

2005 Fall NABC Appeals Casebook



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Abbreviations used in this casebook:

AC	Appeal Committee
AI	Authorized Information
AWMW	Appeal Without Merit Warning
BIT	Break in Tempo
CD	Convention Disruption
CoC	Conditions of Contest
LA	Logical Alternative
MI	Misinformation
NOS	Nonoffending Side
OS	Offending Side
PP	Procedural Penalty
TD	Tournament director
UI	Unauthorized Information

FOREWORD

The casebooks are intended to be a tool to help improve appeal committees, particularly at NABCs. The ACBL continues to make these cases available on its web site.

Thirty-four cases heard in Denver are reported here. Fifteen of them were NABC+ cases. That means they were from unrestricted championship events and heard by a peer committee. In most cases the appeal passed through a screener, usually a senior tournament director. The names of the players are included in NABC+ appeals.

Nineteen are from regional events. They include the regional championship events, some side events and any NABC event that carried an upper masterpoint restriction. These cases were reviewed by a panel of directors (usually three). In this category, the names of the players are included only when the event had no upper masterpoint limit

We thank everyone who contributed. This starts with committee members, chairpersons, scribes and screeners and later on the expert panelists who comment on the various cases. Without the time and efforts of these people the casebook would not happen.

We hope you find these cases instructive, educational and interesting.

ACBL Headquarters Memphis
March, 2006

THE EXPERT PANEL

Jay Apfelbaum of Philadelphia is a former tournament director, national champion and member of the ACBL Board of Directors. He continues to be an avid player, regularly placing in the Barry Crane Top 500 list.

Mr. Apfelbaum also writes a number of bridge articles for District 4, his home district. In his professional life, he is an administrative law judge presiding over unemployment compensation claims.

Marvin French is a retired aerospace engineer for General Dynamics and Cubic Corporations. He has written many bridge articles for Popular Bridge (now defunct), The Bridge World, ACBL Bridge Bulletin, and the Western Conference Contract Bridge Forum. He is the author of Party Bridge and many conventions and treatments, including the amBIGuous Diamond System, Marvin's Checkback Stayman, Stoplight (Wolff Signoff), Defense Against Precision One Diamond, Unbalanced Heart Convention, Valentine Raises, Omnibus and Nonjump Splinters.

Mr. French has been an active participant in debates and discussions on Bridge-Laws Mailing List (BLML) for many years. The BLML has given him a good understanding of the Laws and their proper application, including table rulings and the processing of appeals.

Jeff Goldsmith was born near Schenectady NY. He has lived in Pasadena CA, for the last 20 years. He graduated from Rensselaer Polytechnic Institute and Caltech. Mr. Goldsmith 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 Neptune. 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.

Barry Rigal 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 a dozen books, including *Card Games for Dummies* and *Precision in the Nineties*. He enjoys theater, music, arts and travel. Barry is 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 has two National team titles, but is proudest of his fourth-place finish in the 1990 Geneva World Mixed Pairs and winning the Common Market Mixed Teams in 1998 and the Gold Cup in 1991. In 2003 he was appointed chairman of the ACBL National Appeals Committee.

David Stevenson was born in Kumasi, Gold Coast. He currently resides in Liverpool, England with his wife Elizabeth and his two cats, Quango and Nanki Poo. 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 Grand Masters, twice. He is the Chief Tournament Director of the Welsh Bridge Union and active internationally as a Tournament Director and Appeals Committee member.

Adam Wildavsky was born in Ohio and grew up in Berkeley and Oakland CA. He is a graduate of MIT and since 1986 he has resided in New York with longtime companion Ann Raymond. He is an employee of Google, Inc. and works in their New York City office as a software engineer.

Mr. Wildavsky has won three NABC Championships, most recently the 2002 Reisinger BAM teams. He and his Reisinger team went on to win the 2003 Team Trials and took a bronze medal in the 2003 Bermuda Bowl in Monaco. Mr. Wildavsky is a member of the National Laws Commission. His study of the laws is informed by his study of objectivism, the philosophy of Ayn Rand.

Bobby Wolff was born in San Antonio and is a graduate of Trinity University. He currently resides in Las Vegas. His father, mother, brother and wife Judy all played bridge. Mr. Wolff 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. He has won 11 World titles and is the only player ever to win world championships in five different categories: World Team Olympiad, World Open Pair, World Mixed Teams, World Senior Bowl and seven Bermuda Bowls.

Mr. Wolff has also won numerous NABCs including four straight Spingolds (1993-1996). He served as ACBL president in 1987 and WBF president from 1992-1994. Mr. Wolff started the ACBL Recorder system in 1985, 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: UI
 DIC: Sol Weinstein
 Women's Life Master Pairs, first final

Bd: 16 Merle Stetser
 Dir: West ♠ K J 7 5
 Vul: E-W ♥ 8
 ♦ A Q 5 4
 ♣ A K Q 9

L. Maloney	J. Sprung
♠ A 10 2	♠ 9 8 4 3
♥ A Q J 10 9 6	♥ K 3
♦ J 8 6	♦ 10 3
♣ 5	♣ J 7 6 3 2

Jean Choi
 ♠ Q 6
 ♥ 7 5 4 2
 ♦ K 9 7 2
 ♣ 10 8 4

<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
1♥	Dbl	Pass	1NT
2♥	2NT	Pass	3♦
All Pass			

The Facts: The contract was 3♦ making four for +130 after the ♣5 opening lead. The director determined that there was a substantial hesitation by North when it was her turn to bid over 3♦. During that hesitation, according to the EW pair, South shook her head and lowered her hand (actions they did not observe on the first hand of the round). South denied that she had done so and North said that she didn't know what South's body behavior was at that time because she (North) was looking at her hand.

The Ruling: The director ruled that if South acted as EW claimed she did, it was not unmistakable and does not demonstrably suggest passing over bidding.

The Decision: The committee was unconvinced that North saw South's behavior and, accordingly, it was not clear that North had any unauthorized information. North was therefore entitled to take whatever action she wished over the 3♦ bid.

Because the committee was not in complete agreement about whether there was unauthorized information, it decided to analyze the hand further. North testified that South would often respond 1NT to a takeout double with a weak hand. The committee found that to be self-serving. The 3♦ bid, though, was authorized information which suggested that notrump was not the right strain and that the South hand was weak. The committee agreed with the screening director that Pass was not a logical alternative and determined that if North were to bid 4♦, that bid would end the auction. Since ten tricks were taken in the 3♦ contract, there would be no change in the score even if the committee was to require North to bid 4♦.

The committee admonished NS to be very careful to avoid such situations in the future and referred this matter to the Recorder.

The Committee: Richard Popper, chair, Ellen Wallace, Tom Peters, Eugene J. Kales and Ed Lazarus.

Commentary

Wildavsky: South's alleged behavior, if it occurred as described, was outrageous and deserved at a minimum a procedural penalty.

The TD's argument is incredible. In any case as "first responder" he is called upon to judge as best he can whether or not the alleged behavior occurred, and only then to decide whether or not to adjust the score. Here his comments were not only at odds with everything we know about human nature and bridge logic, they were also unhelpful to the AC.

The AC should not judge whether North saw South's alleged actions, only whether she could have seen them. The AC was also misguided when it considered only a 4♦ continuation by North. Under Law 12C2 the AC is required to determine "for a non-offending side, the most favorable result that was likely had the irregularity not occurred or, for an offending side, the most unfavorable result that was at all probable." If they thought that 4♦ was the most unfavorable result that was at all probable they ought to have said so. I'd disagree with their judgment, but at least it would be clear that they followed the law.

It's also worth noting that the AC cannot require anyone to bid anything. They simply judge the likely and at all probable results had there been no infraction.

All of this is irrelevant if there was in fact no UI. The determination of whether UI existed should be considered separately from score adjustment. Was UI available? I'd prefer to let the AC determine that, since they were there and I was not, but they seem to have made no finding in the matter.

Wolff: Well done by both the directors and the committee, particularly the referral to the recorder. The only missing link is that if either Bob Rosen or I were still the recorder, the NS pair would get an earful which they could not deny and if they were somewhat guilty, as I suspect (90+%), it would put enough fear in them for them to desist in the future. Now I don't have any way of knowing what happens and consequently don't have much confidence in the process.

Rigal: A messy case because of the dispute of facts. If South did behave in this way it would indisputably suggest her partner should not bid on, when action would otherwise have clearly been an LA. I think the decision not to establish inappropriate behavior was reasonable Åç?? but maybe this should have been sent to the Reporter not brought before AC?

Goldsmith: Looks right. The "self-serving" comment that 1NT could be weak was established to be true by North's 2NT. If it weren't the case, North would force to game.

Since it's not clear what really happened, Recorder referral is perfect. This case may establish the truth of a contended case later. Or more likely, the issue will never arise again.

Apfelbaum: The committee discussion is disappointing. The committee found there was no unauthorized information and that North was free to do as she pleased. Then the committee admonishes North-South to be careful *and* refers the matter to a Recorder. Why? If there is something going on that violates the law, then apply the law and make the appropriate adjustment. If not, say so and leave the players alone.

On the merits, the authorized information strongly suggests that South has a weak hand. North should have little expectation of game. The form of scoring favors being conservative. Therefore, North's pass is the percentage choice.

French: Eyes can detect things not in the direct line of sight, but it doesn't matter whether North noticed the unauthorized information (UI). Law 16A applies when UI is "made available," whether it is received or not.

An analogy is a played card by a defender. If the player's partner "could have seen" the card, it's played whether or not the partner actually saw it.

North testified that South would often bid 1NT with a weak hand, but this unpopular treatment needs to be documented if it is to be accepted by the AC, who characterized the statement as "self-serving." Use of this term is very insulting because (look it up) it carries connotations of mendacity for selfish purposes.

The AC decision was too lenient. I gave North's hand to a player with 1500 masterpoints and she bid with no thought what I would bid, which is 5♦. It is certainly a logical alternative. Even with South's bad hand, only very bad luck in clubs and lack of the ♠10 makes it fail. The correct score adjustment is 5♦-1.

The AC was right to refer the matter to the Recorder (using a Player Memo, i hope). The common practice of issuing a PP instead of a PM for ethical transgressions is just plain wrong.

Stevenson: As Marvin says, it is quite irrelevant whether North was aware of any UI. If there is a BIT, for example, partner saying they did not notice it is no defense.

As to the body language, I do not mind the idea of a PM, but it is not nearly as big a thing as people are suggesting. Players are human, and making mistakes of this sort is common. It is not the end of the world.

As for the ruling, I do not think the UI suggests anything, so I believe there is no reason to adjust.

Note also that AC decisions are scrutinized carefully, and it is important that they be recorded accurately. Despite the fact that there is no change in score, adjusting from 3D+1 to 4D= is an adjustment, and should be recorded as such. In this case I believe such an adjustment to be a mistake.

CASE TWO

Subject: UI

DIC: Henry Cukoff

Life Master Pairs, first final

Bd: 23 Chris Larsen
Dir: South ♠ Q 10 9 6 4
Vul: Both ♥ A J 8
 ♦ 5
 ♣ A 7 5 3

Jeff Hand	Ed Schulte
♠ 5 2	♠ A J 8 7
♥ K 10 9 4 2	♥ Q
♦ 9 8 7 4 3	♦ K Q J 10 6
♣ J	♣ 10 8 2

Robert Schwartz
♠ K 3
♥ 7 6 5 3
♦ A 2
♣ K Q 9 6 4

<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
			1 ♣
2 ♥	2 ♠	Pass	3 ♣
Pass	3NT	Dbl	Pass ⁽¹⁾
Pass	5 ♣	All Pass	

(1) BIT

The Facts: After the lead of the ♠5, 5♣ made eleven tricks, +600 for NS. South hesitated between 15 and 20 seconds before passing the double. The director was called after North started considering acting after the double.

The Ruling: The hesitation expressed doubt about the advisability of playing 3NT doubled. Pass is a logical alternative. Accordingly, by Law 16 the director adjusted the result to 3NT doubled, down one, +200 E-W.

The Appeal: North described his 3NT bid as "squirrely," "not a good bid," and a result of "matchpoint mania." Once his LHO told him he had erred, by doubling, his only consideration was whether to bid 4♣ or 5♣. He thought that playing 3NT doubled would have been foolish and, therefore, not a logical alternative. EW contended that running from 3NT is right only when 3NT will not make and they suggested that seven Clubs in the South hand would often make 3NT cold. They also supported the director's finding that the hesitation suggested doubt about the success of 3NT doubled.

The Decision: The committee considered South's hesitation carefully. While the director thought that it showed doubt about the success of 3NT, the committee thought that South had insufficient information about North's values to be considering a call based on doubt. He might

instead be considering redoubling. (South had testified that his hesitation was the result of thought about the meanings of Pass and Redouble in this sequence. He finally decided that the partnership had no agreement for them in this sequence.) Hence, the hesitation may not have demonstrably suggested the run from 3NT doubled.

The committee, however, based its final decision on there being no logical alternative to North's bidding over the double. Certainly, the 3NT bid was flaky when made, but when his LHO tells him he has made a mistake and he has a chance to reconsider such things as his defective diamond holding (for 3NT), his general weakness and his good club support, passing is not a logical alternative. If North is permitted to bid in this situation, then there is no reason for the committee to interfere with North's choice of bids. Accordingly, the committee permitted the 5♣ call and reinstated the table result of +600 NS.

The Committee: Michael Huston, chair, Jeff Roman, scribe, Mark Feldman and Barry Rigal.

Commentary

Wildavsky: I agree with both the TD and AC decisions. A hesitation after a notrump contract has been doubled is *prima facie* evidence that a player is considering running. NS made some reasonable arguments, as did the AC. I suspect I'd have ruled as the AC did, but I don't consider the TD ruling a mistake. On my AC performance charts I'm marking this one as "too close to call."

Wolff: Right ruling and sour grapes from EW. If one wants to be sure and defend 3NT don't double since, when you do, it is very natural for both of the doubled partner's to consider their options.

Rigal: Both the TD and AC produced sensible verdicts. Whatever South's pause might or might not suggest North *knows* what the double is based on. So there is no LA to action here.

Goldsmith: At first, I thought that passing was an LA, but after a bit of consideration, it is obvious what East has to double 3NT, and that means 5♣ is going to make, since partner rates to have no wastage in diamonds. It would have been more convincing for North and the AC to state why they thought passing 3NT doubled was not a LA. The reason I think so is that the only thing East could have to double is a string of diamonds. Since North knows that those are likely to cash, he has good reason to believe that East was right.

If North had bid 4♣, I would judge that passing was an LA for him, but since he bid five, it looks like he knew exactly what was going on, which means partner has no wasted values in diamonds. That level of detail cannot be inferred from UI, but only from AI.

Apfelbaum: Excellent analysis about North's options. Even if South did break tempo when he passed the double, North had no logical alternative to bidding. East is probably doubling on a diamond suit. North has an excellent club fit and shortness in diamonds. Even if 3NT will make, it is quite likely that 5♣ will get the same score.

I disagree with the committee's analysis about what South's hesitation might suggest. South bid clubs twice; the second time only after North made a forcing bid. There is significant evidence that South has a minimum hand. With a strong hand, South would have no reason to break tempo. The break in tempo demonstrably suggests weakness. The committee should have analyzed this case on that basis.

French: Playing 3NT doubled is certainly not logical for North, so the AC was right and the TD wrong.

The AC's reasoning shows a lack of understanding of Law 16A. It is not necessary to fathom what South was thinking about during the break in tempo (BIT), what matters is what the BIT suggests to North, which (we must assume) is that South seems reluctant to play 3NT doubled.

