to run).

“The questions to be resolved are those required by Law 70C: Did the claimer make no statement about a missing trump? Yes, but she may have been prevented from doing so. Was it at all likely that at the time of her claim claimer was unaware that a trump remained in an opponent’s hand? Yes, said the Director, reasonably enough on the evidence presented to him; no, said the Committee, reasonably enough on the evidence presented to them.

“It is not for me to judge the issue, since no factual evidence is available to me, and the report indicates only great confusion as to what was actually said and done when. It should be noted that the actions of East and West do not appear to me to have been proper: the correct course is to allow claimer to finish a statement of claim, then to summon the Director and to state objections, not to raise objections before the process of claiming is obviously complete.”

Goldsmith: “Borderline cases go against players who violate proper procedure. North was stating a line of play when West interrupted. We have no idea whether she knew how trumps broke before confusion (caused by E/W) ensued. To assume that it was at all likely that she failed to notice East’s discard (was it a club or a red card?) is disingenuous. To get something for nothing in a claim situation, one must follow procedure carefully. No drawn off-sides.”

Wildavsky: “North would have done better to claim after everyone followed to the first round of trumps. That said, I agree with the Committee’s decision. They determined that the defenders interrupted the declarer during her claim statement. If that’s the case then the decision is clear. The Director seems to have placed a premium on ruling quickly; the write-up gives no indication that a serious attempt was made to determine the facts.”

✍ I doubt very much that no serious attempt was made to determine the facts. The situation was ambiguous enough, and the players’ versions of what happened at the table must have seemed sincere enough, that this must have been a very difficult ruling. (Witness our disagreement.) And there’s certainly no reason to believe that it was arrived at unduly quickly. In fact, as I indicated earlier, there is every reason to believe that the ruling that was made was the only one possible given the doubt that obviously existed.

Stevenson: “There is a common happening where excitable players interfere before a claimer has finished her statement. If that happened here as was alleged then it is important that the benefit of any doubt should be given to the claimer. Later discussions are irrelevant, especially when a claimer becomes flustered at being interrupted. Of course there is a finding of fact required here: did West allow North time to complete her statement? From the write-up I believe not so the decision was correct.”

Treadwell: “This is slightly different from CASE TWENTY because of the interruption of declarer’s claim. An excellent decision by the Committee.”

Passell: “It seems the Committee decided on what it ascertained as the true facts. An easier task than the Director at the table had.”

✍ Finally, let’s hear from the chairman of this Committee...

Rigal: “It was necessary to be present to interpret the difference in facts. I did not really believe anyone (except dummy, who said he was not paying attention). But West clearly interrupted North at some point, and thus did not give her a chance to hang herself. That being so, I stand by my interpretation—though not with much confidence.”

✍ And that’s how we should all feel about this one.

CASE TWENTY-TWO

Subject (Claim): What I Say Means Whatever I Should Have Said

Event: Blue Ribbon Pairs, 03 Dec 02, First Qualifying Session

Bd: 6	Glenna Szulc		
Dlr: East	♠ A9875		
Vul: E/W	♥ K		
	♦ AKJ83		
	♣ A4		
Alan Myerson	Ted Gibbs		
♠ KJ64	♠ 102		
♥ AQ76	♥ 10943		
♦ 96	♦ 10752		
♣ 1072	♣ J98		
	Armond Szulc		
	♠ Q3		
	♥ J852		
	♦ Q4		
	♣ KQ653		
West	North	East	South
		Pass	Pass
Pass	1♠	Pass	1NT
Pass	3♦	Pass	3♠
Pass	4♦	Pass	4♠
All Pass			

The Facts: The opening lead was a heart, and after six tricks (the exact sequence of plays is not material) the position in the diagram below was reached. North claimed saying she would lose a trick to the “high trump” (she thought the outstanding trump was higher than either of hers). When she discovered that the missing trump was low declarer tried to modify her intended line of play, at which point the Director was called. The Director ruled that playing on diamonds until the defender with the “high trump” ruffed in was not irrational (Law 70D) and he assigned the result for 4♠ down one, +50 for E/W.

	♠ 98	
	♥ ---	
	♦ AKJ83	
	♣ ---	
♠ 6		
♥ Q76		immaterial
♦ 96		
♣ 10		
	♠ ---	
	♥ 52	
	♦ Q4	
	♣ Q65	

The Appeal: N/S appealed the Director’s ruling. North said that when she claimed at trick seven saying she was conceding the high trump, she intended that to mean she would get to her hand and play a trump. Thus, she would not lose a trump trick.

The Committee Decision: The Committee believed that the ruling in this case was a matter of law. The statement “conceding a high trump” does not specify the manner in which the trump is to be lost, and therefore all “normal” lines of play, such as running winners and allowing the player with the “high” trump to ruff in at will or leading a trump to force the opponent to “win” their trick immediately are considered equivalent. If any of these lines can result in declarer losing a trump trick (even to a non-high trump), then the trump trick must be lost. In discussing the issue of an AWMW, it was discovered that the law had been inadequately explained to North such that she still did not realize that the ruling was purely a matter of law. Therefore, it was decided not to assess an AWMW against N/S.

DIC of Event: Henry Cukoff

Committee: Henry Bethe (chair), Ed Lazarus, Jim Linhart, Bob Schwartz, Kit Woolsey

Directors’ Ruling: 94.4 Committee’s Decision: 90.4

Regardless of how well the law is explained to a player, if she is playing in the Blue Ribbon Pairs we should be entitled to presume that she didn’t just fall off the turnip truck. (This one also happened to have about 2500 MP.) In addition, the ruling was not “purely a matter of law” since determinations of fact and of intent were involved. When declarer said she would lose a trick to the “high trump” she was not stating a line of play: she was saying which of the remaining tricks she would lose and which she would win, just as if she’d said “I’ll take six tricks, you get one.” But her statement also demonstrates that she probably missed the fall of the ♠10 earlier and believed West still held it. So I agree with the Committee that there is no reason to believe that she would have promptly returned to hand to lead a trump rather than simply play off winners, allowing the high trump holder to ruff in at his leisure.

Furthermore, it seems that she explained her “intentions” to the Director at the table who ruled against her anyhow. So what new evidence did she present to the Committee that could possibly have induced them to decide in her favor? Did she cite a line of play that provided evidence of her intent? Did she dispute the report of what she said as she claimed? Did she present any bridge evidence that supported her contention? Not that we are told. She simply sought to find more sympathetic ears to allow her to recover from her error.

Sorry, but this is the poster child for an AWMW. Right panel?

Bramley: “N/S deserved an AWMW regardless of how well the law was explained to North.”

Gerard: “Do the Directors always explain the basis for their ruling? They should, in which case the inadequate explanation, if indeed it did happen, was inexcusable. But an inadequate explanation implies that there was some kind of explanation. It’s hard to see how any explanation would have left North thinking she had any case at all. If the Director explained even some of the reasoning that is attributed to him in the write-up, North should have known she was history. Anything that included the word ‘irrational’ was sufficient, since it would have disabused North of the notion that the Director cared whether North would have crossed to her hand and led a trump. Besides it was the Blue Ribbon Pairs, even with devaluation. Did North really qualify for the Blue Ribbon Pairs by thinking she could get away with that kind of excuse? Guillotine.”

Goldsmith: “The Committee had the option of accepting declarer’s revised claim. She crosses to hand with a diamond, draws trumps, and then loses a diamond trick for down one. Unless she miscounts trumps and draws an extra one. Then she goes down two. But that’d be silly. She thought the outstanding trump was high, so there’s no reason not to play winners. I’d give N/S an AWMW regardless of the explanation of the laws to them. North clearly tried to pull the wool over the Committee’s eyes. It’s long past time to start discouraging that with AWMWs.”

Kooijman: “At ease again. Obvious ruling. I don’t buy the argument not to assess an AWMW. The Director’s statement as given in the facts is completely clear.”