In the absence of a logical alternative to the 5♣ bid, whatever the BIT suggested to North is irrelevant, as are South's statements.

At least they reached the right decision, table result stands.

Stevenson: I agree with Marvin and am surprised the TD got this one wrong. Is this the old "If it hesitates, shoot it" mentality? Of course North knows his 3NT is a mistake the moment it is doubled.

CASE THREE

Subject: MI

DIC: Roger Putnam

Senior KO, round of 16

Bd: 4	Sid Brownstein
Dlr: West	♠ 4
Vul: Both	♥ Q J 8 3 2
	♦ K 4
	♣ A Q J 4 2
	\
J. Sutherlin	\ G. Kasle
♠ 5 2	\ ♠ AKQJ109763
♥ 5 4	\ ♥ 6
♦ Q 10 8 5 3	\ ♦ —
♣ K 10 6 3	\ ♣ 8 7 5
	\
	John Swanson
	♠ 8
	♥ A K 10 9 7
	♦ A J 9 7 6 2
	♣ 9

West	North	East	South
Pass	1♥	4♠	4NT
Pass	5♦	6♦	6♥
7♦	Dbl	7♠	Dbl
All Pass			

The Facts: 7♣ doubled failed by three tricks for +800 NS. The opening lead was the ♣9. The director was called after the completion of play. When 4NT was bid, South noted to West: "Not certain this is Aces, 1♠ - 4♣ - 4NT = general slam try. 1♥ - 4♣ not discussed." West asked South more questions. Before North bid 5♦, he noted to East: "Wants me to bid one over where I can play slam - I'm going to bid 5♦ saying I will play 6♣. He shows a control in spades." East did not ask North more questions. Both the 4NT and the 5♦ bids were Alerted by the bidder's partner.

The Ruling: No adjustment.

The Appeal: NS contended that their actual agreement was along the lines of North's explanation.

EW said that East inferred inaccurately that NS were likely to head to slam in clubs, not hearts; hence his lead directing 6♦ call. West considered bidding 6♣, not 7♦. He felt that facing a 7-5 shape, diamonds might play two tricks better than spades.

All four players attended the committee meeting.

The Decision: The committee learned from the NS testimony that the 4NT bid could be clubs, diamonds, or hearts with a slam try - but not the minors.

The committee decided that NS had given an accurate and full explanation of their agreements. North felt the explanation he had given was the partnership agreement. South indicated his uncertainty.

The root problem was that East inferred NS were heading to clubs because he had not appreciated from North's explanation that South might have a heart fit. The explanation was not, however, incomplete or inaccurate. It was up to East to inquire further if he did not understand the bid.

The committee felt that the EW players had created the problem for themselves. Because of the ambiguity of the explanations by South and the fact that the appeal had not been screened, no AWMW was given, even though EW should have been able to appreciate the weakness of their case.

The table result stands.

The Committee: Barry Rigal, chair, Jeff Roman, Riggs Thayer, David Berkowitz, Ed Lazarus and Gary Cohler.

Commentary

Wildavsky: I agree with the TD and AC rulings. I like the AC's reasoning.

Wolff: Another proper ruling from both the director and the committee. The only noteworthy happening is (as were many in this and recent groups) much talk and seeming attempted conscientiousness about not issuing an AWMW, quite a departure from a certain case from Pittsburgh.

Rigal: At the time I was more sympathetic to EW than most of the committee. I did not understand the explanation given by North to East, but it was up to East to ask more questions if he did not understand it. This was close to AWMW.

Goldsmith: Did the AC see system notes to demonstrate that North's explanation was the right one? We know he thought it was, but it is obvious that South didn't know what 4NT meant. Is it really the case that East never asked North about 4NT? The write-up implies this, but doesn't actually state it.

Regardless, if NS land in 6♥, won't East let them play there and lead a middle spade? Since -1460 is worse than -800, EW were not damaged.

AWMW is probably warranted. EW ought to have diagnosed their good fortune and been happy with -800.

Apfelbaum: Once the committee decided that North-South correctly explained their agreement, there was nothing more to do. With no violation of law, there is no basis to adjust the score.

French: "N-S contended that their actual agreement was along the lines of North's explanation." Odd that South didn't know that, saying it was "not discussed." It seems apparent that there was no such agreement, and without corroboration from system notes, the AC should assume that North gave MI to East.

It was not "up to East to inquire further if he did not understand the bid." The ACBL requires full disclosure of all possibilities, saying "The opponents need not ask exactly the right question." If South could be headed for a heart contract, East should have been told that.

If South were to have clubs for the slam try, then the 6♦ bid is indicated. If he had hearts instead, a 6♦ bid would be unlikely to hurt, even though East would be on lead. He could underlead in spades, hoping to get a diamond ruff. (To see why, put the spade 8 in the West hand.) Or he could forgo that chance and bid 6♠. What East did not count on was a diamond raise by naive West.

In sum, the MI very probably did no damage, table result stands.

Stevenson: Well, there you go. Make a bad bid, get a bad result, ask the TD for redress, ask the AC for redress, who's next?

If East specifically believed that his 6♦ was right if and only if they could not be playing in hearts [and to me, this sounds like an argument he thought of after the hand] then he should have asked that specific question. Behind screens a player is expected to protect himself from not understanding complicated replies.

But, in fact, I doubt he thought of this till later.

CASE FOUR

Subject: MI

DIC: Henry Cukoff

Kaplan Blue Ribbon Pairs, first qualifying session

Bd: 15 Jan Janitschke
Dlr: South ♠ K J 9 5 3
Vul: N-S ♥ J 7 5
 ♦ J 10
 ♣ K Q J

Mike Moss	Alan Graves
♠ 10	♠ Q 6
♥ Q 9 3 2	♥ A 8 4
♦ A 9 4 2	♦ K 7 3
♣ A 8 6 3	♣ 10 9 7 5 2

Bonnie Smith
♠ A 8 7 4 2
♥ K 10 6
♦ Q 8 6 5
♣ 4

<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
			Pass
Pass	1♠	Pass	2NT ⁽¹⁾
Pass	3♠ ⁽²⁾	Pass	4♠
All Pass			

(1) Alerted and explained as singleton heart with good limit raise values and four spades.

(2) Slight BIT.

The Facts: 4♣ made four for a score for NS of +620 after the ♣10 opening lead. The director was called after the auction was complete. South explained their agreement that 2NT showed a singleton in either minor. West, away from the table, stated he would have doubled 2NT for the unbid suits.

The club lead was taken by the ace, declarer dropping the queen. West shifted to a spade won by the ace. Declarer led another spade to his king. At this point he led a heart, East ducked, and declarer played the king from dummy. Eventually two hearts were discarded on the two good clubs in his hand and two diamonds were conceded, making four.

The Ruling: The director ruled 4♣ making four for NS +620.

The Appeal: EW appealed. West argued that when 2NT was explained as showing short hearts, he declined to double 2NT because his partner might bid hearts and run into a bad break. With the correct explanation, he would have doubled 2NT. Partner would have known he held the diamond ace and would not have ducked the ace of hearts, thus setting 4♠.

Statements by the Other Side: This was the last round of the session. North was a bit tired

and thus was slow to recall the meaning of 2NT. South argued that her 4♠ bid was clear. She started with 2NT to keep slam in the picture. NS argued against West's assertion that he would have doubled 2NT with the correct explanation. East could just as easily bid South short minor and run into a bad break.

The Decision: The committee agreed with NS that bridge logic did not make a double by West more attractive if South were short in a minor rather than short in hearts.

They considered the impact of UI that South had from North's temp and the MI. The tempo break seemed to be negligible, especially considering that North was recalling the meaning of an uncommon convention. The UI from the misexplanation might have slightly suggested that South bid on. Note, however, that North's actual hand was best opposite short hearts. Thus, the committee allowed the 4♠ bid and the table result to stand.

The committee seriously considered an AWMW, but considering West's statement away from the table, the misexplanation and the tempo break, that there was enough reason not to issue one.

The Committee: Doug Doub, chair, Ralph Cohen, Riggs Thayer, Richard Popper and Dick Budd.

Commentary

Wildavsky: Once again I agree with the TD and AC rulings and like the AC's reasoning.

Wolff: Another well rounded and consistent decision.

Rigal: This is the sort of case where I would like to rule against both sides. West's argument about the failure to double is arrant nonsense and worth an AWMW on its own. But the argument about the tempo of the slow 3♠ bid gives EW some sort of case. I think it is far closer to putting the contract back to 3♠ than the committee did. After all South surely bid 2NT intending to stop in 3♠ opposite a sign-off. She got a sign-off, but bid on; why?

Goldsmith: NS got a big break. Was passing 3♠ an LA if South heard the correct explanation? Of course it was, so NS should get +170 in 3♠. If South wanted to keep slam in the picture and still bid game, she could have splintered with 4♠. If South is an experienced player, a one-fourth board PP is well within reason.

Was the EW defense bad enough that they ought to keep their -620? I think it was. East had seen that North held 9 HCP in the blacks so far. If North had the ♦A, he'd bid game over 2NT, since he'd have 13 HCP outside of hearts. So West has the ♦A and EW have four top tricks. +100 is better than -140, so no adjustment for EW.

No AWMW, because NS's score should have been adjusted.

Apfelbaum: East saw North decline a game invitation holding the ♠K-J and the ♠K-Q. North probably will not also hold an ace. If so, there are four tricks for the defense and East should win the heart lead. Suppose North has the ♦A. Then, there is no room for him to have a heart honor. East knows that the ♠K is available for a discard. Once again, there is no reason for East to play low. I think the available information is clear enough that East has no basis to seek redress.

The committee discussion about the misinformation is unsatisfactory. North declined South's game invitation. The explanation that South has a singleton heart invites North to bid game with no wasted values. North's failure to accept implies either a minimum (or less) hand or one that might accept an invitation but with wasted values in hearts. The break in tempo strongly suggests the latter. South has unauthorized information that suggests her heart length will be good.

Stevenson: Fairly routine UI case, obvious to adjust to +170. I notice it was suggested that there was a little UI. Sorry folks, giving UI to partner is like being pregnant: you cannot be halfway. Either UI was given, or it was not.

The defense was not as bad as suggested at pairs: the hand is not entirely clear, and I do not think the defense is bad enough to be called "making an egregious error" or "failing to play bridge". It is probably a clearer defense at imps.

CASE FIVE

Subject: MI

DIC: Steve Bates

Blue Ribbon Pairs, first day, second session

Bd: 26 Reha Gur
Dir: East ♠ J 9 8 5
Vul: Both ♥ Q J 9 5 3
 ♦ K
 ♣ A K J

C. Rimstedt	S. Sivelind
♠ K 7	♠ A Q 4 2
♥ 10 7 6 4 2	♥ A 8
♦ J 8 4	♦ A 7 3 2
♣ Q 9 8	♣ 7 5 3

Bill Esberg
♠ 10 6 3
♥ K
♦ Q 10 9 6 5
♣ 10 6 4 2

<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
Pass	2♣ ⁽²⁾	1NT ⁽¹⁾	Pass
2♥	All Pass	Pass	2♦ ⁽³⁾

(1) 14-16 HCP.

(2) Cappelletti over weak 1NT but suction over strong 1NT. Alerted and explained as one suit after West asked.

(3) Alerted.

The Facts: The final contract was 2♥ down two, for a score +200 for NS. West asked about 2♣ before bidding 2♥. The director was called after play was completed. NS have agreements as to their system over weak vs. strong 1NT bids, but not as to whether 14-16 was weak or strong.

The Ruling: The director ruled the result stands, NS + 200.

The Appeal: All four players attending the committee meeting. West bid 2♥ thinking that if North had a single suit, it was unlikely to be hearts. On the other hand, if North had diamonds or the majors, it was far more likely that he had the majors. This made it much more attractive to bid 2♥ with the wrong explanation than with the right information.

NS's actual agreement is that over 14-16 NT they play suction. South forgot. North, however, pre-Alerted (on a written card) that they play suction over the opponents' 1NT opening before South reached the table at the beginning of the round.

The Decision: Despite the pre-Alert, the committee found that the spoken answer to West's question about the meaning of 2♣ constituted misinformation and was substantially likely to

have damaged the non-offending side. For a 6-card one suiter to be in hearts, the suit must be 6-2-0-5 around the table. This is unlikely. Hence, the committee found that the misinformation caused damage. If West Passed, North would bid 2♥ to show the majors. South would Pass thinking that North had hearts. EW do not play takeout doubles of 2♥ here by opener, so 2♥ would become the final contract.

No result other than down two was deemed at all probable, so the score was adjusted to NS -200 and EW +200.

The appeal was judged to have substantial merit.

The Committee: Jeff Goldsmith, chair, Jeff Roman, Aaron Silverstein, Peggy Sutherlin and Ed Lazarus.

Commentary

Wildavsky: A well-reasoned AC decision.

The TD must give a reason for his ruling. I presume he either thought that there was no misinformation or that EW were not damaged through the misinformation. The ruling ought to tell us which. Apart from anything else, the fact that the TD does not explain how his ruling follows from the laws must in and of itself be grounds for an appeal.

Wolff: OK decision, but, as always, because of CD a very difficult adjustment. Because of the many conventions surrounding defending opening 1NT actions (different for weak and strong), a partnership in the high-level games should be required to know what they are playing with severe penalties for non-compliance.

Rigal: Sensible argument by the non-offenders. A generous ruling in the sense that even facing a "diamonds or the majors" call, the bid of 2♥ might be made by a significant number of players. But in the case of non-offenders they are maybe just about entitled to the adjustment made by the AC. Law 12C3 would produce a fairer result I think.

Goldsmith: Looks right to me.

Apfelbaum: I have difficulty believing that West was misled by South's mis-explanation. North (not South) pre-alerted the 2♣ bid as suction. North is the one who bid 2♣. West had to know what North meant by bidding 2♣. Where is her excuse for confusion? The law is supposed to protect people who are given wrong information when they are entitled to a correct explanation. West got the right information in a pre-alert. It seems to me that any reasonable person would believe the pre-alert because that information came from the bidder.

French: I have to agree with the AC, just barely. Certainly their score adjustment was appropriate for N-S, who should get little benefit of doubt. As to West's action, having failed to transfer to hearts on the first round I'd be very much afraid that 2♦ was going to get passed out when I could make 2♥. Even if North has both majors, maybe 4-4, I won't be worse off than others who did transfer, and I have right-sided the contract, putting North on lead.

Nevertheless, considering the vulnerability a 2♥ bid is indeed more risky against Suction, and West should get the benefit of doubt.

As to the defense against 2♥, assuming a club lead, clubs cashed, diamond to the ace, if East cashes the heart ace he must lead a low spade away from the AQ. Otherwise he can lead any spade. Seems like an easy defense, so +/-200 is a good score adjustment.

Stevenson: Fair enough, though I should also like to know why the TD ruled as he did, and why he did not explain his decision.

CASE SIX

Subject: UI

DIC: Henry Cukoff

Blue Ribbon Pairs, first qualifying session

Bd: 32 Ken Kranyak
Dir: West ♠ Q 10 6 3
Vul: E-W ♥ J 6
 ♦ Q 5
 ♣ K Q 10 8 4

Earl Tackman Larry Dolan
♠ A 9 7 ♠ K 5
♥ K Q 10 5 2 ♥ 4
♦ J 10 9 3 ♦ A K 7 6 2
♣ 3 ♣ A J 7 6 2

John Kranyak
♠ J 8 4 2
♥ A 9 8 7 3
♦ 8 4
♣ 9 5

<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
Pass	Pass	1♦ ⁽¹⁾	Pass
1♥	2♣	Dbl ⁽²⁾	Pass
4♥	Pass	5♦	Pass
6♦	Pass	Pass	Dbl
All Pass			

(1) Precision, may be short.

(2) Three-card support for hearts.

The Facts: The final contract was 6♦ doubled making six for a score +1540 for EW. The double of 2♣ was Alerted and explained as a support double showing three-card heart support. The director was called after the auction was over, but before play began.

The Ruling: The director ruled that the result stands. Law 16 was cited. The UI (Alert) became authorized information since the 4♥* bid was impossible. West was a passed hand and 4♥ could not be playable.

The Appeal: EW appealed. All players except North attended the committee meeting.

The Decision: The committee disagreed with the director ruling that 4♥ could not be a playable contract. The UI from the Alert made removing 4♥ more attractive. Because West had so many options over the double of 2♣, East would normally pass a jump to 4♥ here without UI. Thus passing 4♥ was clearly a logical alternative.

The play in 4♥ would therefore have to be reconstructed on a top club lead from North. While a trump to the ten had been suggested by the non-offenders, this was not considered a practical

line. The only sensible line would be: ♣A, club ruff, three rounds of spades ruffing in dummy, ♦A, ♦K, club from dummy ruffed with the ♥7 and over-ruffed with the ♥10. Having taken the first eight tricks declarer would exit with a diamond and would be assured two trump tricks from his *♥K Q.

The contract was changed to 4♥ making four for a score of 620 for both sides.

The appeal was judged to have substantial merit.

The Committee: Barry Rigal, chair, Jeff Meckstroth and Mark Bartusek.

Commentary

Wildavsky: I agree with the AC decision. The question the TD ought to have asked himself is "what would East's choices have been over 4♥ had he heard his partner explain the double as "for penalties?"

The alert system will become untenable if we allow for an alert to be of even possible benefit to the alerting side.

Wolff: Basically OK in result, but the defense to 4♥ was not necessarily well thought out since why couldn't a heart lead by North be ducked around to the ♥10, which would defeat 4♥. I think the committee enjoyed showing off how to play 4♥ against an inferior opening lead. Ego and bias!

Rigal: The committee sensibly put the contract back to 4♥. Was there any other line of play to be considered? A heart finesse at trick two of the ♥10 seems well against the odds, to me. But maybe it might have been considered for the offenders?

Goldsmith: The director ruled result stands? Why are director's names not printed? They ought to be responsible for their rulings, and this one is truly horrible. If the director thought that passing 4♥ wasn't an LA, he has to let South remove the double, since it was predicated on MI. He was about to lead the ♥A and give his partner a ruff.

I think it takes exceptional circumstances for a bid to be impossible and therefore cause AI to duplicate UI. This one doesn't come close, so the AC got it right. I'm not convinced that they ought to let West play 4♥ that well, but the play does seem reasonably natural.

Apfelbaum: These are the hands where I am glad we can take advantage of the collective bridge judgment of our expert committees. There are many hands where West would want to go to game (even as a passed hand) opposite an opening bid. One example is a hand with exactly a 4-7-1-1 distribution and 9 to 10 hcp. Such a hand might not preempt in hearts because of the spade suit.

Turning to the play of the hand, the line of play is obvious. West knows that North has club length. So, cash the minor suit tricks before ruffing clubs. There are three spade tricks (one via ruff), two diamond tricks, the ace of clubs plus at least three club ruffs and a heart trick by power. Great job.

French: Vulnerable players don't automatically preempt with long hearts, so the TD was wrong and the AC right. 4♥ making? Well, okay, but an unlikely heart lead beats it. Even with the club

lead, West has to be careful to cash the ♦AK before ruffing a third club, on which South could discard a diamond. That seems probable enough, so +/-620 is an acceptable score adjustment.

Another possible line is for West to cash the ♦AK before ruffing a club, in case South had a stiff club and two diamonds. Careful play, actually double-dummy (don't finesse the ♥10), is needed after that, and I wouldn't argue against 4♥-1.

Stevenson: The argument "he cannot have long hearts once he has passed" is often cited in these type of UI cases. But if a hand such as Jay's [the hand I thought of before I read Jay's answer, 4=7=1=1] was polled a "What do you call as dealer?" some would pass.

It is a common argument, however wrong it is, and a lot of rulings and appeals have been based on it, so while I think the TD was wrong I understand why he went wrong.

I am also worried by the East's player's approach to the game. I would have passed 4H without a qualm: why did he not? Did he really believe partner could not have long hearts? Or did he actually use the UI deliberately? I hope and trust it was the former not the latter.

As for the double of 6♦, that does not look like "continuing to play bridge" to me. It looks like a straight double shot by a man who knows what has gone wrong with the auction. So why adjust for N/S?

CASE SEVEN

Subject: UI

DIC: Henry Cukoff

Blue Ribbon Pairs, first qualifying session

Bd: 11 Alexandro Bianchedi
 Dlr: South ♠ 10
 Vul: None ♥ 4
 ♦ A K Q J 4 2
 ♣ A Q 4 3 2

P. Meerschaert	Jim Hall
♠ A 9	♠ K J 8 5 4 3 2
♥ A K J 8 6 5 3	♥ 10 9 7 2
♦ 10 9 6	♦
♣ 10	♣ K J

Hector Camberos
 ♠ Q 7 6
 ♥ Q
 ♦ 8 7 5 3
 ♣ 9 8 7 6 5

<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
			Pass
1♥	2NT	3♦ ⁽¹⁾	5♣
5♥	6♣	6♥	Pass
Pass	Dbl ⁽²⁾	Pass	7♣
Dbl	All Pass		

(1) Alerted, limit or better in spades.

(2) BIT

The Facts: 7♣ doubled was down three for a score of NS -500 after the lead of the ♥A. The director was called before the play and after play was complete. He determined that the 3♦ bid was Alerted, showing a hand that was limit or better in spades. EW alleged a 15-second break in tempo before the double of 6♥. NS thought it was "a slight hesitation."

The director determined that the NS players were playing a system whereby the double of 6♥ shows by North zero or one trick on defense (North doubled since he had one trick.) The 7♣ bid by South shows zero tricks (one trick would require a Pass). With two tricks, the North hand should pass (not double). NS provided a written explanation of their system used in this case. The system explains their agreement and actions in this case.

The Ruling: The director found no basis for altering the table result.

The Decision: West was the only player to attend the hearing.

The committee reviewed the director's findings of fact concerning the NS agreements (in writing) concerning this auction and found the NS actions to be consistent with their

agreements

The committee considered whether there was unauthorized information from the somewhat out-of-tempo-double by North. It decided that there was a break in tempo, but only a slight one and not one unusual for an auction at this level. Because it believed that most players would need a little time to collect their thoughts and work out the correct bid in this unusual an auction, it found that this slight break did not necessarily convey any information at all.

The committee found that the system notes sufficiently and clearly applied to this case that it rejected West's argument that there might be some lack of clarity on the issue of whether the agreement applied.

South's bid of 7♣ was based on the partnership's written agreements. The committee deemed that the risk that South's SQ might score a trick on some hands was not sufficient to find that Pass was a logical alternative to bidding 7♣.

The Committee: Richard Popper, chair, Doug Doub, Riggs Thayer, Ralph Cohen and Dick Budd.

Commentary

Wildavsky: Was the double alerted? If not I would rule against NS.

As things stand I'd like to hear NS explain how it is that their methods are playable if a player with two aces can double. With NS not present at the hearing I'd have likely ruled against them.

Wolff: I think the committee missed the fact that South, not North, was in the seat that should double the slam with no tricks, so then NS got lucky since North, holding two aces would probably sit for it. These committee decisions, up to now, have been quite good, but the responsibility should never be less. I'm not claiming to not make mistakes since I make many, but at least one of five committee members should right the ship. Why would North's double in this case show one trick, not the two he thought he had? Something is missing.

Rigal: There is really no such thing as a slight BIT Æç?? it is or it is not. Since the AC and TD established that there were system notes covering this sequence I think the case is clear-cut. In fact only the argument that it was not obvious who was sacrificing might argue against an AWMW.

Goldsmith: Was the double of 6♥ alerted? The write-up doesn't say it was. Given that North's hand suggests that they don't have that agreement, perhaps they do not. What seems most likely is that both North and South forgot their agreement. In that case, South has UI from the slow double, passing is an LA, and we roll back the contract to 6♥ doubled making.

Apfelbaum: North-South had written notes explaining their agreement. North's double showed one defensive trick, making South's decision to sacrifice easy. North's break in tempo does not suggest anything different defensively. A sound decision.

French: Well, of course North hesitated, then made the intelligent bridge decision that one of his potential tricks would not cash and passed to show zero or one. E-W did not know about the N-S agreement, so naturally they asked for a ruling.

The BIT is irrelevant no matter how long it was. South did not take advantage of the BIT, which actually suggested what North had: two potential tricks. What was South supposed to do? Not believe his partner because of the BIT?

Good ruling and AC decision (assuming the N-S agreement was indeed in place at the time of the auction), table result stands.

Stevenson: The only worry is about the alert. If South did not alert, why not? Possibly because he did not know that doubles are alertable above 3NT - a common misconception. I would have liked to see for certain whether the double was alerted or not, and if not what reason South gave for not alerting.

CASE EIGHT

Subject: MI/UI

DIC: Henry Cukoff

Blue Ribbon Pairs, first semifinal

Bd: 1 Chuck Said
Dir: East ♠ A 8 6
Vul: None ♥ K 9
 ♦ Q 10 9 7 6
 ♣ 6 3 2

Jill Meyers	Jill Levin
♠ Q 5	♠ K 7 3 2
♥ Q 7 5 3	♥ J 10 4 2
♦ A 4 2	♦ 5
♣ K 8 5 4	♣ Q J 9 7

Ralph Cohen
♠ J 10 9 4
♥ A 8 6
♦ K J 8 3
♣ A 10

<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
	Pass	Pass	1♦
Pass	3♦	Dbl	Pass
3♥	4♦	Pass	Pass
Dbl	All Pass		

The Facts: The final contract was 4♦ doubled making four for a score of +510 for NS after the opening lead of the ♥5. The 3♦ bid was not Alerted. The EW pair asked about its meaning and were told that it was pre-emptive. The director noted that North later said that he did not have enough for a limit raise and that South's poor choice of words to describe the bid was South's problem and should not restrict North's choices, because he was a maximum for their range. NS open light in third seat.

The Ruling: Because of the non-Alert of the 3♦ bid and South's explanation of North's bid and South's explanation that it was "pre-emptive" (or "pre-emptish"), the director found that there was unauthorized information giving rise to an adjustment under Law 16. Accordingly, he assigned the score of 3♥, down one, +50 NS.

The Appeal: The NS partnership had discussed that 3♦ would be a weak bid by a passed hand. North said that he plays it as less than 10 HCP. South said that he plays it as the equivalent of a mixed raise, i.e. values but less than a limit raise. Both of the NS cards were marked as 3♦ = weak.

The Decision: At least three issues need to be clarified by the committee to determine whether there was misinformation, unauthorized information, or both.

Did the failure to Alert 3♦ constitute MI, UI, or both? The committee judged this to be irrelevant

based on North's perception that the call did not require an Alert. Both cards were *clearly* marked with the partnership agreement.

Did South's explanation constitute MI, given that it was his duty to explain it in a way that his opponents could understand? The committee deprecated South's choice of words. "Pre-emptish" is not English. It not only makes no sense, it is probably misleading. An expert in the Laws owes a duty of care to his opponents and he did not live up to it. That said, the committee believed that the basic nature of the explanation was broadly correct - less than a limit raise. Whether it was 0 to 9 or 6 to 9 was not critical. Since North *meant* 3♦ as 0 to 9, the explanation of "pre-emptive" coincided with what he had.

Was there UI from South explaining North's hand as pre-emptive? The committee determined that there was not. North heard his partner give an explanation which was broadly in line with the way he had evaluated his hand. Although, none of the panel agreed with North's valuation of his hand, he was free to do as he liked. EW had both taken aggressive if reasonable bids. Just because they had both chosen a slight overbid (one that could have been fortified by a better opening lead) was no reason for an adjustment to be made.

Accordingly, the committee found no basis for an adjustment and left the table result (of +510 for NS) intact.

Second thoughts by one committee member (Adam Wildavsky): While I agreed with the AC decision at the time we made it, in retrospect I believe the TD was correct.

There were two issues, misinformation and unauthorized information. The TD ruling was based solely on the UI. The AC spent a great deal of time discussing the MI aspect of the case.

I believed then, and believe now, that if NS had a firm agreement that 3♦ showed less than invitational values, in other words less than a limit raise, then the explanation "pre-emptive" would have been accurate, and "pre-emptish" equally so. The literal meaning of "pre-emptive" is "with the primary intent of removing bidding room from the opponents" - it is not a synonym for "weak." Given the state of the ACBL convention card, even "weak" might be judged accurate, since the card offers only three choices, "Force," "Inv." and "Weak."

In fact, though, the misinformation aspect is a chimera. Both NS cards had the double raise marked as weak. With the North hand fitting within the ostensible parameters of "less than a limit raise" and with no evidence of a disagreement over the meaning of the call by the members of the partnership, the committee saw no basis for an adjustment. If we could adjust the scores of players with no evidence of an infraction the game would become unplayable.

What we missed was the significance of South's failure to Alert North's 3♦ call. That was *prima facie* evidence that NS were not on firm ground in the auction. In that light, South's explanation of "pre-emptish" could be considered as a hedge in case his partner in fact held invitational values.

The committee discounted the relevance of South's failure to Alert because East's question gave South the chance to offer the explanation he would have given had he Alerted. We should have considered the UI aspect more carefully, however. The fact that South did not Alert 3♦ is UI to North as is South's explanation of the 3♦ call. Together they ought to suggest to us that NS in fact had no agreement about jump raises of a minor by a passed hand. That being the case, there is a real possibility that North intended his call as a limit raise and learned from the explanation

that his partner thought otherwise. That makes 4♦ more attractive to North, and since Pass is clearly a logical alternative, we ought to have done as the TD did and reverted the contract to 3♥ down one.

What does one say to a North player who asserts that he always intended his bid as pre-emptive and always intended to bid over 3♥? We believe you, but since a player who intended his bid as a limit raise might also have done as you did, we have no alternative but to adjust the score. Your partner can avoid this problem in the future by making sure to Alert all Alertable calls.

The Committee: Barry Rigal, chair, Riggs Thayer, Adam Wildavsky, Lou Reich and P. O. Sundelin.

Commentary

Wildavsky: I have no "third thoughts" to add.

Wolff: Adam's dissent is somewhat brilliant and on target, especially his use of the word "chimera." For anyone to consider that North's 3♦ bid was thought to be pre-emptive is really pushing it. To me it is CD, but as far as I am concerned EW should pay the price for their double (and not defeating it) and go -510, but it is a question whether NS should get +510. I think not.

Rigal: I am still happy with the majority opinion here. Despite South's poor choice of words, both East and West really created this problem for themselves by the bidding and lead.

Goldsmith: Shades of Long Beach CASE SEVENTEEN. I'm with Adam. With three clues that NS might not have a firm agreement, I think we ought to look at the cards. The cards say that North has a limit raise. South should know that if 3♦ means 6 to 9 HCP, natural, non-forcing, he's supposed to explain by saying, "6 to 9 HCP, natural, non-forcing." He didn't say that and he knows he ought to, so he may well not be sure what the range really is.