Passell: “How did this get past screening? The Screening Director should get the AWMW.”

Polisner: “Clear ruling and decision. I would have awarded an AWMW.”

Rigal: “Someone should have received an AWMW; if the Directors won’t take it, who else can we give it to. The law here seems entirely equitable; I’d give N/S their due—an AWMW.”

Wildavsky: “I think this business about the law not being explained properly is a

cop-out. Either an appeal has merit or it does not. The appellants could always have chosen to read the law straight out of the book.”

✍ The remaining panelists either accept the Committee’s decision, saying nothing about the missing AWMW, or explicitly agree with not assessing it. Tsk, tsk.

L. Cohen: “This is completely different from the previous two cases. In CASES TWENTY and TWENTY-ONE, declarer was basically in the process of leading trumps from the top. Declarer had played some top trumps (such as ace-king) and was sort of en route to drawing the last one. Here, there was some complex play driving out kings and jacks and setting up nines and eights. Furthermore, the trump-drawing process was not in place (side suits were being led). Here I think it is logical that if only one trump is outstanding, declarer should cross to hand and ‘draw’ it, but I wouldn’t allow her to do so (maybe two trumps are outstanding and by playing the ♠9 the opponents could win and tap her). This would be giving declarer too much the benefit of the doubt. It looks as if I’m following the laws here and ignoring them in CASES TWENTY and TWENTY-ONE, but I believe that in those cases there is enough latitude in the laws to bend (interpret) them to reflect common sense. Here that would require way too much bending.”

✍ All this talk of too much bending has me thinking twice about doing aerobics...

R. Cohen: “Seems the screener could have saved a Committee hearing and didn’t. The ruling was according to law.”

Stevenson: “Good decision. A statement of which tricks are to be won or lost does not of itself specify the order.”

Allison: “I agree with everything about this ruling including the lack of an AWMW.”

Treadwell: “Nicely handled by the Committee, particularly in not assessing an AWMW.”

Burn: “*Si sicut omnes!*” [Roughly, “If all were done thusly!”—Ed.]

CASE TWENTY-THREE

Subject (Claim): Don’t You Know Who I Am?

Event: Blue Ribbon Pairs, 04 Dec 02, First Semifinal Session

Bd: 26	Norberto Bocchi		
Dlr: East	♠ AJ1095		
Vul: Both	♥ Q1076		
	♦ Q42		
	♣ 9		
Birger Holmquist	David Priest		
♠ K4	♠ Q732		
♥ A9432	♥ KJ8		
♦ 10	♦ 876		
♣ AK1032	♣ J64		
	Steve Weinstein		
	♠ 86		
	♥ 5		
	♦ AKJ953		
	♣ Q875		
West	North	East	South
		Pass	1♦
1♥	1♠	2♥	Pass
3♣	Pass	3♥	Pass
4♥	Dbl	All Pass	

The Facts: 4♥ doubled made four, +790 for E/W. The play was: diamond to the ace; ♦K, ruffed; ♥A; heart to the jack; ♣J, holding; ♥K. At trick seven declarer led a club to the ten and North began to think. According to West, at this point North showed him the ♥Q and he (West) then claimed. According to N/S, at this point West claimed and North then acquiesced, detaching the ♥Q to show that he still had that trick coming (along with the ♠A). At the end of the next round N/S called the Director and informed him that West’s claim on the previous round had been faulty; they believed they would have beaten 4♥ if West had not claimed (see below). The Director ruled that the table result stood since, according to Law 69B, an acquiescence may only be withdrawn once the pair has made a call on the next board or the round has ended if they agreed to the loss of a trick that could not have been lost by any “normal” line of play (including plays that are careless or inferior, but not irrational, for the class of player involved).

The Appeal: N/S appealed the Director’s ruling. N/S said that when declarer claimed, he was telling the opponents that there was “no need to think” any more and thus caused North to relax when otherwise he would have continued to work out the defense and surely would have beaten the contract by discarding spades on declarer’s clubs. He would eventually be able to win his ♠A, pull declarer’s last trump, and then cash a diamond for down one. N/S thought it was very wrong for declarer to be able to benefit by making a false claim. South had been slow to pick up on the fact that the claim was invalid because he was distressed that he had played his partner for the singleton ♣K rather than the ♠A and had not covered the ♣J when it was played from dummy. N/S said they realized what happened shortly after the opponents arrived for the next round, but waited to call the Director because they were a bit late and the opponents were anxious to play their boards. They further asserted that it would have been irrational for North, a multiple-time World Champion, to misdefend in an elementary position like this if his concentration had not been broken by the claim. West said that after he led a club to the ten North thought for a significant amount of time, repeatedly pulled cards out of his hand and shifted them around, before he finally detached the ♥Q and held it so that West could see it, causing him (West) to believe he was playing it. At that point West showed his cards and claimed (he assumed that North had the ♠A and only one more diamond). West did not believe it would have been irrational for the defense to allow 4♥ to make if the hand had been played out, given that both defenders had conceded the contract after having seen all four hands. North replied to West’s statement regarding his detaching the ♥Q by saying that at no time before the claim did he ever detach the ♥Q from his hand; he did detach it after the claim,

but merely to indicate that it was a trick he had coming. South also said quite adamantly that North did not detach the ♠Q from his hand until after the claim. East said he was not watching the play closely and could not attest to North's actions. This was the eleventh round of the session and at the time of the claim at most 1 or 2 minutes remained on the clock. After the claim South apologized for not covering the ♣J; N/S then spent some time discussing the fact that they could have defeated the contract had he done so.

The Committee Decision: Law 69 states that once acquiescence in an opponent's claim has occurred it may still be withdrawn (until the end of the correction period, which is 30 minutes after scores are posted) but only if there has been acquiescence in the loss of a trick that has actually been won or in the loss of a trick that could not be lost by any "normal" (including play that would be careless or inferior, but not irrational, for the class of player involved) play of the remaining cards. On the actual layout North could have guaranteed a set simply by discarding his low spades on declarer's clubs (it could never gain to ruff a club). Nevertheless, neither North nor South was able to work this out at the table, even when declarer faced his cards. N/S's contention, that North's expertise made his misdefending in this way "irrational," was rejected because he was responsible for critically evaluating his opponent's claim with the same rigor that he would have applied to his defense, and because the lateness of the hand (on the eleventh round) made fatigue a possible factor as well. The Committee judged that it would not have been irrational for the defense to have allowed 4♥ to make and therefore the acquiescence could not be withdrawn. The table result of 4♥ doubled made four, +790 for E/W, was allowed to stand. Regarding the merit of the appeal, the Committee believed that N/S should have recognized that it is not considered "irrational" for a player, even one of North's expertise, to err by trumping one of declarer's winners prematurely. Nevertheless, because the law regarding acquiescence was considered confusing and may not have been conveyed clearly and accurately to the appellants (as it was not read accurately to the Committee during the hearing), and because there was some sympathy for N/S's assertion that the hand would not have been made if it had been played out, an AWMW was not issued.

DIC of Event: Henry Cukoff

Committee: Doug Doub (chair), Mark Bartusek, Mike Passell, Bob Schwartz, Peggy Sutherland

Directors' Ruling: 96.2 Committee's Decision: 92.9

☞ The panelists are in agreement that this appeal was ill-conceived. As several of them point out, if the situation was so elementary that it precluded misdefending, then why did it take North so long to play to trick seven and why did N/S accept the claim in the first place and then take until the next round to discover its flaw?

Bramley: "If the winning defense was so obvious maybe North could have found it faster, like before the next round. This was a pathetic excuse for an appeal. N/S should have been given an AWMW."

"That makes four-out-of-four against the claimers (or acquiescers) for me. I have little tolerance for players who assert that 'the position was obvious' when their own actions imply that it was not obvious to them at the time."

L. Cohen: "Here, the laws and common sense happily converge. It was easy for N/S to miss the right defense—even the best have mental lapses—and I think they had one here. They accepted the claim and it seems the rules say that by the time they realized the contract could have been beaten, it was too late. Clearly when they accepted the claim they didn't see the 'obvious' (apparently, not so obvious) way to beat 4♥ doubled. Maybe there wasn't merit, but I can live with the Committee's agreement not to assess an AWMW."

Gerard: "Nice write-up, although I would have hit them with it anyway. As in CASE TWENTY-TWO, any mention of the word 'irrational' should have warned South off, even if the description wasn't perfect. We all know about North's language deficiencies, but South has some connection with the mother tongue. Beyond that, it just feels sleazy to argue that a multiple-time World Champion could have his concentration broken by a lesser player's act of claiming. When down two turns into down one turns into making, just shut up and drink the Kool Aid."

"This happened to me once against Zia and Rosenberg. Zia claimed on a razzle dazzle line of play and with a razzle dazzle claim, and halfway through the next hand I said 'What if we don't trump in and then give you a ruff-and-sluff?' It was the marked defense, although not immediately obvious. Both opponents said they thought it was too late, whereupon I mentioned something about the atmosphere at the table not being conducive to doing the necessary instantaneous analysis. They offered to flip for it, which was more than generous. I hereby offer to return the overtrick IMP we won on the coin toss."

☞ Sorry, all returns must be accompanied by a sales receipt.

Polisner: "Excellent ruling and decision; however, I would certainly have awarded an AWMW."

Kooijman: "Nice case, with North 'blundering.' Or a good example of 'normal' not being that different between top players and others? The big difference starts after play, when top players will discover their mistakes. And North wouldn't have had any reason to complain had he received an AWMW."

☞ Some think the AWMW is close...

Passell: "Good work. Close decision whether to issue an AWMW."

☞ ...some don't mention it at all...

Stevenson: "When a good player says he could never go wrong in a position alarm bells ring for me. If North can go wrong with all four hands exposed by not seeing the obvious defense then he can go wrong if it is played out. The law on Withdrawn Acquiescence makes it clear that only if there is no real possibility at all of a player going wrong is acquiescence withdrawn, and the ruling and decision were spot on."

Rigal: "N/S were hard done by here—perhaps a case of crying wolf just once too often for these regular attenders in Committee. I think North would have beaten the game had declarer not claimed, and I would have been inclined to adjust were it not for the fact that the time factor imposes such a high-standard for an adjustment. This time I think E/W just got lucky. North has not been doing well on claims recently (see the finals of the Rosenblum in Montreal)."

☞ In the Montreal case Barry mentions North here (who was also North then) told the Director that while West, his non-screenmate, was in the midst of a long pause in the defense East, his screenmate, said something to him to the effect of "You will make 4♠" (the contract he was declaring). He claimed this broke his concentration and caused him to misplay the hand (he went down one). The Director ruled that East's comment constituted a claim which voided all subsequent play; he changed the result to 4♠ made four. The opponents appealed. At the hearing East gave a very different account of the happenings at the table. East said that it was North who first wrote down the result he anticipated (4♠ =, +620) in his private score while West was thinking and showed it to him. East then nodded agreement saying "You make 4♠." A witness (the Vu-Graph operator) was also interviewed who, while not certain of the exact sequence of happenings, provided support for East's

version of the facts. With the instigator of the interaction now uncertain and with nothing in either North's or East's actions that suggested that a claim or concession had been made, the Committee (of which I was a member) restored the table result of 4♠ down one.

Weinstein: "Well-done by both the Director and Committee in a very arcane area."

Wildavsky: "Declarer's showing his hand made the defense more difficult? I don't buy that."

R. Cohen: "The law is clear, and the best players in the world make inferior decisions. If they didn't, they would win almost every event they contested."

✍ ...and some support not assessing one...

Allison: "Irrespective of North's statement, one is definitely required to think when a claim is made; else how would one ever determine that a bad claim had been made. North has played in stressful events, under time pressure, before and will do so again; it is the hallmark of a great player that he is able to survive these circumstances and maintain his concentration. He failed to do so in this case and, because the law states that he is not entitled to make the determination late other than concerning tricks that cannot be lost, he must pay the price for his inattention, if only for a moment, at the time of the claim. I agree, too, with not giving an AWMW in this case."

Treadwell: "An excellent analysis by the Committee of both the facts and the application of the law. N/S were in a bit of a fog, as we all are from time to time, and paid the price. It was also correct not to issue an AWMW."

Goldsmith: "The basic appeal is one of law; don't those have to be appealed to the DIC (Law 93B1), not a Committee? In any case, the law was followed. While it isn't exactly equitable to N/S, it's the law and we have to follow it. If there had been plenty of time available, N/S would surely have worked out the misclaim, but 'bridge is a timed event' and we can't all do everything we want under time pressure. I'd also not give an AWMW, not because the laws weren't communicated clearly (who would understand the claim rules just by having them read to them anyway?) but because N/S did fail to get equity and not too many players know that equity isn't always available—most think the laws simply provide for restoration of equity. Someday they might even do that. That ignorance, however, is insufficient for them to be granted the score they want. In other words, sometimes the law is a little obscure. Players who are screwed by obscure laws shouldn't generally get AWMWs for appealing such cases."

Burn: "The ruling appears to me to be correct; if a player or a partnership cannot work out until half way through the next round that a claim is invalid, they can scarcely be said to be in a position to voice objections to the claim at the time. It appears from the write-up that the relevant Law was not explained clearly to the players or to the Committee, which is my reason for not awarding full marks to the Director. I have some sympathy: the claim Laws are not the clearest in the world."

✍ As some panelists point out, N/S were not new to the appeal room and should have known to come armed with more than conjecture and chest thumping. When the Law on Implausible Concessions (71C) was read to the Committee (verbatim) some members had trouble understanding it and may have projected their confusion onto N/S. The Law says that if a pair concedes a trick whose loss is *implausible* the concession can be cancelled until they make a call on a subsequent board (or the round ends); after that only a trick that can't be lost *legally* can be cancelled.

Some of us are inclined to forget that an AWMW is not a penalty—it's just a *warning*. So issue one when a warning is appropriate, as it was here.

Subject (Tempo): A Clear And Present Danger
Event: USBC, 13 Jun 02, Round of 8
Teams: Morse (N/S) versus Schwartz (E/W)

Bd: 53	Ira Chorush		
Dlr: North	♠ AJ765		
Vul: N/S	♥ A		
	♦ KQJ84		
	♣ J6		
Mike Becker		Richie Schwartz	
♠ 984		♠ Q	
♥ 102		♥ QJ96543	
♦ 10632		♦ 975	
♣ Q1053		♣ A4	
	Hemant Lall		
	♠ K1032		
	♥ K87		
	♦ A		
	♣ K9872		
West	North	East	South
	1♠	3♥(1)	4♥(2)
Pass	4NT(3)	Pass	5♥(4)
Pass	6♠	All Pass	
	(1) Preemptive		
	(2) A "good" (full-valued) 4♠ bid		
	(3) RKCB		
	(4) BIT; two keycards, no ♠Q		

The Facts: 6♠ made six, +1430 for N/S. E/W called the Director at the end of the auction, following South's 5♥ bid. They said it took 50-60 seconds for the tray to return with the 5♥ bid, suggesting that South held extra trump length (at least four) and making North's 6♠ bid more attractive. N/S agreed that there had been a noticeable delay (about 30-40 seconds) before the 5♥ bid, but this could have been caused by several different factors and did not suggest extra trump length. The Directors ruled that South's BIT could have been due to any of a number of factors and did not suggest any particular action on North's part. Therefore, the table result was allowed to stand.