The failure to alert is a second reason to doubt the solidity of the agreement. The cards are the third reason, and when it's close, I rule by the cards. 4♦ is not allowed. No PP here, because we are going with the odds, and it is quite unfair to punish someone directly when we are only judging that in the long run folks who did what he did are more likely to be misbehaving than not. Again, to rule against NS is not to question their veracity, but simply to go with the odds. ACs who choose to guess if folks are telling the truth will rule less accurately than those who play the percentages.

Apfelbaum: I agree with most of the second thoughts expressed by Wildavsky. South's explanation notwithstanding, both convention cards are marked weak. North had unauthorized information (South's failure to alert) that differed from the actual agreement. That failure to alert demonstrably suggests that North compete further.

However, North is allowed to evaluate his hand. And the committee is allowed to believe that North had no logical alternative to competing further.

I am willing to listen to reasons why North had no reasonable alternative to raising diamonds to the four level. That argument was either not made or not properly explained. Because of this, I must find fault with the write-up.

French: Adam Wildavsky expressed my opinion exactly, but it's a shame he did not offer it at the time of the AC meeting, maybe he would have prevailed. It's also a shame that the Co-Chairman of the ACBL Laws Commission did not Alert a fairly common response that is red-marked as Alertable on his convention card. How about a Procedural Penalty for that?

Stevenson: Certainly no MI here. Carping about "pre-emptish" not being English is irrelevant: it gives a feel for the bid completely in line with North's holding. It also suggests that the UI from the lack of alert is nullified since South now knows that North has understood his bid correctly, so there should be no adjustment.

Adam's secondary argument would be correct if the term "pre-emptive" had been used.

CASE NINE

Subject: UI

DIC: Cukoff

Kaplan Blue Ribbon Pairs, second Semifinal

Bd: 1 Jason Rosenfeld
Dlr: North ♠ 10 7
Vul: None ♥ Q 9 7 6 5 3
 ♦ 9 8 7
 ♣ 5 2

Scott Stearn Richard Logan
♠ 4 3 ♠ A J 5
♥ 10 ♥ J 2
♦ Q 4 3 ♦ A J 10 6
♣ Q J 10 8 7 6 3 ♣ A K 9 4

Drew Becker
♠ K Q 9 8 6 2
♥ A K 8 4
♦ K 5 2
♣ —

<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
Pass	Pass	1♦	1♠
Pass	Pass	1NT	2♥
3♣	4♥	Pass ⁽¹⁾	Pass
5♣	All Pass		

(1) BIT.

The Facts: The contract was 5♣ making five after the ♠10 opening lead. The director was called before the 5♣ bid and again after the hand was over.

There was a distinct break in tempo by East after North's 4♥ call. The four players agreed that it was between 30 and 60 seconds. The director was called before the 5♣ bid by West and again after the play of the hand.

West told the director that he wanted to bid 3♣ at his second turn, but did not because he feared a misunderstanding.

The Ruling: The director determined that an unmistakable hesitation occurred, that Pass is a logical alternative for West, and that the hesitation demonstrably suggested the 5♣ bid. Accordingly, the score was adjusted to 4♥ by South, making five on a non-diamond lead (applying Law 12C2).

The Appeal: EW appealed the director's ruling on the basis that the hesitation did not demonstrably suggest the 5♣ call. They contend that East might just as well have been considering doubling.

Other Important Facts: The committee determined that EW opening preempts are very sound and that a second round 3♣ bid by West would have been a fit-showing jump, showing both clubs and diamonds.

The Decision: The committee judged what West knew about the four hands from the auction. Since he has 5 HCP and his partner has about 18-19 HCP, he knows that the opponents have about 16-17 HCP. Therefore their willingness to contract for 4♥ is an indication that they have a big heart fit and East is probably short in hearts.

The committee reasoned that if East had a hand with sure tricks, for example:

♠A K x x ♥A K ♦A x x x ♣x x x, he would not just think about doubling, he would do it. So, East was probably thinking about bidding.

Was passing 4♥ a logical alternative for West? While most players would bid 5♣, since West chose to bid 3♣ on the previous round (instead, perhaps 4♣ or 5♣), for him passing is a logical alternative. Therefore, the score needs to be adjusted to 4♥. Since a club lead is likely, the best score likely for the NOS and the worst at all probable for the OS is +450 to NS.

The Committee: Jeff Goldsmith, chair, Dick Budd, Jeff Roman, Jerry Gaer and Tom Peters.

Commentary

Wildavsky: I agree with the TD and AC rulings. The point made by the AC, that a player considering doubling would in fact usually double, is telling and ought to be applied more often.

While it might seem that EW have a case I see no merit in it. It is distasteful to see a pair appeal when it's possible that they profited from UI.

Wolff: Correct ruling because of hesitation disruption (HD). Why wouldn't the committee think that a diamond lead (not a club) stands out? When partner opens a diamond and one has a near yarborough with seven clubs to the Q-J-10 why would anyone lead a club?

Rigal: I like the decision to rule against the offenders. Given West's earlier actions, passing has to be an LA. Yes he has negative defense -- but he can't turn a possibility into a sure thing when East helps him to be brilliant.

Goldsmith: My only complaint is that the write-up doesn't state the result in 5♣. Just shows I'm fair. I'm pretty sure I did this write-up.

Apfelbaum: Good analysis. West described his hand when he bid 3♣. East can only be thinking of raising clubs. With good defense for hearts, he would double.

French: It doesn't matter what East was thinking about, his pass has to be forcing. The balancing 1NT rebid says it's either our hand or they have no game, so the pass says your choice, double or bid. With double out of the question with his hand, West has no option but to bid 5♣, table result stands.

Of course West did not jump on the previous round, he was hoping to buy the hand at 3♣ or 4♣, so the 5♣ bid does not show a change of mind about his holding.

If East had doubled instead of passing, we would have a case. The direct double when a pass is

forcing normally warns against bidding on, and if West then bid 5♣ the score should be adjusted because of the BIT.

Stevenson: Marvin has a case if the pass is forcing. I would like the Director and Appeals Committee to have asked that question, but anyway if it had been forcing I would have expected East or West to tell the Director and Appeals Committee so. Thus, if we can trust negative inferences from the report, they did not do so, so I think Marvin's view is unsound.

I am intrigued at the logic that East cannot have length in hearts. When opponents jump to game this way it often does not mean a ten card fit: it often means a lesser fit and shortages. If I was West [especially a dishonest West, which is often a good test of UI positions] I would be worrying about whether East was thinking of doubling with heart length.

CASE TEN

Subject: UI

DIC: Cukoff

Kaplan Blue Ribbon Pairs, semi-final, second session

Bd: 2 Bill Pettis
Dlr: East ♠ 7 6
Vul: N-S ♥ A 10 8 4
 ♦ 9 7 2
 ♣ Q 9 6 3

John Rayner	Michael Roche
♠ A J 10 9 4 3	♠ Q 8 2
♥ 7 3	♥ K 5 2
♦ J 10 4	♦ A 6 5
♣ 5 4	♣ K 10 7 2

Beth Palmer
♠ K 5
♥ Q J 9 6
♦ K Q 8 3
♣ A J 8

West	North	East	South
		1♣ ⁽¹⁾	1NT
2♠ ⁽²⁾	Pass	3♣	Pass
3♠	All Pass		

(1) Alerted as a Polish Club.

(2) Alerted and explained as showing a good minor.

The Facts: The final contract was 3♣ making three for a score of EW +140 after the ♣6 opening lead. The director was called after the 3♣ bid. He determined that the 1♣ bid showed 12-14 balanced or 18+ balanced, or unbalanced and 16+. The 3♣ bid was not Alerted, but was a pass-or-correct bid.

The Ruling: The director determined that West forgot the partnership agreement that 2♣ showed a minor. The Alert provided an explanation which provided West with unauthorized information. The director ruled that Pass was a logical alternative under Law 16A and adjusted the table result to 3♣ by EW for -300 EW and +300 NS.

The Appeal: East noted that without the Alert and subsequent explanation of a "good minor," 3♣ would show a 16+ unbalanced hand and West would surely have bid 3♣. He added that since 3♣ does not exist as a bid in this sequence, he would have passed the 3♣ bid.

South contended that although 3♣ would have shown 16+ with clubs; there would have been a presumption that it was corrective in nature since 2♣ would have shown a hand that was not very good. Therefore, passing 3♣ was a logical alternative.

The Decision: The committee found that the Alert and explanation of 2♣ and the failure to

Alert 3♣ bid provided unauthorized information to both East and West. West was informed that things were going wrong when his 2♠ bid was Alerted and explained as a "good minor." East's unauthorized information was in the form of his 3♣ bid not being Alerted as "pass or correct."

The committee decided that 3♣ would be a long minor and a spade card trying for a light 3NT and that East would accept and bid 3NT. North would double, and whether EW ended in 3NT doubled or 4♣ doubled, NS would get 100 and EW would be -100. Accordingly, the committee assigned an adjusted result of NS +100 and E-W -100

The Committee: Jeff Goldsmith, chair, Jeff Roman, Dick Budd, Jerry Gaer and Tom Peters.

Commentary

Wildavsky: From the little I know of the Polish Club, 3♣ would be forcing over a natural 2♠. If that's so then the AC ruling is correct. In any case it is well reasoned.

Wolff: Tra la la! Here comes home brew CD again and another far out "chimera" (Thank you Adam!). When will we ever learn, when will we ever learn? Penalize the "mother" out of existence in the high-level game.

Rigal: Again, I am happy to rule against the offenders. I'm really not sure what would happen after the 3♣ call if it were made behind screens, so I'll go along with the committee.

Goldsmith: Again, I'm OK with the decision, but the write-up is a little sparse.

Apfelbaum: A confusing write-up, to be sure. My model for unauthorized information is to assume that the partner explains the bid just as is expected. For the present hand, West bids 2♠ to show spades and a bad hand. East announces that West holds long spades, and then bids 3♣. On that auction and explanation, there is no particular reason for West to repeat his spade suit. Therefore, West does not bid over 3♣ and there is no need to consider the play in either 3NT or 4♠.

French: West forgot the agreement, and from his point of view East has an unbalanced hand with 16+ points and a club suit. Yes, he would surely bid 3♣ behind a screen, which East would take as showing a spade stopper and bid 3NT. So far, the AC had it right and the TD did not.

Back to West, he would probably pass 3NT until it gets doubled and then what? By this time he would know the wheels have come off, as here aren't that many points in the deck. If 4♣ doubled is then a good possibility, as the AC believed, then the score could logically be adjusted to 4♣X-1.

Or maybe 4♣X-2? While the play of the cards is normally assumed to be the same as before in a higher contract of the same denomination, is it not possible that North would choose a less aggressive lead against a doubled contract? That would mean a diamond lead, not a spade surely. The AC should have considered that.

To take nine tricks with a diamond lead, declarer must duck the diamond, win the second round after North gets in with the heart ace, ruff out the last heart, and lead a diamond (before or after pulling trumps).

This does not look at all difficult for a player in the semi-finals of the Blue Ribbon Pairs, so I agree, but just barely, with the AC's decision of +/-100.

Stevenson: Reasonable enough.

But I do not see why Bobby is so worried about CD. This is a typical case where failure to remember a convention gets the offenders bad scores. So it also does when they finish in a silly contract as they often do. So what is the problem?

We do not want CD penalised out of existence: the more opponents forget their system against me, the better I will do on average. Let 'em keep getting things wrong!

CASE ELEVEN

Subject: UI

DIC: Henry Cukoff

Kaplan Blue Ribbon Pairs, first semi-final

Bd: 17 Valentin Kovachev
Dir: North ♠ 4
Vul: None ♥ J 9 5 3 2
 ♦ 5 4
 ♣ Q 10 9 6 2

Mark Umeno	Josh Sher
♠ K Q 10	♠ A J 9 2
♥ A K 10 8 4	♥
♦ 3 2	♦ A K 9 8 6
♣ J 7 4	♣ A K 5 3

Leonard Helman
♠ 8 7 6 5 3
♥ Q 7 6
♦ Q J 10 7
♣ 8

West	North	East	South
	Pass	1♦	Pass
1♥	Pass	2♠	Pass
3♣	Dbl	Rdbl	Pass
3♥	Pass	3NT	Pass
5NT ⁽¹⁾	Pass	6♥ ⁽²⁾	Pass
6♠	All Pass		

(1) Pick a slam.

(2) One to two-minute BIT.

The Facts: The final contract was 6♠ making six for a score of EW +980 after the opening lead of the ♣8.

The play went: A club was led to the ace. The ♦A K were cashed and a diamond ruffed. The ♥A K were played, pitching clubs, a club was led to the king which was ruffed by South. A heart was returned and ruffed by East, who then claimed on a high cross-ruff.

The Ruling: The director ruled that the result would stand. He felt that East's previous bidding gave West enough information so that he knows that 6♥ can't be the right contract.

The Appeal: NS contended that the slow tempo of the 6♥ bid suggested that East was not confident about actually playing in hearts and therefore might not have the requisite holding of a singleton honor (or better) that would support such a contract.

East said that he wanted to offer a choice between 6♠ and 6NT; he thought his diamonds were too weak (on the auction) for 6♦. He feared that 6♣ would be read as a grand slam try. He

thought that 6♥ was not a possible contract after he had shown length in all other suits, so that a 6♥ bid would get his message across. West said that his Hearts were too weak for 6♥, whatever East meant by it. With three good Spades, 6♠ was an easy choice.

The Decision: East's 6♥ was ill-conceived and should have been an offer to play with 4=1=5=3 shape and an honor in hearts. However, West had no logical alternative to 6♠, which should have been a better contract even if East had the 4=1=5=3 hand (East should have at least three clubs for his redouble of 3♣ since it's an offer to play). Therefore, the committee decided that the table result would stand.

Despite the finding of no logical alternative to 6♠, and despite South's failure to defeat the slam by returning a trump after ruffing the second club, the committee found sufficient merit in this appeal to decline to issue an AWMW.

The Committee: Bart Bramley, chair, Mark Feldman, Mark Bartusek, Abby Heitner and Michael Rosenberg.

Commentary

Wildavsky: Fair enough, but I'd have liked to see more discussion of West's logical alternatives over 6♥. As West, I'd have seriously considered both Pass and 6NT. Either could be the right spot opposite an East hand like:

♠A x x x ♥Q ♦A K x x ♣A K x x.

Both 6♥ and 6NT will make more often than 6♠ and 6NT will score more.

Perhaps the AC thought that East would convert 6♠ to 6NT with weak spades. If that was discussed it ought to be part of the write-up.

Note that West could have saved everyone some trouble by passing 3♣ redoubled.

Wolff: I agree with the director (and the committee) that because of the circumstances (East showing earlier very short hearts by his redouble of 3♣ after bidding diamonds and spades) his HD should still allow West to act and bid what he wants. I therefore agree with the committee, but when South doesn't return a trump to defeat 6♠ his partnership deserves more than an AWMW for pursuing this.

Rigal: Sensible TD and committee ruling. West knows East's heart shortage guarantees that it cannot be right to play hearts. The AWMW was definitely in play here; but I'll buy into the AC reasons for not giving one.

Goldsmith: appellants were basically claiming that to think for a long time before making a "master bid" is to change its meaning. Say what?

Result stands. AWMW.

Apfelbaum: I disagree with part of the committee write-up. East promised a four-card club suit when he redoubled 3♣. That means he had to be exactly 4-0-5-4. Therefore, the 6♥ bid could only be choice of slam. No break in tempo can change that very clear message. As the authorized information makes 6♥ unplayable, there is no reason to prevent West from removing

the contract to 6♠.

As an aside, it seems pretty obvious for South to return a trump after ruffing East's ♠K. East can win the trump lead in hand and ruff a diamond, but then he won't be able to return to hand to draw trump. For that matter, holding two diamond stoppers why didn't South lead a spade at trick 1? I am a little surprised there was no discussion about his possible failure to play bridge.

French: Why must East have five diamonds? As the AC says, he could have just three clubs (I might have Ax, treating 3♣ for what it was, a probe), so a 4=2=4=3 hand with Qx or QJ in hearts is more like what his bidding describes. Except for the BIT, which suggests he has something different.

It's easy to see what East was thinking: "I've shown three suits so I can't have more than a singleton heart, probably a void." But that was true only in his mind.

West has no valid reason for failing to pass 6♥. After all, he did say, "Pick a slam." The score should have been adjusted to 6♥ down plenty.

Stevenson: I am curious. According to Jay, "East promised a four card club suit when he redoubled 3♣. That means he had to be exactly 4-0-5-4." Why can he not be 4=1=4=4? Now 6♥ could show a singleton honor and he has four clubs.

Jay also says, "I am a little surprised there was no discussion about his possible failure to play bridge." When the decision is going against the non-offenders there is no need to ask if they failed to play bridge, surely?

Anyway, overall it seems a very sensible decision.

CASE TWELVE

Subject: MI

DIC: Henry Cukoff

Kaplan Blue Ribbon Pairs, first Semifinal

Bd: 16 Nicolas L'Ecuyer
Dir: West ♠ A K
Vul: E-W ♥ K J 4
 ♦ J 10 9 3 2
 ♣ K 10 7

Barrie Wall Ray Miller
♠ Q 10 7 4 ♠ J 8
♥ Q 8 5 ♥ 10 3 2
♦ ♦ Q 7 6 5 4
♣ A Q J 9 5 2 ♣ 8 6 3

Zygmunt Marcinski
♠ 9 6 5 3 2
♥ A 9 7 6
♦ A K 8
♣ 4

<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
2♣ ⁽¹⁾	2NT	Pass	3♣
Pass	3♦	Pass	3NT
All Pass			

(1) Limited opening bid with clubs, Precision.

The Facts: The contract was 3NT after the ♣8 opening lead. Declarer took eight tricks, down one, for +50 E-W. The director was called after play ceased. He determined that the opening lead was won by West's ♣J. West returned a club and Declarer won the king. The ♦J was led (uncovered) to the ♥K, and West pitched a club. At this point in the play, Declarer asked about opening leads and was told "standard." He then asked about "top of nothing" and was told "standard." He then played ♥K and a Diamond. East won and continued a club.

The Ruling: The director ruled there would be no adjustment. The staff asked several players about this situation and all said 'standard' was insufficient to cover and a specific question on leads from three needed to be asked to gain the desired information, as most players do not know what 'standard' is in these situations.

The Appeal: Declarer claimed that leading high from three small is not standard in partner's non-raised suit. He asked specifically about leads from two small and four small but did not ask about three small for fear of revealing his own holding. He did ask "What do you lead from top of nothing?" and was told "standard." He did not look at the NS convention card. He stated that if his RHO had seven clubs, then by playing on Diamonds would give him ten top tricks with squeeze chances for eleven.

Appellees said that they answered all the questions that were asked of them. They did not

deduce that declarer's main interest was three small because he never asked about it. Their convention card was accurately marked.

The Decision: North failed to ask about the specific holding he cared about. He failed to examine the EW convention card, which indicated (by the ACBL default in bold) a lead of high from three small against notrump contracts. He rejected the indicated line of finessing hearts through West, who was a big favorite to hold the ♥Q for his opening bid (after East had shown up with the ♦Q). Furthermore, taking the heart finesse presented no greater jeopardy of a club return than his actual play which guaranteed losing the lead to East.

For their part, EW might have been more explicit than "standard" when describing their leads from all small cards, where "standard" is a matter of some debate.

The committee rejected the appeal and allowed the table result to stand for both sides. EW were cautioned to be more careful in their explanations. Because North failed to ask a specific question about leads from three small; failed to acknowledge that "standard" could include high from three small; and declined to take an obvious line of play that was demonstrably superior to his own line; the committee ruled that this appeal easily passed the "waste of time" test for appeals without merit. Accordingly, the committee issued an AWMW to North and South.

The Committee: Bart Bramley, chair, Mark Feldman, Mark Bartusek, Abby Heitner and Michael Rosenberg.

Commentary

Wildavsky: I agree with the TD and AC decisions, and with the AWMW.

Wolff: Good ruling all around and the failure to nail down what to lead with three small is not CD since almost all high-level players vary that with circumstances with need to know (show partner highest or try to give possible count) taking priority.

Rigal: This would be a very harsh ruling against anyone but an expert - which North is. I do not think top from three small is standard here, and when North asked about top of nothing and was told standard EW had failed in their duty to explain their methods properly. I think NS deserved nothing more, for the reasons the AC gave, but I do not think the appeal was without merit.

Goldsmith: I agree with the AC. It's hard to tell from this distance how helpful or unhelpful EW were being by their answers. If North just asked, "What are your leads and signals?" then "Standard" is an adequate response. "Standard" is pretty much never acceptable as an answer to a bidding question, but in this context, it means "4th best, right-side-up, etc." I suspect EW didn't have a clue that they were being anything less than candid, so the caution to them may be a little more than they deserved. Or it may have been well-deserved. Hard to say.

Apfelbaum: A sound decision, although I might have based it more on a failure to play bridge than did the committee. There are only fourteen high card points missing. After East showed up with the ♦Q, West was marked with the ♥Q. And if West did have seven clubs for the opening bid, losing a heart to East would present no dangers.

There is something else about the defense that persuades me West holds only six clubs. East led a high club, presumably denying an honor. After Declarer let West hold the first round of the

suit, why wouldn't West continue with a high club and then a third round? This would eliminate the ♠10 as a threat card.

French: High from three small is indicated as standard on the ACBL convention card, and E-W evidently concurred with that by circling the top card of an xxx holding. This is not a matter of debate. While leading lowest of three small is very popular and is a matter of debate, it is not what the elementary bridge textbooks teach.

When players are too lazy to look at the opposing cc, they should not expect more explanation than what E-W gave. Law 75C says we must disclose any special partnership agreement, but need not disclose inferences drawn from our general knowledge and experience. That applies particularly to agreements plainly shown on the cc.

Good ruling, good decision, and a well-deserved AWMW.

Stevenson: N/S got what they deserved, no question. If you need to know something specific, you ask, or you look at the CC.

But I am horrified at the East-West tactics.

Marv said, "When players are too lazy to look at the opposing cc, they should not expect more explanation than what E-W gave." This is absolutely incorrect, and the ACBL has a regulation saying it is incorrect. However badly you phrase the question, ACBL regulation, Law 75A, and general fairness all require a full and complete answer, which "standard" is not.

To be honest, when I play in the ACBL, I find that players are more lax in their explanations of carding than bidding. They always make assumptions.

So while I would not have adjusted, I think a PP to E/W would have been justified.

CASE THIRTEEN

Subject: Failure to Alert

DIC: Chris Patrias

NABC Swiss Team, first qualifying

Bd: 13 Harold Antonson
Dir: North ♠ 7 4 3
Vul: Both ♥ 8
 ♦ 7 6 3
 ♣ K 10 8 7 5 4

J. Fang D. Chechelashvili
♠ A J 10 2 ♠ K Q 6
♥ A Q 10 9 5 ♥ K J 6
♦ K 5 ♦ A Q J 4 2
♣ 6 3 ♣ J 6

Corneliu Galer
♠ 9 8 5
♥ 7 4 3 2
♦ 10 9 8
♣ A Q 2

West	North	East	South
	Pass	1♦	Pass
1♥	Pass	2NT	Pass
3♥	Pass	3NT	Pass
6NT	All Pass		

The Facts: 6NT made seven for a score of +1470 after the ♥10 opening lead. EW do not play "checkback" over 2NT. The 3♥ bid, according to their system, showed a hand that was 4-4 in the majors. Neither East nor West said anything about this agreement before the opening lead

The Ruling: The director let the table result stand. The director determined that the ♣A lead was not at all likely even if the correct information had been given to the defenders prior to the opening lead. Therefore, there was no basis for an adjustment.

The Appeal: NS argued that sometimes a player will upgrade his hand to account for the trick-taking potential of a long suit, then arriving in 6NT with fewer than 32 or 33 HCP. Had South known that dummy would hold long hearts, he might have led his ♣A. He seriously considered it as it was.

EW contended that the lead of the ♣A could only be necessary to set the contract if the opponents had bid 6NT with 31 or fewer HCP. At IMPs, the lead of the ♣A was a highly unlikely choice, regarding the meaning of the meaning of West's 3♥ bid.

The Decision: The committee discovered from the EW pair (a pair with a partnership history of only six or seven sessions) that while they do play that the 3♥ bid shows 4-4 in the majors, they had not discussed how to distinguish between 4-4 and 4-5 in the majors.

EW failed to explain the meaning of 3♥ correctly and the correct explanation would make the opening lead of the ♣A more attractive. The committee judged that an Alert and a correct explanation before the opening lead would still not raise the ♣A to the level of being "at all probable," which is the standard serving as a basis for a score adjustment. Thus, the table result was allowed to stand.

The committee decided to educate the EW pair on their responsibilities as declarer and dummy to correct their partner's misexplanation prior to the opening lead. This appeal would not have taken place if that obligation had been fulfilled.

The committee was divided as to the merit of this appeal, some members believing that the ♣A would be a very poor lead, regardless of the explanation. Others thought that the incorrect explanation might well have had some impact on the lead chosen by this player. In a close call, the committee decided not to assign an AWMW.

The Committee: Doug Doub, chair, Mike Kovacich, Tom Peters, Lou Reich and Joann Sprung.

Commentary

Wildavsky: I don't understand this case at all. On the facts as stated it appears that the UI made the successful lead more attractive than it would have been with the correct information.

Wolff: All done OK by director and committee (quite a 3NT bid by East), but leave it to CD to stir up "hard feelings." Possibly because of the CD, EW should receive a PP, but one thing is certain to me and that is NS should keep their -1470 normal playing luck.

Rigal: By contrast to CASE TWELVE, the explanations were clearly faulty and should have been corrected. But here an AWMW was appropriate. No matter what explanations South had been given, a club lead had a zero chance of being made. Yes there was an infraction and no, there was no damage. And South knew that!

Goldsmith: I agree with the AC. No AWMW, because the correct explanation would make clubs the unbid suit. Nearly no one would lead a club anyway. But at least with the correct explanation one would think about it before laughing it off.

Apfelbaum: I agree with the committee decision as well as its analysis on the merits of the appeal, but disagree with its analysis about the AWMW. East-West were obliged to Alert the 3♥ bid. They did not. I believe it is wrong for policy reasons to assess an AWMW against a pair when their opponents fail to Alert a clearly Alertable bid. This pair was entitled to an Alert. They are entitled to have a committee examine the hand to decide if they suffered any damage related to the failure to Alert.

French: Thank goodness South did not lead a spade, which would have made this case more difficult. As it was, knowledge that West has shown 4-4 majors would hardly have led South to lead the club ace instead of a diamond. Rather, the incorrect impression that West had shown long hearts was more likely to inspire a club ace lead.

In a matchpoint contest the club ace might be selected in order to avoid an overtrick, but (1) this wasimps, and (2) there was nothing in the misinformation that, if corrected, would have led to the club ace lead.

I don't see how this case is a "close call," and an AWMW was in order. Bad bidding got a good result, it's "rub of the green."

Stevenson: North-South said, "Had South known that dummy would hold long hearts, he might have led his Ace. He seriously considered it as it was." But, but, but

The unalerted 3♥ suggested long hearts much more than a 3♥ that showed four hearts and four spades! Because of this, there should definitely have been an AWMW.

As for all appeals being acceptable when there is no alert, I do not see the logic. If an appeal has no merit, it has no merit, even if a failure to alert is present.

CASE FOURTEEN

Subject: UI

DIC: Chris Patrias

Keohane North American Swiss Teams, first qualifying, second session

Bd: 21	Yi Liu
Dlr: North	♠ K 10 2
Vul: N-S	♥ 8
	♦ J 10 2
	♣ K Q J 8 5 2
	\
D. von Arnim	S. Auken
♠ A Q 9 7 5	♠ 8 3
♥ K Q 7 3	♥ A 10 8 5
♦ A K 6	♦ 8 7 4 3
♣ 9	♣ A 4 3
	\
	K. P. Cheng
	♠ J 6 4
	♥ J 6 4 2
	♦ Q 9 5
	♣ 10 7 6

West	North	East	South
	Pass	Pass	Pass
1♣ ⁽¹⁾	Pass	1♥ ⁽²⁾	Pass
2NT ⁽³⁾	Pass	3♣ ⁽⁴⁾	Pass
3♦ ⁽⁵⁾	Pass	3NT ⁽⁶⁾	Pass
4♥	All Pass		

(1) Precision, artificial 16+.

(2) 8+ points.

(3) Heart support and shortness somewhere.

(4) Asks for shortness.

(5) Shows club shortness.

(6) Extras. BIT.

The Facts: The contract was 4♥ making four for a score of NS +420 after the opening lead of the ♣6. Before bidding 3NT, there was an agreed 10 second BIT at which point the director was called. The 3NT bid was Alerted as showing extra given the sequence of bids.

The Ruling: The director ruled that the result stood, 4♥ by East making four.

The Appeal: NS appealed. They felt that the tempo created UI that kept West from bidding on over 4♥.

The Decision: At the committee hearing, NS claimed that because there had been a hesitation before the 3NT bid, West had unauthorized information and should have bid something other than 4♥, thus driving the auction past 4♥. When asked what hand would produce a good play for slam which was consistent with EW's bidding system, NS were unable to construct such a

hand.

EW testified that under their methods, the 3NT bid showed maximum values consistent with the prior auction, but a hand which did not have five hearts. Since East was limited to a maximum of 9 high-card points, the best card to add to East's hand would be the ♠J, but EW stated that even this would not make bidding toward a slam a good proposition. Further, even if West bid 4♦, East would simply sign off with this hand.

The AC was not convinced that there had been any UI. The EW pair were in a complex auction and East would often need time on an auction like this to remember the meaning of various bids and to select the one that properly reflected her hand. Even if there was UI, however, the committee could find only one hand which would make slam a reasonable proposition, one such as ♠J 10 x ♥A 10 x x ♦x x x ♣A x x. Even if East held this hand, West would not have been able to find out about it at a safe level, if at all.

Accordingly, the committee determined that the UI, if there was any, did not suggest any action by West which would result in EW bidding beyond 4♥.

The committee determined that this was an appeal without merit and gave NS an AWMW.

The Committee: Richard Popper, chair, Bob White, Lowell Andrews, Abby Heitner and Dick Budd.

Commentary

Wildavsky: The write-up implies that EW open all hands with 10 HCP, but this is not stated explicitly nor is it noted in "The Facts." That section also does not mention that East cannot hold a fifth heart -- was it explained at the table?

I don't understand why East couldn't hold something like

♠K x x ♥A x x x ♦x x x ♣x x x

It's a sub-minimum yet slam depends only on 3-2 breaks in the majors. Even with the actual East hand slam is not hopeless. This hand would also give slam a good play:

♠K x ♥A x x x ♦Q x x ♣x x x x

And East would show extras on several other holdings, so the hesitation implies something like her actual holding.