The Appeal: E/W appealed the Director's ruling. All four players were interviewed. E/W believed South's huddle was clearly related to his trumps; they were certain it implied four trumps rather than three and made North's 6♠ bid more attractive. When East was asked if the huddle might have been over whether to show a

diamond void (which would not necessarily improve North's hand) East conceded that was possible but he still believed extra trump length was indicated. N/S said they had no agreement about the number of trumps South's 4♥ bid promised. With more high cards South might have only three trumps while with more trumps he might hold fewer high cards. N/S said their agreement was that a 3♠ bid in this auction would have shown a good single raise (up to a bad limit raise), 4♠ would have shown a good limit raise up to a slam-negative game raise, and 4♥ showed better than a 4♠ bid. North added that during the auction he was convinced that South was thinking about whether to show a diamond void (since only a "useful" void should be shown). South said he would have bid 5NT with two keycards and a diamond void or 5♠ to show the ♠Q with five trumps. In fact, his thought was caused by his confusion that North might think he promised a heart control with his 4♥ bid—an agreement he had with some of his other partners. And while he did have the heart control, if North's 4NT bid was predicated on it and North held a doubleton heart the defense could begin with ♥A and a heart ruff. He was considering underbidding by one keycard to avoid this but finally decided to bid normally. N/S had been playing together, though only occasionally, for about a year. Both pairs mentioned that the state of the match might be relevant to the Committee's decision: This was the 53rd board of a 120-board match, and after 45 boards N/S had been trailing by 67imps and had clearly been trying to generate

swings during the first seven boards (46-52) of the current segment.

The Committee Decision: None of the Committee members could find a clear connection between South's BIT and his trump holding. Although at first it seemed anomalous, after reflection several possible interpretations were discovered including: extra trump length (such as ♠xxxxx); a diamond void (which would make 6♣ less, not more, attractive); the need to answer questions about the auction; South taking extra time to make sure he got his agreements right and counted his keycards correctly; and West thinking about something (such as doubling 5♥). Thus, while the delay *could* have been related to South's trump holding, there was certainly no guarantee of that. In addition, some Committee members believed North's 4NT bid carried a strong (though admittedly not 100%) implication that he was prepared to bid a slam if South showed up with two keycards, in keeping with N/S's attempts to create swings to catch up in the match. The missing trump queen would not be considered a problem since North would assume that with only two keycards South would likely hold four trumps (he bid 4♥, not 4♣) and that the ♠Q could therefore be readily picked up. And if South held neither high trump honor (say ♠109xx or ♠108xx), the suit could almost certainly be picked up for only one loser. (In fact, even ♠109x would suffice for this purpose.) Thus, the issue of South holding four versus three trumps was considered largely irrelevant. With no demonstrable connection between the BIT and South's trump holding and with the relevance of that holding for slam purposes open to question in any case, the Committee allowed the table result to stand. The appeal was also judged to have substantial merit.

DIC of Event: Chris Patrias

Committee: Rich Colker (non-voting chair), Bart Bramley, Ron Gerard, Chip Martel

Directors' Ruling: 92.6 Committee's Decision: 90.4

☞ The other Committee members judged the appeal to have merit. I'd have issued an AWMW. One of the members has since reconsidered his vote on this issue...

Bramley: "This was a Committee-by-telephone. I talked only to the chairman, I knew the identities of no players nor the opinions of any other Committee members before I reached my conclusion. Luckily we were in agreement. Looking at the case again now, I think that 'substantial merit' is an overstatement. I suspect the other members found more merit than I did."

☞ Warning: things look clearer in the rear-view mirror.
How about it, panel?

Passell: "What merit?"

Rigal: "I do not see the merit here. The grounds for the appeal seem to be disputing the Director's judgment, and the Committee echoed those findings. Perhaps the length of time in coming to the decision was enough excuse, but E/W should be discouraged from their regular attendance in Committee."

☞ Most of the Committee members did not take long to reach their decision.

Treadwell: "A good decision by both the Director and Committee. However, I hate to see a Director called in such a situation, and hate even more an appeal of the ruling. Hence, I would have been inclined to award an AWMW to E/W."

Allison: "With no question that there was a BIT, nonetheless, there is nothing about the BIT that points strongly to one action versus another (or even one side or the

other). Looking at North's hand, it is surely possible that the BIT came from West wishing to double hearts for a lead or for a save and surely at the slam level it is reasonable to be doubly sure of one's agreements in slam auctions. Also, the point about the cue-bid showing a slam positive hand was well taken; that information had already crossed the screen quite legally. Furthermore, at the state of the match it is highly unlikely that North would fail to bid any slam that was within reach."

Burn: "Both the Director and Committee appear to have given full consideration to whether the information contained in South's tempo variation suggested one from among LAs to North. They decided that it did not, whereupon their ruling became automatic. From the evidence in the comprehensive write-up, I see no reason to disagree with their decision; moreover, it is likely that additional evidence to support it would have emerged during the hearing."

R. Cohen: "A good write-up and good decisions by the Director and Committee. My only question is what was South thinking about. He was full-valued for his 4♥ bid—including a heart card. Maybe fatigue was setting in."

☞ South explained why he was thinking. It was because he was concerned that North might think his 4♥ bid promised a heart control (an agreement he had with some of his other partners) and even though he did have the heart control, if North's 4NT was predicated on it and North held a doubleton heart the defense could begin with ♥A and a heart ruff. Thus, he was thinking about underbidding by one keycard to avoid this, but finally decided to bid normally.

Polisner: "I agree with the ruling and decision. It would really be threading the needle to conclude that the BIT related to three or four trumps."

Stevenson: "Fortunately it did not affect the decision, but the Committee should not be considering whether North intended to bid slam anyway opposite two key cards. In the presence of UI from partner certain calls become illegal and previous intent does not affect this."

☞ It does if the intent is clear from the player's previous bids in the auction rather than from his self-serving statements.

Kooijman: "No comment on allowing 6♣ and understanding why no AWMW was assessed in this case."

Goldsmith: "Unfortunately, despite 'silent' bidding and explanations behind screens, playing bidding cards and writing explanations are quite audible so there's rarely any confusion about where the time went. So North probably knew that his partner was thinking. He even admitted it. What was South thinking about? Players ought never think long before answering their key cards. At best, it drives partners crazy. ('I know you psyched, I just wanted to know how many aces you had!') At worst, it creates situations like this. The good news is that the laws now include the words 'demonstrably suggest.' I don't think this case comes up to that standard. 'Reasonably suggests' I'd buy, but not 'demonstrably.' Therefore, result stands."

☞ One lone panelist thought the 6♣ bid should have been disallowed. Does the word "demonstrably" (as pointed out above by Jeff) mean anything to you?

L. Cohen: "I don't get it. I see two reasons why North should have to bid only 5♣: (1) South could easily have been thinking about showing extra length (the most likely reason for a slow 5♥). (2) South could have been thinking about showing a void. Even if the void was in diamonds (likely), why would that be bad for North as the Committee suggests? Here are two possible dummies for 6♣: ♠Kxxx ♥Kxx ♦— ♣AQxxxx and ♠Kxxx ♥Kxx ♦x ♣AQxxx. Who thinks that the first hand

makes 6♠, to quote the Committee, ‘less attractive’?! Sorry, but I’ll take my chance opposite the void—my simple brain says that opposite one or two or three low diamonds we will lose a diamond trick for sure. Opposite zero diamonds we might lose zero diamond tricks. Am I being too sarcastic? Is the point made?

“In conclusion, whatever the slow 5♥ bid meant (extra length or a void), it made bidding slam more attractive as opposed to the LA of 5♠. Shoot it! The only possible argument for allowing 6♠ is the state of the match, but I don’t buy it. Anyway, nothing mattered since the match turned into a blowout for Schwartz.”

✍ Tying up a loose end...

Weinstein: “Good consideration. What happens if the vote tied 2-2? Split ruling?”