One could reason thusly:

Either EW know their system well, in which case the hesitation suggests scant extra values, not doubt about its meaning, or EW do not know their system well, in which case East could hold longer hearts.

Whatever the proper ruling, this case certainly had merit. As I wrote for CASE FIVE, when the TD does not explain his ruling that in and of itself constitutes grounds for an appeal.

Wolff: Well done all around (as have been most of the cases so far). I am coming to the

conclusion that the AWMW decision is basically an avenue for the committee to either tell the culprits "We don't like you" or to tell the winners "We like the cut of your gyp" or even "Wanna have a drink, later". One thing is obvious, there is total inconsistency.

Rigal: At last an AWMW fully deserved and duly awarded. What a miserable nit-picking appeal - now ask me to say what I really feel, and not to hold back.

Goldsmith: Not enough information. What did 3NT really mean? Was it forcing and artificial, or was it natural? The explanation of the auction seems a little weird to me. If East is limited to 8 to 9, how can 3NT mean "extras?" Do EW really open all 10-counts?

Apfelbaum: I agree with the decision and analysis, except to note that any break in tempo did not demonstrably suggest bidding on or passing. Before Law 16A may require an adjustment, the extraneous information demonstrably suggest some action not suggested by the authorized information. As North-South could not show what that might be, they deserved the AWMW.

French: East did not have "extras," which could include greater heart length (easy "to construct") as well as an extra HCP, as the BIT may have suggested. As noted by the AC, even if West were to bid 4♦, probably right, East would stop at 4♥ and West could go no further.

Well done by all, but I'm not sure about the AWMW. The AC did admit the possibility of UI from the BIT, after all.

Stevenson: I think the critical point is the question of whether East was allowed to have more than four hearts. She told the AC that she could not, but was this explained to the Director? If so, I agree with the AWMW, if not then N/S have a case though not a strong one.

Was there UI? I would like to know how the speed of the 3♣ bid and 3NT bids compared. But in general, ten seconds on complex sequences is not much of a BIT.

Finally, suppose we are sure UI was passed: what does it suggest? My guess is that if West had gone on and it had been right to do so, then the Director would also have been called. I doubt the UI really suggests anything.

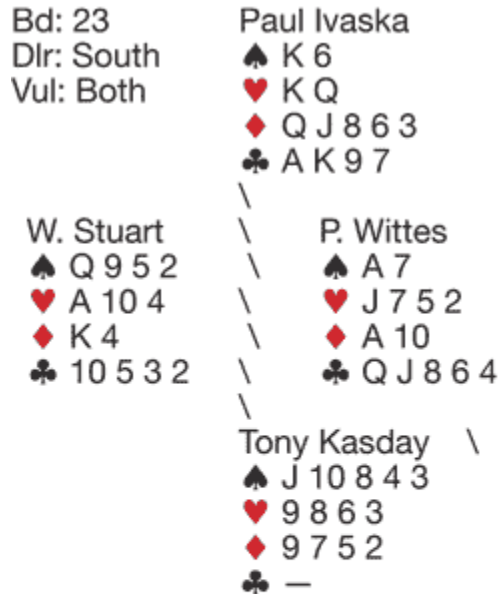
To be honest, N/S sound to me like a pair that wants an IIHSI ruling. What is that? "If it hesitates, shoot it."

CASE FIFTEEN

Subject: MI

DIC: Chris Patrias

Keohane North American Swiss Teams, second final



West	North	East	South
Pass	1♦	Pass	Pass
Dbl	1NT	Dbl	2♥ ⁽¹⁾
Pass	Pass	Dbl	2♠
Dbl	Pass	Pass	3♦
Dbl	All Pass		

(1) Explained by South to West as a transfer.

The Facts: The contract was 3♦ doubled making three for a score of NS +670 after the opening lead of the ♦A. The director was called at the conclusion of play of the next hand. The director determined that NS have no agreement that 2♥ was a transfer.

The Ruling: The contract was changed to 2♥ by south down two for NS -200. Law 75 regarding misinformation was cited.

The Appeal: EW felt they were entitled to have the same explanations on each side of the screen. Holding only two spades, East would let 2♥ play without a double.

Statements by the Other Side: NS said they had no partnership agreement that 2♥ was a transfer in this auction. South indicated he had drawn an ineffective parallel with other notrump auctions.

Additional Facts: The director had been called after the next deal since West only became aware of the problem during the bidding of the next hand.

The Decision: The committee determined that South had invented an agreement when he bid 2♥ as a transfer. Hence, he had effectively psyched and North had given East the correct partnership agreement.

West had MI, but his action of passing 2♥ and doubling 2♣ was not based on damage from the MI. He knew what South had.

Equally East was not damaged by MI since she had the correct partnership explanation. Additionally, although there was no obligation for East to work out what was going on, the fact that she had four hearts, West must have at least three, and dummy had promised two or more, meant South could not have five hearts.

The only issue was whether West's final double or East's final pass was influenced by MI. No link was found. South's idiosyncratic method of bidding his hand was responsible for the result but that was not covered by the laws.

Since there was no damage the table result of NS +670 was restored.

The Committee: Barry Rigal, chair, Richard Popper, Doug Doub, Gary Cohler and Chris Willenken.

Commentary

Wildavsky: A well reasoned AC decision.

Wolff: It is fitting that CD strikes again on the last hand analyzed. Without the CD North would bid 2♣ (if that was their agreement or South would have bid 2♣ immediately if instead, that was their agreement). In either case probably West would pass and then East would either bid 2NT or 3♣ which would end the auction. EW would probably make either contract or at the very worst be down -100.

The actual result happened because of NS's sloth in discussing system and EW wound up with minus 670 and the committee had a grand time sorting it out. What a ridiculous waste of time. Expect in our NABCs for high-level players to know their system and when they don't, make them pay a price. Eventually and (in my opinion) not too long a period, the CD will be reduced greatly and, most importantly we all have a better game to play.

Why do we insist (like some in the Federal government) on antiquated laws against terrorism (legal wire-tapping) and not up to date laws on certain aspects of medical science (stem cell) under the guise of this has always been the way we've done it? Well, like the world's new dangers, the bridge world has also changed and CD has become deadly and too many times to the benefit of the perpetrators. Wake up and smell the coffee, please everyone? Could it be that some of our people now in charge are benefiting (like the odious and highly unfair four ways at the latest NABC KOs) by the way it is? I have my opinion, but the people who have not had their bodies snatched (politically ensconced), please think about it.

Rigal: On reflection maybe East might have passed out 2♥ had she been sure an accident had taken place - but I think she might well have followed the route actually taken. Maybe the offenders deserved to be left in 2♥ though? That said, I think South maybe 'earned' his result by his idiosyncratic actions.

Goldsmith: East wanted redress because she had the correct partnership agreement? While I understand that EW might feel a bit put upon, appeals have to have some basis in law, and since EW couldn't give any such basis, if they had been the appealing side, their appeal would have had no merit at all.

Apfelbaum: Excellent decision, based on sound reasoning. My only complaint (very small) about the decision is that the committee might have explained why West "must" have at least three hearts. The basis for the committee's statement is West's reopening double, but the reader usually wants these things explained rather than having to figure them out for himself.

French: Strange case. South bid 2♥, hoping it would be taken as a transfer, and told West it was a transfer, which is MI. (Calling this a psych is a bit ridiculous.) However, the MI had no adverse effect on West's bidding, or did it? Even if he realized what was going on, he was entitled to know that North didn't know what was going on, but he soon found that out anyway.

East was evidently told by North that 2♥ was natural, but why do we have to assume that instead of reading it? Of course the failure to Alert 2♥ "explains" the 2♥H bid as natural, so no problem. Her double of 2♥ looks routine, but she should have figured out that South did not have five hearts. Players can't be expected to be that smart, however, as the AC implies. The TD thought there were grounds for adjusting the score to 2♥-2, but there weren't. East had no MI, so there was no infraction at that point

E-W earned their bad score, actually. West had a very light balancing double, why is he doubling anything after that?

One thing that bothers me is the possibility that N-S actually had an agreement but North forgot. If so, East did indeed get MI and the TD's score adjustment was correct (for the wrong reason). Footnote to L75D: "..the Director is to assume Mistaken Explanation rather than Mistaken Bid, in the absence of evidence to the contrary."

If such evidence was lacking, we must assume that East had MI about the 2H bid, in the absence of which she would of course pass. We do not accuse anyone of lying in such cases, we simply say that the Laws do not permit us to accept what is claimed.

The TD should have explained how he determined the lack of an agreement.

Stevenson: Looks a good decision: I would like to see the TD's explanation of his ruling.

I do not see the problem with CD as Bobby puts it. These players are all grown up now, and should act that way. Worrying about the odd bad board when the opponents do not know their system perfectly [compared to the more frequent good boards] is not acting grown up.

CASE SIXTEEN

Subject: Tempo

DIC: Jeff Alexander

Education Fund KO Teams, Bracket 5, Thursday Evening Nov. 17, 2005

Bd: 13	North		
Dir: North	♠ Q J		
Vul: Both	♥ J 3 2		
	♦ A K 9 7		
	♣ K 10 7 6		
West		East	
♠ A 10 6 4		♠ K 9 7 3 2	
♥ 5		♥ A K 10 7 4	
♦ J 8 5 4		♦ Q 3	
♣ A 9 8 3		♣ 4	
	South		
	♠ 8 5		
	♥ Q 9 8 6		
	♦ 10 6 2		
	♣ Q J 5 2		
West	North	East	South
	1♦	2♦ ⁽¹⁾	Pass
2♠	3♣	Pass ⁽²⁾	3♦
3♠	Pass	Pass ⁽³⁾	4♣
4♠	All Pass		

(1) Michaels (at least 5-5).

(2) Disputed brief BIT.

(3) Agreed BIT.

The Facts: The result was 4♣ by West making five, EW +650, after the opening lead of the ♦A. The director was called after the auction ended and advised of the BITs. The first one was disputed, but all players agreed to a noticeable BIT by East before passing 3♦.

The Ruling: The director determined that an unmistakable hesitation occurred, that pass was a logical alternative for West after the 4♣ call and that the hesitation demonstrably suggested a 4♠ bid. The score was changed to 4♣ by North, down four, for a score of EW +400 (Law 16A, 12C2).

The Appeal: EW appealed the ruling. All players attended the hearing. North had 1250 masterpoints, South 800, East 145, and West 320. The players confirmed to the reviewer the facts noted by the director. West said he would always bid 4♠, to either make or as a cheap save. He didn't want to double 4♣, as NS had a double fit and East's defensive potential was unknown. East said he would have bid 4♠ himself, had West passed 4♣. NS pointed out that West had already bid 2♠, then 3♠. If a 4♠ bid was clear, he should have bid it earlier.

The Decision: One player, with almost 400 masterpoints, was given West's hand to bid, without any UI. He repeated West's 2♠ and 3♠ calls, but then passed over 4♠. This established pass as an LA. Two players with about 150 masterpoints were given East's hand to bid. One player bid 4♠ over 3♠. The second player bid 4♠ after 4♣-Pass-Pass. This pattern of bidding is consistent with many inexperienced players, who make the cheapest possible bid, but don't sell out.

The panel cancelled West's 4♣ bid, substituting a pass, (Law 16A), but decided passing was not an LA for East, after 4♣-Pass-Pass. The panel assigned a contract of 4♣ by West, making five, +650 EW.

Players Consulted: Three peers of EW.

Commentary

Wildavsky: A poor start for the panel. The TD ruling was exemplary.

The panel did well in determining that a score adjustment was warranted, but they went completely off track when adjusting the score.

First of all it is clear that Pass would have been a logical alternative for East, regardless of what any poll says. It is not logical to bid to 4♣ opposite a partner who could muster only 2♣ at his first turn. East has already passed up two chances to bid on. Vulnerable at matchpoints it's completely inconsistent to now bid 4♣. The correct call must always be logical, even for a relatively inexperienced player!

Second of all it is bizarre to stop this poll after asking only two players. Stopping the first poll after one respondent was correct, because his answer showed that pass was logical. The second poll ought to have included many more players - 10 would not too many, if somehow the pollster was able to find nine bidders. Look at it this way. If half of East's peers would bid, then one-fourth of the time a poll of two players will find that bidding is the unanimous choice of those surveyed.

Third, the poll cannot take into account the previous table action. An East player who has shown extra values with his hesitation and still heard his partner pass is less likely to bid than an East player who passed in tempo on the previous round.

Fourth, and of overriding importance, the issue of Logical Alternatives for East is irrelevant. East, who has no UI, may do as he pleases. The question rather is a hypothetical one - what were the likely and at all probable results had West (properly) passed over 4♣? If one concedes that East will occasionally bid then the likely results are 4♣ and 4♣. Law 12C2 instructs us to adjust to the one of these most favorable to the non-offenders - that's 4♣. It is clear from the write-up that the panel did not follow the law. If they had they would have noted that they considered a Pass by East as not even "at all probable."

Fifth, once we realize that it is 12C2 that must be applied, it becomes crystal clear that the sample size of the poll was insufficient. Since the ACBL Laws Commission has not set numerical guidelines for Logical Alternatives it is not clear how many players to poll in such cases. In contract the LC has set rough parameters for 12C2. "Likely" means at least one chance in three and "at all probable" at least one chance in six. Thus a poll of two players in a 12C2 case cannot be adequate. Three are needed if neither of the first two select the losing action, and six if none of the first five choose the losing action. Even with six bidders, and I think the pollster would be hard pressed to find six players of any strength who would bid, it would be worthwhile expanding to poll to twelve. If two of the twelve pass then 4♣ becomes "at all probable," and with four passers it would again be deemed "likely."

Wolff: Some of the Regional cases don't really belong because of the almost laughable bidding and play and this is one of them. Note West's response to partner's major suit TO, North's 3♣

vulnerable rebid, South's 3♦ preference, West's three-level "creeping" as well, of course, as East's BITs.

One thing for sure is that we need a special pamphlet for the high-level game since the two games are as different as playing different sports. I have been suggesting this for years, but the ACBL's powers that be say we cannot have different rules for the same game. I beg to differ!

Rigal: This case raises an important point of procedure. While I can see why the Panel chose to rely on non-experts (obviously in an expert game EW would not be allowed to get away with this), surely a sample of two is totally insufficient to judge the merit of East's final call. The panel must set its targets in advance of asking - to avoid stopping asking when they get the answer they want - but I suggest three or four is the minimum acceptable for establishing an LA. That said, I agree with the panel and TD decision, in context.

Apfelbaum: I confess that the committee is quite right that inexperienced players frequently make the cheapest bid but refuse to sell out. The problem I have with that statement is how it interacts with Law 16. West has such a good hand that experienced players would bid game (find out later if it makes) straight away. The committee failed to determine just how East could know (based on authorized information) whether West's hand was this good or something worth much less.

Are we to allow inexperienced players to get to a correct contract because they always bid one more? May someone make the right choice because they do not have the skill to make a reasonable judgment? I would hope not. East has a normal type of hand for a Michael's cue bid. East did not bid game after West took two bids.

I recall an episode from the old television series, M*A*S*H, where the Hawkeye character is playing bridge. He starts a long monologue where he describes his exact hand. Of course, the other players end the game rather quickly after giving each other a knowing look. I do not suggest that any player is engaging in such outrageous conduct. I do suggest that a less experienced player is just as able to recognize unauthorized information that demonstrably suggests bidding on as someone who has played bridge for many decades. It seems to me that the committee permitted this simply because the player did not recognize what he was getting on a conscious level.

French: The TD didn't think this one all the way through, as the panel did. Pass was indeed an LA for West, but not for East. West gets a lecture, that's all, and table result stands.

Someone should tell North not to bid again opposite a passing partner after opening a minimum 4-4 hand.

Stevenson: Was Pass an LA for East? Who cares? LAs determine whether actions when in receipt of partner's UI are acceptable. Since East has no such UI, LAs are not relevant for him.

No-one seems to think that 4♠ was an LA for West, so we disallow 4♠ by him. Good start. Now, for Law 12C2.

Is a 4♠ bid on a normal minimum hand by East an action that two out of three would take? Or five out of six? Ok, why are they bidding it? First possibility: because 4♠ is making. That's easy: if East believed that they would be making 4S then he would have bid 4♠ the previous round. The 4♠ bid has not improved the hand. So we know that East would not bid 4♠ to make.

Now, let me see if I can understand the logic of bidding 4♠ not to make. East is going to bid 4♠ because he is afraid that N/S are going to score 130 in 4♣, so he prefers to concede 200 in 4♠ doubled? If this is what the panel believe then I have a bridge in Brooklyn I would like to sell them.

Of course some poor players will make poor bids. But to assume that a majority would - as required to adjust to 4♠ bid by East per Law 12C2 - or even worse a sizeable majority - as required when dealing with the offending side - is off the planet.

The original ruling by the TD is automatic.

Bobby: the reason that panel decisions should be in these case-books is so that we can make sure that decisions are looked at, whether bad or good, whether by TD, AC or panel, whether involving good players or bad. They are all worth looking at, and this is one is an excellent case, where the logic of the situation was completely overlooked by both the panel and some of the commentators.

CASE SEVENTEEN

Subject: Tempo - Card Played

DIC: Terry Lavender

Sunday-Monday KO Bracket 4, Sunday November 20, 2005

Panel: Matt Smith (reviewer), John Ashton and Gary Zeiger.

Bd: 13
Dir: North
Vul: Both

North
♠ A Q 6 5 3 2
♥ A J 10 6 3
♦ A
♣ 6

West
♠ 8
♥ K 8 4
♦ 7 5 3 2
♣ A 8 7 5 3

East
♠ K
♥ Q 7 5 2
♦ Q 9 8
♣ K Q J 10 2

South
♠ J 10 9 7 4
♥ 9
♦ K J 10 6 4
♣ 9 4

North **East** **South** **West**
1♠ Pass 4♠ Pass
6♠ All Pass

The Facts: The result was 6♣ down one, EW + 100, after the opening lead of the ♣K. The director was called after trick five. The play to that point had been club king opening lead winning; ♣Q ruffed by declarer; ♥A winning; heart ruffed in dummy; ♠J, 8, low, king. NS called the director and reported that West had "hitched" before playing the singleton 8 of spades.

The Ruling: The director ruled that West had no demonstrable bridge reason not to play the 8 smoothly and that an opponent had drawn a false inference because of the way it was played. The director adjusted the score to 6♣ making six, NS +1430 (Laws 73F2 and 12C.2).

The Appeal: EW appealed the ruling. All players attended the hearing. North had 1200 masterpoints, South 780, East 800, and West 445. North told the reviewer that it took West five seconds to play the ♠8, and that even though West played slowly before and after this deal, this hesitation was longer than normal for her. South agreed that West took five seconds and stated that in other instances she noticed that West often paused at the end of a trick but she did not consistently pause this long when she actually played her cards. East said that West played her card in a normal tempo for her. West said she played the card in four or four and one-half seconds, but that length of time was "at her pace." The reviewer asked North about what his plan for the play had been. He said that he was planning to play for the drop, but he adopted the line of play he chose to see whether West gave anything away by her tempo to the spade jack being played from dummy.

The Decision: The panel believed, on balance, the evidence suggested that West broke proper tempo when she played the ♠8. Two sections of Law 73 are relevant in deciding this kind of case. Law 73D2 states: "It is desirable, though not always required, for players to maintain steady

tempo and unvarying manner. However, players should be particularly careful in positions in which variations may work to the benefit of their side. Otherwise, inadvertently to vary the tempo or manner in which a call or play is made does not in itself constitute a violation of propriety, but inferences from such variation may appropriately be drawn only by an opponent, and at his own risk."

Law 73F2 states: "If the Director determines that an innocent player has drawn a false inference from a remark, manner, tempo, or the like, of an opponent who has no demonstrable bridge reason for the action, and who could have known, at the time of the action, that the action could work to his benefit, the director shall award an adjusted score (see Law 12C)."

The panel believed that 73D2 should apply to this situation. Based on the testimony of the players regarding West's normal tempo the panel believed that West had inadvertently varied her tempo. Further, due to the way North had played the deal in an attempt to get a reaction from West, he was not seen to be an "innocent" player according to 73F2, so he was at his own risk from the inference he drew that West held K-8 of spades. The panel also considered that any hesitation by West in this particular situation was not safely an indication to North of a holding of ♠K 8 anyway, since given the auction considering covering with that holding would be unlikely. The panel assigned a score of 6♠ down one, NS -100.

Despite finding West's BIT "inadvertent," the panel was nonetheless concerned with West's failure to pay particular care to playing in proper tempo in an obviously tempo sensitive situation. EW were assigned a 1.5 IMP PP as a reminder to West to conform to proper procedure.

Players Consulted: None.

Commentary

Wildavsky: I like both the TD and panel rulings. The declarer must weigh the likelihood that West would hesitate with a singleton against the likelihood that he would hesitate with K-8 doubleton -- neither seems likely. I'd like to know how many masterpoints these players held.

I do not think the procedural penalty was adequate -- the only way to keep West from engaging in such shenanigans it to take away the entire amount of his gain. Otherwise we merely decrease his incentive (assuming his teammates played in game) from 26 IMPs to 24.5 IMPs.

Wolff: EW should pay more than 1 1/2 IMP's but this is still a decent ruling. It should be noted that it is ridiculous for West to even consider covering (if she had it) but since it is anybody's guess what West's talent level is, how in the world could anybody tell what to do. Bridge is a really silly game at this level.

Rigal: North should know that West would never think of covering from ♠K-8 so his whole case is untenable. Even the PP looks marginally out of place to me. This seems suitable for filing with the recorder. To me this looks in AWMW territory.

Apfelbaum: This is the fourth bracket of a regionally-rated knockout team, the committee finds no violation of law and yet imposes a penalty? A very poor decision. If there is a violation, assess the appropriate sanction. If not, move on. If the committee absolutely had to do something about the break in tempo, educate West about his obligations.

On the merits, the decision is a reasonable one. Other than the penalty, of course.

French: The panel swallowed hogwash. Many players hesitate with a singleton and play smoothly with Kx, as declarer should have realized. The panel decided there was no infraction because the hesitation was inadvertent (yeah, sure), and then gave West a tiny PP for bad tempo, which should have been the subject of a Player Memo. How are we going to catch repeaters if these things are not documented?

Law 73F2 dominates Law 73D2, and the TD was right, the panel wrong.

Some members of the Laws Commission want 73F2 abolished, clearing the road for coffee-housers, but that change has not been made yet.

Stevenson: Amazing!

The TD ruling was routine once it was established there was a hesitation. The panel ignored the law and failed to follow Law 73D2. Of course north is an innocent player - he has done nothing wrong, which is the definition of an innocent player.

The main effect of this type of decision is to make unethical players realize there is an advantage in hitching to mislead, if decisions go in their favor.

The second sentence of Law 73D is the critical one, and it imposes a duty of care on players: "However, players should be particularly careful in positions in which variations may work to the benefit of their side." This player was not particularly careful.

Note that people often quote the words "at your own risk". But this applies only in the third sentence, which starts with the word "Otherwise", i.e. it does not apply where a player has not been "particularly careful".

This is a very important case because the panel has gone wrong in Law.

CASE EIGHTEEN

Subject: Tempo

DIC: Terry Lavender

Saturday-Sunday KO Teams Bracket 1, Sunday November 20, 2005

Panel: Matt Smith (reviewer), John Ashton and Gary Zeiger.

Bd: 26 ♠ 2
Dir: East ♥ 9 7 6 4 2
Vul: Both ♦ K 7 5 3
 ♣ 10 5 3

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

 ♠ 10 8
 ♥ A K 8
 ♦ A J 10 9 8 4
 ♣ 7 6

West	North	East	South
		Pass	1 ♦
4 ♠	5 ♦	Pass ⁽¹⁾	Pass
5 ♠	Pass	Pass	Dbl
All Pass			

(1) Agreed BIT.

The Facts: The result was 5 ♣ doubled by West making seven, EW +1250, after the opening lead of the ♦3. The director was called after the auction and told that East had broken tempo over the 5 ♦ bid. NS claimed the hesitation was 15 seconds, West said five seconds, and East did not offer a time but said, "he had to think." East told the director that he did not bid 5 ♣ because he feared driving the opponents to a making 6 ♦ contract.

The Ruling: The director determined that an unmistakable BIT occurred, that pass was a logical alternative action for a West who treated his hand as a preempt and that the hesitation demonstrably suggested not passing. The score was changed to 5 ♦ by South, down two, NS -200 (Law 16A, 12C2).

The Appeal: EW appealed the ruling. Only East and West attended the hearing since NS had left the room before the ruling was appealed. East had 3500 masterpoints and West had 3800. East told the reviewer that his hesitation over 5 ♦ was 10-15 seconds and West said it was 5-10 seconds. West stated that he had no defense against 5 ♦ and that he thought he needed very little from his partner to make 5 ♣ a good save. He expected to go down two for a good score against 5 ♦ (when he first spoke to the reviewer he recalled that he was not vulnerable). He said he considered double at his first turn but decided to bid 4 ♣ opposite a passed hand partner.

The Decision: The panel first decided that an unmistakable hesitation had occurred. The panel then polled six peers of West and two experts regarding his choice of calls over 5 ♦-Pass-Pass. Both experts chose 4 ♣ at the first turn (one said there were many possibilities). After 5 ♦-Pass-Pass, both doubled. When they were later told that partner had hesitated over 5 ♦, both said that

they thought it suggested doubling rather than bidding 5♠. When asked, one expert said he believed that the hesitation suggested 5♠ over pass but that pass was not a possibility.

Of the peers, three doubled at their first turn, one bid 4♠, one bid 1♠, and one bid 2♦. With varying degrees of acceptance, four of the five who did not choose 4♠ said they could live with a 4♠ bid. The one who bid 4♠ passed out 5♦. The one who did not accept 4♠ at his first turn said that if he was forced to take that action he would live with the consequences and pass out 5♦. The four other peers all acted and thought action was clear. Two doubled, one bid 5♥ and one bid 5♠.

With this input, and particularly in light of the argument West made to the reviewer, and what that indicated about how he viewed the hand, the panel decided that pass was a logical alternative. As well, the panel decided that the hesitation demonstrably suggested not passing. The panel assigned a score of 5♦ by South down two, NS -200 (Laws 16 and 12C2). The appeal was found to have merit.

Players Consulted: Sabine Auken, Chip Martel and six peers of West.

Commentary

Wildavsky: Good work by the TD and the Panel.

Wolff: Perhaps we should forget BIT's because the bridge is so bad, but these players are reasonable and should know better. East's BIT should rule out action by West.

Rigal: Well done -- the TD for making a sensible verdict on the correct grounds, and to the panel for asking the right people the right questions.

Apfelbaum: I have a problem with one aspect of these committee decisions at the regional level - who decides who is a peer? We have players of many skill levels. Some have played much longer than others. Those with longer bridge careers may have the same or many more masterpoints compared to someone who has played a relatively short time. Decisions are made based on input from these "peers." I much prefer a committee that makes a judgment about a player's skill based on that player's reputation and the committee's knowledge of the player. There is no substitute for bridge skill in evaluating the bridge skill of others.

I know of many players of varying levels who would bid 4♠. The expert players among them never pass after making such a strong pre-empt. They expect their partner's to decide whether to defend or bid on based on a double where the pre-emptor has considerable side suit strength. The non-expert players often do pass. My knowledge comes from my experience in discussing this type of hand with other experts and non-experts, and from seeing it borne out at the table.

Turning to the merits, the committee made a judgment based entirely on the opinions of peers. These peers believe that pass is a logical alternative. I have no basis to say they are wrong because there is nothing in the write-up to permit that analysis.

French: I would like to test the accuracy of these mental time-keepers, whose estimates seem to be extremely unreliable.

West's statements about his "view of the hand," being subjective, are totally irrelevant, even if they could be considered self-damaging. The panel should be able to judge this case without

West's help. He at first told the screener he wasn't vulnerable (nice try).

Passing was indeed a logical alternative for this West, as verified by consulting "peers." As to the peers, why ask them what they would do over 1♦? Just tell them to assume a 4♣ bid and then ask what they would do after the 5♦ bid. If they double or bid 5♠, then ask if they would consider passing. And, by the way, ask five other peers and you might get very different answers. Straw polls are notoriously inaccurate.

Both TD and panel did well, and the appeal did have some merit.

Stevenson: Good! Good ruling, good appeal, good write-up!

CASE NINETEEN

Subject: MI

DIC: Su Doe

Fast Pairs, second Session, November 20, 2005

Panel: Charles MacCracken (reviewer), Doug Grove and Tom Whitesides.

Bd: 2
Dir: East
Vul: N-S

North
♠ A K J 8 4
♥ K J 8
♦ A K
♣ 7 6 5

West
♠ Q 10 9 6
♥ 4 2
♦ J 8 4
♣ A J 9 4

East
♠ 7 5 3
♥ Q
♦ Q 7 6 5 2
♣ K Q 10 8

South
♠ 2
♥ A 10 9 7 6 5 3
♦ 10 9 3
♣ 3 2

<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
		Pass	2♥
Pass	2NT ⁽¹⁾	Pass	3♣
Pass	6♥	All Pass	

(1) Alerted (erroneously).

The Facts: The result was 6♥ by South made six, NS +1430. The opening lead was the ♠10. The director was called at the end of play and told that before the lead North explained 3♣ as a feature, when asked by West. South told the director that she intended her bid as Ogust (bad hand, bad suit), but that she was momentarily confused and forgot that she did not play Ogust with this partner. The convention cards were both fully filled out and each showed in the appropriate section that 2NT was forcing but not what method was used in response to it. One convention card had RONF noted in the section for two bids.

The Ruling: The director ruled no evidence was presented to prove that NS were playing features, or that they had agreed to anything other than 2NT being forcing in response to a weak two bid. Therefore, the director ruled mistaken explanation rather than mistaken bid (Law 75) and that EW were entitled to a verbal correction by South before the lead. Had this correction occurred, West would be likely to lead the ♣A. The score was changed to 6♥ by South down one, NS -100 (Law 12C2).

The Appeal: NS appealed the ruling. All players attended the hearing. North had 5500 masterpoints, South 2200, East 1080, and West 920. North and South told the reviewer they had agreed to play features. South said she plays Ogust with another partner but not this one. When asked why the convention cards did not show features as the response structure, North said that in her area it was common not to do so, since if nothing was marked features was assumed to be the method used. West told the reviewer she assumed South had the club king

from the explanation she received, but if she had been told that the response was Ogust she would have led the ♣A.

The Decision: The panel investigated whether the way NS had marked their cards indicated they had agreed to play features, and if not, whether West might have led the ♣A after a corrected explanation by South. Many players were consulted (approximately 10) on whether they believed convention cards marked this way indicated that features had been agreed and how they personally marked their own convention card when they had agreed to play the method. All agreed that a pair playing Ogust would always be expected to note it on the card. All but one said that when they play features they write it on the card.