✍ No. I didn’t plan to vote except to break a tie or to be a fifth voter—if needed. When the first three members voted alike that relieved me from having to contact a fourth person. Had the votes been split I’d have called a fourth member and had that produced a tie I’d have voted to break it. When necessity forces you to work sequentially (as the trials do), you look for ways to minimize your time and effort.

Wildavsky: “Well-done all around.”

✍ Thanks, and a well-done to the panel as well. See you all next time.

CLOSING REMARKS FROM THE EXPERT PANELISTS

Bramley: “Even with so few cases many AWMWs were missed. The Directors had a few clunkers, but the Committees and Panels were very good on what seemed a more boring set of cases than usual. A good sign? I hope so.”

Gerard: “Ridiculously easy set, with only six stinkeroo results (four by Directors, two by Committees). The usual priority of rankings prevailed, Panels first (93.0), then Committees (89.0), then Directors (87.2). My vote for outstanding performance goes to the Dissent in CASE ELEVEN.

“There was one three-person Committee, which, in my opinion, did the wrong thing. When Committees are less than full strength, even if justified by time or other administrative constraints, balance is critical. There are certain persons that just shouldn’t serve on under-strength Committees without an effective foil.

“The great escapes in CASES TWENTY-TWO and TWENTY-THREE were disappointing. Even if the Directors didn’t live up to their communication responsibilities, the appellants were or should have been deemed to be sufficiently experienced to know the difference between careless and irrational. The argument in CASE TWENTY-THREE seems particularly disappointing, coming on the heels of the totally inappropriate effort in CASE FOURTEEN from Houston. If the Directors’ explanations are so lacking in detail that they are preventing the issuance of deserved AWMW’s, someone has to tell them these are important parts of the process. Failing that, screening has to play a more active role.

“I wonder if we can reach a consensus on a player’s responsibility when in possession of UI. I have long maintained that such a player must not act in a vacuum. In other words, the Committee member who would have passed his partner’s slow signoff in CASE ONE would have done the right thing whereas the Go-Ahead-and-Bid-It-and-Let-the-Committee-Take-it-Away-From-Me mentality of CASE TWO is wrong. That is, players have an obligation to recognize those situations when the action that they have convinced themselves they would have taken might be only one of different LAs. This isn’t such an alien concept, since every now and then you read about mid-level consultants who express outrage that anyone could consider a certain action in the face of UI generated by partner. Maybe the experts need to catch up to the lower flights in this regard.”

Goldsmith: “I’d like to see the players’ masterpoint holdings for all these cases. They don’t need to be reported in the Daily Bulletins, but it’d be nice to see them in the casebooks. In particular, that would help determine whether there appears to be a bias within Appeals Committees towards more or less experienced players. I assume there is a small bias towards more experienced players simply because they are better able to make their cases in front of a Committee and because they are likely to judge better when to appeal. Removing cases with AWMWs ought to remove at least one of those possible biases. In any case, it’d be nice to be able to do such analyses. That data surely would be helpful in a database of appeal cases.”

Passell: “In all once again I found both the Directors and the Panels to have done a great job except for Directors who decide what the table result should have been. Changing auctions and deciding how many tricks would be taken is not part of their job description. Let them get the proper advice.”

Polisner: “These were a rather unremarkable set of appeals. The pluses were that there were a reasonable number (23 from Phoenix) as opposed to much larger numbers from other NABCs. Perhaps this is due to the education from these casebooks and other vehicles. I would support a stronger method of sanctioning meritless appeals than the AWMW which (to my knowledge) has never resulted in a disciplining proceeding for multiple offenses. I would also like to know that Directors who clearly rendered an improper ruling—thus requiring an unnecessary appeal, were identified by management for purposes of education and improvement.

Stevenson: “In my time of commenting on the NABC appeals there has been a gradual swing towards Committees giving legal decisions, and not just ‘doing what they feel is right.’ Interestingly enough, this is happening when some commentators feel that European Bridge League Committees are swinging the other way. I find in one way that my comments in current casebooks are less interesting than formerly because I believe there is less to criticize, which is a very good sign.

“Nevertheless, there is one ongoing problem with players and UI from partner. We must solve the age-old problem of people failing to follow Law 73C, often through ignorance. If I had a dollar for every time I have heard “But I would have bid this anyway...” I could afford the best team of professionals anywhere in the world and have enough left over for a private jet for my cats.

“So what can we do? Teach people to get it right, but how? The game is so much more pleasant for everyone when people worry about their own ethics and carefully follow the dictates of Law 73C. My suggestion is that the ACBL produce a little Law 73C card, with a user-friendly translation of it, and distribute it. When you register at an NABC, part of your registration packet should be such a card. Something similar should happen at Regionals and Sectionals. The ACBL should send a dozen to each ACBL club. The ACBL Directors should carry them, and hand them out to anyone who has a UI problem.

“This problem will not go away without some positive action, and rulings and appeals which upset a few people are not the answer. Please, ACBL, act *now*.”

Treadwell: “Only half as many cases here as in Washington; a refreshing reduction. Could this be because there are more lawyers in Washington? The decisions, in general, I thought were good, especially by the Committees. I disagreed with the Committee decision only in CASE ONE although there were three others (CASES SEVENTEEN, EIGHTEEN and TWENTY) where I believe an AWMW should have been awarded. The Panels made poor decisions in three cases (CASES EIGHT, TWELVE and SIXTEEN). It looks as though we are making some progress, albeit slight, in educating players not to appeal a ruling by the Table Director simply because there was a BIT or a bit of MI by the opponents and they got a poor score.”

Weinstein: “Pretty tame NABC. I suspect Philly won’t be as light. Overall the Committees and Panels seemed to do a very nice job. There were a few poor Director rulings, but there always will be. Four poor rulings (out of the cases I commented on) finding their way to committee out of 100,000 hands or so seems like an excellent batting average. I would still like to see published the alleged time taken on every BIT case.

“I can see right now that I am losing my battle for more split rulings where the offenders did something wrong that may have benefitted their result, but the non-offending side’s case is just too whiny and weak. Just rule against everyone.

“There was improved use of AWMW, but the BOD still won’t put any teeth into them. They should slowly age out over a ten-year period (possibly the Editor’s suggestion) and we should be able to assess flagrant AWMWs for truly hideous protests that count double or triple.”

Wildavasy: “Last year I took note of the proposal being floated to eliminate Appeal Committees and determined to learn whether or not Appeal Committees were improving rulings overall. While it would have been easiest, there are a number of reasons it’s not sufficient simply to compare the ratings of the Director and Committee rulings in the casebooks. The Editor’s casebook summaries also did not tell me quite what I wanted to know, so I started preparing my own summaries.

“My methodology is straightforward. I ignore cases where the Committees made substantially the same ruling as the Director. I also ignore cases I judge ‘too close to call’ or ‘had to be there.’ I accept that there will always be cases that could go either way. While I’d like for us to get them all right, I think a more attainable goal is to rule correctly on all the relatively straightforward cases. We’re not there

yet, though I think we’re getting closer.

“I’ve asked for suggestions as to method on the Bridge Laws Mailing List and so far have not received any. I’ll ask here as well: if you know of any possible improvements I’d love to hear about them, especially if they don’t involve too much work. I’d also be happy to hear suggestions as to re-categorization of particular cases. I’ll reexamine these after the Phoenix casebook is published. When categorizing cases from previous casebooks, I’ve relied on the Panel’s judgment as well as my own. Here I have only my own to go on.

“My summaries from Toronto, Washington, and Las Vegas will be posted on my web site, <http://www.tameware.com/bridge>.

“Phoenix had a delightfully small caseload compared to the other tournaments I analyzed. I like to think we can expect that as Director and Committee rulings become more consistent our caseload will diminish.

“Thirteen cases were decided by Appeal Committees in Phoenix. The Appeal Committee made the same ruling as the Director in eight cases. By my reckoning the Appeal Committees improved the Director’s ruling in four cases (CASES ONE, THREE, FOUR, and TWENTY-ONE) and worsened it in one case (TEN). I found no cases too close to call.

“Ten cases were decided by Panels. The Panel made the same ruling as the Director in eight cases. I judge that the Panel improved the Director’s ruling in two cases (TWELVE and FOURTEEN) and in no case worsened it. Again I found no cases too close to call.

“While this may not be a statistically significant sample it is similar to the results from the other casebooks I’ve examined. The conclusion I draw is that some review of Director rulings is essential. NABC Directors’ rulings have improved a lot over the years but they still get many rulings wrong that ought to be straightforward. There are also a number of cases where it is too difficult to establish the relevant facts at the table.

“The Panels are doing better than I had expected they would, but I don’t believe they ought to replace Appeal Committees. The main problem is one of jurisdiction. Panels are composed of Directors and report to the Chief Tournament Director, just as the Directors who make the initial ruling. This is too much like appealing the CTD’s rulings to the CTD. To be properly impartial an appellate body must be independent of the agency which made the original decision.

“I’m pleased with the progress made by Directors and Appeals Committees over the last few years. I think we have a ways to go yet. There is still a perception among players that many appeals are like a crap shoot and could go either way. Unfortunately, we have the occasional case like CASE ELEVEN that serves to reinforce this opinion.

“How could the Committee have gone right in CASE ELEVEN? I think the problem was that they gave weight to uncorroborated self-serving testimony. The fact that they believed that this testimony was not motivated by self-interest ought to have been irrelevant. Self-interest is not inherently evil—quite the contrary. The testimony ought to have been discounted on account of its effect. The Committee learned that North had proven himself incapable of following ACBL regulation. They inexplicably rewarded N/S on that account; rather, they ought to have provided North an incentive to do so in the future, as the Director did.

“I can recall many extremely poor decisions by Directors and Committees, but none due to a failure to give weight to self-serving testimony as to a pair’s history or methods. Every time a Committee takes such testimony into account they encourage future appeals of perfectly correct rulings.”

CLOSING REMARKS FROM THE EDITOR ✍

How'd We Do?

In summarizing the performance of the various groups in Phoenix (Directors, Panels and Committees) I have classified their actions as either Good or Poor. Of course in any subjective binary classification scheme like this some cases in each category will inevitably display some characteristics of the other. Table 1 presents cases heard by Panels; Table 2 cases heard by Committees.

		Panel's Decision		
		Good	Poor	Total
Table Director's Ruling	Good	5*, 7*, 8, 9, 13*, 14*, 15*, 16*, 20		9
	Poor	12		1
	Total	10	0	10

* Missed or unwarranted AWMW or PP

Table 1. Cases decided by Panels

		Committee's Decision		
		Good	Poor	Total
Table Director's Ruling	Good	2, 4, 6, 10, 17*, 21, 22*, 23*	11*	9
	Poor	1, 3, 19	18	4
	Total	11	2	13

* Missed or unwarranted AWMW or PP

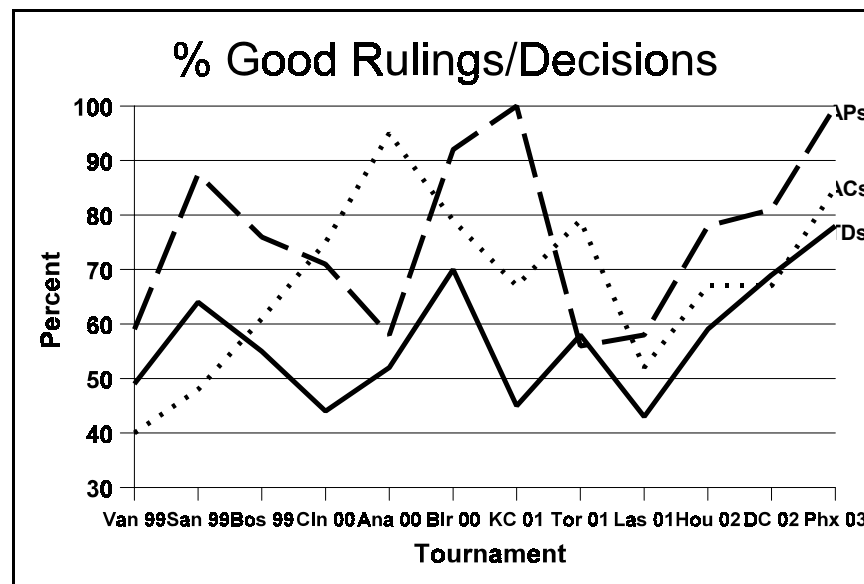
Table 2. Cases decided by Committees

Looking at the table rulings for all cases combined, 18 of the 23 rulings (78%) made in Phoenix were classified as good while 5 (22%) were classified as poor (see chart on next page). This represents a new high for Directors and is close to what has previously been suggested as an acceptable standard for performance (80+%).

Panel performance soared in Phoenix with all 10 of their decisions (100%) judged as good (see chart on next page). Although the number of cases heard was rather low, it is nonetheless heartening to see Panels doing so well. The only sour note in this otherwise stellar performance is that in 6 of the 10 cases heard by Panels either an AWMW or a PP (or both) were missed.

Committee performance in Phoenix was also excellent with 11 of the 13 decisions (85%) judged as good while only 2 (15%) judged poor (see chart on next page). As with Panels, the number of cases is quite low but Committees did improve 3 of the 4 poor table rulings—but they also missed 4 AWMWs or PPs.

Led by the exceptional performance of the Panels, good decisions were made in 21 of the 23 cases (91%) heard in Phoenix, an all-time high compared with 75% in Washington, 70% in Houston, 55% in Las Vegas, 68% in Toronto, 77% in Kansas City, 85% in Birmingham, 75% in Anaheim, 73% in Cincinnati, 68% in Boston, 69% in San Antonio, and 51% in Vancouver.



(APs = Panels {dashed}; ACs = Committees {dotted}; TDs = Directors {solid})

Reactions to Panelists' Closing Remarks

While the number of cases was “appealingly” small (sorry, I couldn’t resist), I failed to find them nearly as boring/easy/unremarkable/tame as some panelists did. Fully one-third of the cases (CASES THREE, FOURTEEN, FIFTEEN, SEVENTEEN, EIGHTEEN, NINETEEN, and the twin claims in TWENTY and TWENTY-ONE) seemed pretty heady stuff to me.

Larry Cohen’s and my own views on how the claim/concession laws should be rewritten/applied are very similar and quite different from Ron Gerard’s view (see CASES TWENTY-ONE through TWENTY-THREE). However, I do agree with Ron about what it will take to insure that well-deserved AWMWs are issued in regional cases (and PPs in all cases).

Ron’s view of players’ obligations when in receipt of UI from partner is clearly supported by Law 73C, which say that a player in receipt of such information “must carefully avoid taking any advantage that might accrue to his side.” I believe this is one instance where a strict literal interpretation of the laws is wholly justified. (As contrasted with the view that a player who has received such information should ignore it and make the call he believes he would have made in the absence of any UI.) But the situation is not quite as simple as that. If a player believes that the UI does not suggest any one action over another or he believes that his action has no LA I believe he has the right to disregard the UI and make the call he thinks is correct (or that he planned to make all along). However, he should be prepared to accept a score adjustment graciously if his call is viewed differently by the Director and if he cannot justify his belief that he was entitled to make the call he did he should be prepared to receive a PP as well. Of course the trick in all of this is where to draw the line that separates those situations where one should “avoid taking any advantage” versus those where one may “go ahead and take his normal action.” As we all know only too well it can be difficult to be objective about such matters, especially at the table when one is intimately involved in the conflict.

As for Jeff Goldsmith’s request that players’ masterpoint holdings be reported in all cases, we currently make an effort to supply them when we judge that they may be relevant. However, we can try to be more sensitive to this in the future.

As for Jeff Polisner’s complaint that AWMWs have never resulted in discipline for multiple offenses, there have never been multiple offenses beyond two and the

Board-mandated procedure does not permit us to discipline players for only two such citations. (Three are needed within a two-year period to even consider it.) As a long-standing member of our Laws Commission Jeff should appreciate that the laws are primarily designed not to punish irregularities but rather to redress damage. We should not be looking to punish such errors in judgment with discipline or score penalties unless a reasonably clear pattern is present. None of us wants to see bridge events won or lost because of score penalties (especially for appeals without merit or slow play) or to see players disciplined when we first ought to educate them. (Of course I am not including offenses of a flagrant or egregious nature, which should be penalized firmly and consistently, and the hallmark of good educational practice is consistency as well—especially when an AWMW can be such a good educational tool and is not a penalty of any sort.)

As for why there have been fewer appeals lately (assuming we are not simply experiencing a transitory variation), I personally believe that the newly revised Alert procedure that went into effect in March of 2002 and that affects every tournament player is more likely to be a factor than these casebooks, which, after all, are only read by a relatively small number of players.

Regarding Jeff's desire to know that management has identified and taken steps to educate Directors who have rendered improper rulings, it is not ACBL's practice (and wisely so) to discuss such matters publicly. As long-time former League Counsel he should be aware of the sensitive nature of such practices. These things should appropriately be kept private, just as disciplinary records are (except where the Board has mandated otherwise as a preventative measure).

Of course there is always a tradeoff between criticism and a person's right to privacy. In ACBL publications like *The Bridge Bulletin* and in Vu-Graph shows that are seen by millions (okay, thousands) on the Internet we analyze and critique top-flight players' bridge actions publicly, revealing their blunders and brilliancies. Not only is it of considerable public interest (along with accidents and scandals), but it is of significant educational value to our members even though an occasional player may be embarrassed. Of course the players know up front that their actions may be on public view—that's part of the bargain when they enter a top-flight event. In fact, access to players' actions by the press is even guaranteed by regulation. And since appeals are as much a part of our game as the bridge itself (by law), our job is also to provide analysis and criticism of that part of the game, for the interest of our members and for the educational value it will have for players and Directors at all levels, throughout the ACBL.

David Stevenson's comment makes two in a row suggesting that knowledge from these casebooks may somehow be leaking out to players and NAC members, leading to fewer appeals and more law-abiding decisions. We can only hope he is right. While I admit to having a positive initial reaction to David's suggestion that the League make up little Law 73C cards and give them out at ACBL tournaments and have Directors carry around a supply to distribute as well, I suspect that such an approach is impractical for two reasons. First, I don't believe that this problem is frequent enough to warrant such action. We must remember that we deal with a very selective sample of at-the-table reality in these casebooks. Our attention is almost exclusively focused on situations where something has gone wrong, and like policemen and firemen it is not unusual for us to come away with a sense that the world is made up of felons, gang bangers and arsonists, or in our case players whose ethical practices leave much room for improvement. Second, I think it would be wrong, by adopting that plan, to send the message to our members that "We think your ethics could stand improvement; you need to pay more attention to the laws instead of having a good time." Problems like this simply do not come up often enough to make this one of the primary messages we send our players when they arrive at one of our tournaments. An occasional published article dealing with this issue or an informational pamphlet covering this area should be sufficient.

Perhaps Dave Treadwell has a point with his focus on the abundance of lawyers in DC. Let's hope that's not the reason for the 48 cases we saw there as compared with only 23 from Phoenix. But that's three panelists in a row that think

"the word" may be getting out. Perhaps they're right.

Well, the returns are in on Howard's prediction about the number of appeals at the Spring 2003 NABC in Philadelphia. As we'll see in the next casebook, there were 37 cases. I don't know whether to compare this number to the 48 cases from DC (the last big Northeastern NABC, albeit in the Summer), the 27 cases from Houston (the last Spring NABC), or the 41 cases from the last Philadelphia NABC (Spring 1996). Depending on your choice we either did well, poorly, or about the same. Nice prediction, Howie.

As for Howard's plea to "just rule against everyone," if you think baloney is the perfect lunch meat you're likely to find his suggestion the perfect solution to our problems. AWMWs and/or PPs were missed in 12 (by my count) of the 23 cases heard in Phoenix. I guess I just don't see the improvement in that area. As for the decay of AWMWs, they presently "age out" at a rate of one per year. And it's still up to the BOD to change the policy of not assessing more than one per appeal (in my original proposal I suggested allowing two in especially egregious cases).

Adam, one of our new panelists, went for the center field fence in his first at bat trying to out-Howard Howard. But while his one-page closing comment is nowhere close to Howard's record (or is the record mine?), I am sure that with practice and more time spent in the weight room he'll soon be contending for the crown.

While Adam's classification of cases is not identical to mine, the similarities between the two are substantial. Committees and especially Panels have shown steady improvement over the past several NABCs in getting the bridge of things right. The areas where improvement is still needed are: issuing AWMWs where an appeal was clearly wanting; issuing PPs for egregious bridge actions (the Directors also need to do much better at the table in this area); and the tendency we have seen in recent casebooks (although not present in Phoenix, perhaps due to the small number of cases) for Panels and especially Committees to ratify poor table rulings without conducting a sufficiently critical analysis of all of the pertinent details.

Finally, let's hope that CASE ELEVEN is simply an anomaly. As Adam points out, this is not a type of error that Committees make with any regularity. Perhaps we are wrong; perhaps you really had to be there to make the correct decision (though it's hard to imagine how that could be the case). On a strictly logical level, this decision seems as ill-conceived as any we've seen and from what I've been able to learn from discussions with several of the Committee members, with the exception of the dissenter they seem to have been seduced by the personal dynamics at work in the hearing. I am not certain that we can ever expect to entirely eliminate this sort of thing in the future (it is human nature to overestimate our ability to "read" the truth in others' statements), but at least it happens infrequently enough that we needn't wring our hands and look for ways to plug a hole of microscopic proportions.

A Few Words of Advice

The primary goal of these casebooks as I see it is education and it is essential that we do everything possible to ensure that we communicate effectively with our intended audience (since without an audience then can be no exchange of ideas—and thus no education). Players, appeals people and Directors must read what we write in order for us to establish a base of shared knowledge and ideas about how our game should be ruled. If our presentations are boring, no one will read them. Thus, we try to incorporate humor and wit into our comments to attract those who otherwise would not take note of us. If criticism is presented in an unsympathetic or harsh manner, again no one will read it. We've asked that *constructive* criticism be a key ingredient in our efforts so that Directors, consultants, NAC members and even panelists who, in spite of their best intentions, occasionally commit an error are not treated unkindly. (Of course we hope that everyone has thick enough skin to accept a little "friendly" kidding every now and then.)

With that in mind, let's try to direct our future comments on the right way to handle each case rather than pointing out what was done wrong (which we've all

been guilty of from time to time, myself included). That doesn't mean that we can't engage in a bit of "friendly" kidding or tongue-in-cheek wit from time to time, and commending a job that was done exceptionally well is surely welcome. But we need to avoid what happened in CASE TWELVE here—the latest example of how things can get out of hand and go off in the opposite direction from where we need to go.

New Format Coming

Beginning with the next issue, the casebooks will take on a new format. In order to reduce the cost of producing three bound volumes a year management has requested that we switch to a full-page magazine-type format for both the hard-copy and PDF versions of the casebook (the latter available for downloading from the ACBL web site, as in the past). In addition, we've been instructed to discontinue all quantitative ratings and performance evaluations of the various groups.

ADVICE FOR ADVANCING PLAYERS

Keep Your Balance

An ongoing problem for Directors and Appeals Committees alike is deciding where the dividing line is located between a Director call or an appeal that appears to be looking for something for nothing and one that's entirely appropriate. Several recent cases offer clear examples (at least to my mind) of the two sides of this line.

I'd guess that MI and claims produce a disproportionate number of cases where the "non-offenders" (and I use the term loosely) appear to be looking for something for nothing. Here's an example.

With neither side vulnerable you pick up ♠J64 ♥Q86 ♦AKQ9865 ♣—. Partner passes and RHO opens 3♣. You bid 3♦ and LHO promptly bids 6♣, passed back to you. Now what? Would you care to know what type of preempts your opponents play? Well, you can check out their CC or ask if you like. But no, you decide to pass without checking at which point LHO volunteers "My partner's clubs should be something like AKQ or KQJ10."

"DI-REC-TOR" you cry. "If I had known that I would have bid 6♦."

"Okay," the Director says, "You can change your final pass."

So you change your pass to 6♦, get doubled, and go for 800. It turns out that you could have beaten 6♣ on a not-hard-to-find defense (you simply lead a top diamond and then continue the suit when partner encourages, forcing dummy to ruff so that declarer can't pick up your partner's trumps). But wait, you find out that RHO does not have a six- or seven-card suit to the ace-king-queen or king-queen-jack-ten but instead has ♣AQJ10xxxx (that's *eight* of the little beggars).

"DI-REC-TOR," you cry, "I wuz robbed. I thought LHO's description of their preempting style meant that no trump loser other than the ace was possible. I want to take back my 6♦ bid."

"Sorry," says the Director, "but the table result stands."

"Then I appeal," you say.

"Sorry," says the Appeal Committee, "but this appeal is shameless and just to prove it we are giving you a well-deserved AWMW."

Bravo. (See CASE NINETEEN.)

Now try this one. In an IMP Pairs game the opponents arrive at your table and briefly explain their system, including that their 1NT opening shows 14-1/2 to 17. On the first board you pick up, at unfavorable vulnerability, ♠954 ♥K2 ♦Q109754 ♣KJ. LHO is dealer and opens 1NT. Your side is silent as the auction proceeds: 1NT-2♥; 2♠-3♣; 3NT-4♠. The 1NT bid's range is not Announced. The 2♥ bid is Announced as a transfer and 2♠ is Alerted as denying four spades. Partner leads the ♣9 and dummy puts down: ♠AKQ1083 ♥1054 ♦8 ♠A43. Declarer calls for a low club and you win the king. You can't recall their notrump range so you glance down at a CC and see that the bid's upper limit is 17 but the card is folded so the lower limit is not visible. Well, what now? Would you like to know the lower limit of the 1NT opening? You were told what it was a few moments ago but RHO (dummy) forgot to Announce it when the bid was made. You could pick up the CC and look but you choose not to. So, what do you play to trick two?

Did you lead the ♣J? If so, you lose. Opener has ♠J2 ♥QJ3 ♦AKJ632 ♣Q8 and a switch to the ♥K followed by a second heart will get you a heart ruff after which you can give partner (whose hand is ♠76 ♥A9876 ♦— ♣1097652) a diamond ruff for down two. On the club return declarer draws trumps and scores up +420.

"DI-REC-TOR" you cry, "he didn't Announce his notrump range and that affected my defense."

"Sorry," says the Director, "but you were told what it was and besides, you could have asked or checked their CC; the table result stands."

"Then I appeal" you say.

"Sorry," says the Appeal Committee, "but you had every opportunity to get the information you wanted either by paying attention to what you were told moments before the bid was made, or by picking up a CC and looking at the hidden part—or

even just asking. And yes, the Announcement should have been made but that does not relieve you of the responsibility for getting information you know you want and that's readily available in any of several ways. This appeal is meritless and just to prove it here's your well-deserved AWMW."

Bravo. (See CASE FORTY-ONE from the Washington, DC, casebook.)

Try another one. You're defending 4♠ at matchpoints. At trick seven declarer is in dummy which has no trumps, the ♠Q4 and some other side cards. Declarer's hand contains the ♠98 and ♠AKJ83. Declarer claims saying "I'll lose a trick to the high trump, making four" (you hold the one outstanding trump). Unfortunately (for her) you hold the ♠6 and the ♠96 (plus some other side cards, including three high hearts) so she could have returned to her hand either in diamonds or by ruffing a side suit, drawn your last trump and run the diamonds (unblocking if necessary) to take the rest of the tricks. Still, she missed a spade spot (she thought you held the ♠10) and the law says she cannot play trumps to her advantage if playing the side suit first, allowing you to ruff and score your small trump, would not be irrational.

"DI-REC-TOR," you cry, "she said I would get my trump and, while it's not high like she said, if she runs her diamonds first I can ruff in."

"But," she tells the Director, "when I said that I'd lose a trick to the high trump what I meant was that I'd come back to my hand (with a diamond) and lead a trump forcing him to take his trump immediately. But when he follows small I'd realize my mistake and take the rest of the tricks."

"Sorry," says the Director, "down one."

Bravo. (See CASE TWENTY-TWO.) Good Director call. Declarer was not simply careless in the way she stated her claim, she was out of touch with the hand and believed that you held a high trump. Thus, in the absence of a statement to the contrary it would be normal for her to run her side suit and allow you to ruff in with your "high" trump whenever you wished. Her assertion that she intended to return to her hand and lead a trump to you immediately makes no sense. If she comes to hand with a high diamond the suit would be blocked (it splits four-two). Thus, if you had the high trump like she thought you could win it, force her in hearts, and now being out of trumps she could not take the remaining tricks with the diamond blockage. And if instead of playing diamond to her hand she ruffed a side suit back she would be down to only one trump. Thus, if you really had the high trump she could not afford to lead her last trump to you as you could then cash your high hearts and beat her several tricks. Thus, your Director call is quite proper since, had declarer played it out, she might easily have played on diamonds first and gone down; she should not be allowed to make the hand through an invalid claim.

The Thin Gray Line

The appeal in CASE EIGHTEEN is very close to the dividing line between a good Director call and an attempt on the part of the non-offenders to get something from the Director that they couldn't win for themselves at the table. Notice that both sides here (as in many borderline cases) did something wrong: E/W (the offenders) were negligent both for explaining an agreement that they probably didn't have and for not specifying their agreement clearly (differentiating between HCP and "support" points). At the same time, it's unlikely that the "non-offenders" (North in particular) would have been better off had she had the correct information since on this auction East could easily have led the ♠A and continued with the queen from AQJxxx rather than from AKQxxx (North's disclaimer notwithstanding). Thus, West might easily have held the ♠K, in which case finessing and not playing for the drop would be the winner. Thus, North was simply looking for a free second bite at the apple.

So E/W were responsible for creating the problem and N/S might deserve redress or not, depending on whether it is judged that the MI would have clarified the position sufficiently. And while I'd prefer to err on the side of adjusting E/W's score while not giving N/S the benefit of 20/20 hindsight, a reciprocal adjustment is certainly acceptable.

As I said, this is a tough case which comes close to that thin, gray line.

THE PANEL'S DIRECTOR AND COMMITTEE/PANEL RATINGS

Case	Directors	Committee/ *Panel	Case	Directors	Committee/ *Panel
1	49.3	92.8	15*	86.4	83.9
2	96.8	94.4	16*	85.0	82.2
3	40.2	90.6	17	82.8	75.8
4	61.9	87.5	18	80.9	72.5
5*	93.0	85.3	19	83.7	95.8
6	93.9	91.4	20*	81.8	81.0
7*	87.0	95.1	21	73.3	76.5
8*	91.9	85.7	22	94.4	90.4
9*	84.8	85.2	23	96.2	92.9
10	97.9	97.5	24	92.6	90.4
11	88.4	49.0	P-Mn	79.8	87.3
12*	30.0	92.6	C-Mn	80.9	85.5
13*	97.8	90.1	O-Mn	80.4	86.2
14*	60.7	91.3			

*=Case decided by a Panel; P-Mn=Mean for cases decided by Panels; C-Mn=Mean for cases decided by Committees; O-Mn=Overall mean for all cases

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