When asked what they would think a pair was playing if they did not mark anything, most said that it probably indicated features were agreed by default but only one of those players thought that this assumption was definitive. Law 75 D2 states that when a player's partner has given a mistaken explanation this is the procedure: "After calling the director at the earliest legal opportunity (after the final pass, if he is to be declarer or dummy, after play ends if he is to be a defender), the player must inform the opponents that, in his opinion, his partner's explanation was erroneous."

As well, the footnote to Law 75 instructs the director to "presume mistaken explanation, rather than mistaken bid, in the absence of evidence to the contrary." While the panel believed the evidence from the convention cards was some indication the explanation was correct, it was not persuasive enough to relieve South of her obligation to inform the opponents that misinformation had occurred.

The panel ruled that South was required to tell the opponents that they had not formed a firm agreement that 3♣ was showing a feature (although not necessarily that she intended her bid as Ogust). When four peers were polled about what they would lead with the uncorrected information, three said they would lead a heart or a spade and one said she would lead the ace of clubs. Of the three who did not choose a club, two said they would lead the ace of clubs if South had offered the correction mandated by the panel.

Therefore, the panel assigned the score of 6♥ by South down one, NS -100 (Law 12C2). The appeal was found to have merit.

Players Consulted: Four peers of West and approximately 10 other players.

Commentary

Wildavsky: Fine rulings by the TD and the Panel.

Wolff: Trying to adjudicate CD - irritating and impossible, playing good bridge without CD - priceless.

Rigal: I agree with the comment re 'feature-ask' being the default in the absence of anything noted. The TD's decision to adjust the score seems harsh, but appropriate. I'm not sure in the absence of 12C3 that the panel has any choice as to how to rule when Law 75 kicks in. With the choice on lead being a spade or club, their decision to impose the ♣A lead on both sides looks correct.

Apfelbaum: The committee is entitled to believe there is not enough information to rebut the mistaken explanation presumption. Once decided, the rest seems pretty straightforward.

French: Players who are asked loaded questions by a TD may not give accurate answers. I don't remember coming across anyone playing RONF who did not also play "feature," and most don't bother to show that on the convention card. North obviously thought it was an agreement when she bid slam.

Unfortunately for her side, she did not Alert the supposed feature bid of 3♣. We have difficulty assuming an Alertable agreement when an Alert isn't made. A further difficulty is that "RONF" was on only one card. If players would follow the Alert Procedure and fill out their convention cards properly, a lot of trouble would be avoided.

It is asking too much, however, to expect North to say "I don't know" or South to correct North and say they had no "feature" agreement if indeed they believed they did.

Suppose North had said "I don't know if we have an agreement about 3♣, we haven't discussed it." Would West lead a club then? Of course not, in view of the 3♣ bid that he would certainly assume to show a feature. South would be silent, of course, because a misbid need not be disclosed.

In sum then, if there was an infraction it consisted of North's saying 3♣ showed a feature when there is not sufficient evidence of that agreement, which constitutes misinformation. In the absence of this irregularity, North instead saying "I don't know," South would not have had anything to correct, and a club would not be led, so N-S get no redress as non-offenders. Law 12C2 says non-offenders receive the most favorable result that was likely had the irregularity not occurred, and that is the table result in this case.

However N-S, the offending side, get the most unfavorable result that was at all probable with the irregularity in place, and that, if North statement had been corrected by South, was a club lead against their slam.

But all this is ticky-tack bridge-lawyering. It is quite obvious that N-S were playing RONF and "feature," despite their ignorance or disregard of ACBL regulations. South is permitted to misbid without revealing that, so table result should stand for both sides, and a lecture given to N-S.

Stevenson: The ruling and appeal may be correct in Law, though telling South she should have told the opponents something she was not playing seems unnecessarily contentious, but the main culprit here is the accepted disclosure methods on ACBL CCs. It is extremely rare for anything to be put on the card showing what sort of ask is played, in fact I can only remember one card where it was on - my own.

Bobby keeps going on about CD: there is no evidence of CD here really, just an unfortunate situation where the correct legal ruling created an injustice in fact. I would suggest that Bobby and others would do better to insist on a better effort at Full Disclosure in the ACBL.

While the basic idea of the convention card is excellent with its check boxes, there are two main areas that need improvement: first, a second sheet is desperately needed, and the solution is simple: do not have the score card on the back. Second is the idea that should be clearly stated on the card that further details should be added on the second sheet and cross-referenced.

As a matter of detail, if feature responses are the most common, why is there no check box for feature responses? In fact, one for Ogust, one for feature responses, one for other would be best.

CASE TWENTY

Subject: Claim

DIC: John Gram

Stratified Open Pairs, first session, November 20, 2005

Panel: Matt Smith (reviewer), John Ashton and Gary Zeiger.

Bd: 27	North		
Dlr: South	♠ 6 2		
Vul: None	♥ 6 3 2		
	♦ K 6 5 4 3		
	♣ 10 9 2		
West		East	
♠ 9 3		♠ A K J 8	
♥ 7 5		♥ A Q J 8 4	
♦ A Q J 9 8 2		♦ 10	
♣ A 8 3		♣ K J 5	
	South		
	♠ Q 10 7 5 4		
	♥ K 10 9		
	♦ 7		
	♣ Q 7 6 4		

<i>South</i>	<i>West</i>	<i>North</i>	<i>East</i>
Pass	1 ♦	Pass	1 ♥
Pass	2 ♦	Pass	3 ♠ ⁽¹⁾
Pass	4 ♦	Pass	4 ♠ ⁽²⁾
All Pass			

(1) Alerted and explained as diamond support.

(2) West said "I guess I was wrong."

The Facts: The director was called after East claimed without a statement after trick 11. The play to that point had been as follows. The opening lead was the ♦7 won by the ace. A heart was led to the queen losing to the king. South shifted to the ♣4, declarer winning with the 8. Declarer next cashed the ♥A and the ♥Q and then led another heart that South ruffed with the ♣10.

South exited with the ♣Q, won by East's king. Declarer cashed the ♠A and ♠K and then played the ♣A, followed by a club to the ♣J. At this point, EW had lost two tricks and this was the position.

	North		
	♠ —		
	♥ —		
	♦ K 6		
	♣ —		
West		East	
♠ —		♠ J	
♥ —		♥ 8	
♦ Q J		♦ —	
♣ —		♣ —	
	South		
	♠ Q		
	♥ —		
	♦ —		
	♣ 7		

East explained to the director he thought it was obvious there was a high trump out and he thought it was understood he planned to play a heart to trick twelve. South believed East should be forced to play a spade to trick twelve and lose the last two tricks to her spade queen and low club.

The Ruling: The director believed East's earlier play made it clear he was aware of the outstanding high trump (Law 70C) and that resolving the claim as equitably to both sides, resolving any doubtful points against the claimer (Law 70A), should result in declarer winning one of the last two tricks. The score of 4♣ making four, EW +420 was assigned by the director.

The Appeal: NS appealed the ruling. All players attended the hearing, but the reviewer interviewed NS and EW separately out of necessity. North had 442 masterpoints, South 281, East 375, and West 415. The players confirmed to the reviewer the facts noted by the director. North added that when she pointed out to East that he had to lose a trick he said "You are right, I need to lose both."

East told the reviewer he did say that, but it was in response to South. South stated (erroneously) that she could direct the sequence of the claimer's plays in the absence of a statement. East said he did not know this was not true when he made the statement (to South) that he needed to lose both. East repeated to the reviewer that he knew the ♠Q was out and that he never would have led the ♠J to trick 12.

The Decision: The panel considered whether there was a chance that East had forgotten the trump position when he claimed. The law states that a claim should be accompanied at once by a statement of clarification (Law 68C). Law 70C states that a claimer must lose a trick to an outstanding trump if he does not mention it, if it could be lost in normal play (careless or inferior, but not irrational play for the class of player involved), and if it is at all likely that the claimer at the time of his claim was unaware that a trump remained in an opponent's hand. The first two conditions were present, but the panel believed that the third was not.

Although the claim could have been made several tricks earlier, the panel found it compelling that declarer had stopped playing trumps after he cashed the king (he would have played the jack at that point if he believed there was or even might be a low trump outstanding). As well, North had played a red card on the ♠K. Given the shortness of the trump fit and the size of the outstanding trump, the panel did not think it at all likely that this claimer had forgotten South had the ♠Q.

The panel assigned the score of 4♠ by East made four, EW +420. Particularly since NS apparently misunderstood East's remark at the table to indicate that he agreed he had forgotten about the trump, the appeal was found to have merit.

Players Consulted: None.

Commentary

Wolff: Here, trying to rule on a claim by a player who rebids 3♠ and then 4♠ on this hand is equivalent to judges ruling on a pirouette made by me in Olympic ice dancing. Nothing makes sense and Alice in Wonderland becomes the law of the land.

Rigal: I agree with the TD and Panel decisions given the delicacy of the trump fit and the fact that the missing trump was the ♠Q. Had the missing trump spot been any less obvious, the case would have been far harder.

Apfelbaum: A sound decision. The play indicates that East was aware of the outstanding trump. Once that point is decided, East must be allowed to lead a heart at trick twelve. I also agree the appeal has merit, if only because of the unfortunate conversation between the players.

French: No disagreement with the carefully-reasoned panel decision to uphold the TD's ruling as to the claim. But, ahem, wasn't there unauthorized information that the TD and panel should have addressed?

Having bid hearts and jumped in spades, West's Alert and explanation told East that West did not know of the spade suit (presumably 3♠ was artificial, somebody should tell us that) and expected diamond support. So he bid 4♠ in panic mode, despite the fact that he had already described his major suits. West's comment at that point was illegal but harmless because he passed 4♠, probably assuming East had the 5=6 hand he has shown.

We need to suppose what would have resulted behind a screen, which could easily be a reasonable 6NT contract by East or 6♦ by West. Certainly East would not have rebid a four-card spade suit. Either slam would probably go off just one, so -50 to E-W and +50 to N-S is the right score adjustment. (Law 81C6 and L12C2)

Now someone will say that N-S should keep their result because of the poor lead of the spade 4 by South. If he returned a heart instead East could still take ten tricks with skillful play, so we should assume that would have happened.

Wildavsky: I missed the UI aspect of this case when I wrote my initial comments. In retrospect I agree with Marvin -- the TD and Panel ought to have adjusted the score on that basis.

The UI suggested that 4♠ might work better than, say, 4NT, and 4NT by East is a logical

alternative. West would surely take that as Blackwood, so slam going down a trick seems like the right adjustment.

Stevenson: The ruling and decision on the claim are fine, except for the legalities. The panel did not assign a score: where claims are concerned the ruling is how many tricks are made. This makes a difference a lot less often than in [say] England where weighted assigned scores can be given, but not for claims. However, it still makes a difference in the ACBL since it is not legal to give the two sides different scores, since there are no assigned scores.

Furthermore, I agree with Marv and Adam that the UI was overlooked. When I read the sequence it seemed obvious this was a UI problem!

CASE TWENTY-ONE

Subject: UI

DIC: John Gram

Open Pairs, second session, November 20, 2005

Panel: Gary Zeiger (reviewer), Ron Johnston and Matt Smith.

Bd: 7	North		
Dlr: South	♠ A K 8 7 5		
Vul: Both	♥ 10 8 5 3		
	♦ A 7		
	♣ 10 4		
West		East	
♠ 10		♠ Q J 6 4 2	
♥ K J 9 4 2		♥ A Q	
♦ K 10 9 8		♦ Q 5 3	
♣ K Q 7		♣ 8 5 2	
	South		
	♠ 9 3		
	♥ 7 6		
	♦ J 6 4 2		
	♣ A J 9 6 3		
West	North	East	South
1♥	1♠	2NT	Pass
3♦	Pass	3NT	Pass
All Pass			

The Facts: The result was 3NT by East, making three, +600 EW, after the opening lead of the ♣9. The director was called after dummy came down, and informed West had announced, without being asked, before bidding 3♦, that she was taking 2NT as Jacoby. She then tabled a dummy inconsistent with treating 2NT as Jacoby. After the deal, NS were also concerned with possible use of UI by East when he bid 3NT.

The Ruling: The director ruled the UI from West's illegal announcement did not demonstrably suggest the 3NT call, and allowed the table result to stand. Law 16.A did not apply.

The Appeal: NS appealed the ruling. NS attended the hearing. EW had left the playing area before NS lodged their appeal. EW were reached the next day, and informed of the decision. Since the salient facts had been confirmed by the table director, EW's testimony was not considered critical to a fair resolution of the appeal. North had 1479 masterpoints, South 686, East 1580 and West 1657.

NS told the reviewer that East's 3NT rebid was not automatic and was obviously suggested by the UI. If East had no reason to believe West had misinterpreted 2NT, a 3♥ rebid, on A Q doubleton, opposite a presumed two-suiter was a stand out. They didn't know what might happen after a 3♥ rebid, but were sure West would not bid 3NT with a stiff spade.

The Decision: Two players with 1500 to 2000 masterpoints were given East's hand to bid without any UI. Each player bid 2NT, invitational, at his first turn, and then rebid 3♥. Neither

player could conceive of a different action. One player, with 1900 masterpoints, was given West's hand to bid. He was told that 2NT was systemically Jacoby. He didn't understand the 3♦ rebid, as opposed to 3♠, but said it didn't affect his next call. He planned on rebidding 4♥ after any rebid by East other than Blackwood.

The panel decided West's illegal announcement had given East UI which demonstrably suggested the 3NT bid (Law 16A.2). Based on peer input, the panel decided a 3♥ rebid by East was an LA, not suggested by the UI. Within the parameters of Law 12C.2, the panel assigned a contract of 4♥ by West, down one, +100 NS.

Players Consulted: Three peers of EW.

Commentary

Wildavsky: The panel corrected an injustice. I can't imagine what the TD was thinking.

Wolff: Many players at this level, (I think) use alerts to see partner's physical reactions and then act accordingly which is entirely consistent with our trying to judge it all.

Rigal: Terrible TD ruling - NS's contention regarding the 3♥ rebid by East is clearly correct. On that basis the only issue for the panel would be the number of tricks taken by West in 4♥. While some lines of play result in down two, I can live with the decision to impose down one only.

Apfelbaum: More peers deciding bridge appeals, and I have the same complaint about them. Please see my comments to CASE SIXTEEN.

Turning to the merits, West announced that they played 2NT as Jacoby. This is a heart raise. East knew that West believed she held heart support. The authorized information for East is that West holds long hearts and diamonds. This makes her club stopper very suspect. The auction definitely suggests a weakness there. This makes 3♥ a very attractive choice. However, the incorrect explanation means that East knows that West expects real heart support. She does not have real heart support. Therefore, she must bid 3NT to avoid the "bad" heart fit. This is exactly what Law 16 was created to deter.

Excellent decision, although I might have hoped for a better reasoning.

French: West needs a very stern lecture. If she was taking 2NT as Jacoby, she should have Alerted it with no comment. We are hearing too many Announcements of both Alertable and non-Alertable calls.

The TD should have gotten this right, as the panel did. Good work, panel.

Stevenson: What happened here is that West said she was taking 2NT as Jacoby and bid 3♦ whatever that means - presumably she thought it showed a second suit. East used UI to decide to bid 3NT perhaps. This is not as certain as it looks since poor players tend not to give preference on doubletons even when they should. Anyway, whether he knew what he was doing or not, it is routine to rule it back to 4♥.

But West's pass of 3NT is interesting. Perhaps she did not know whether 2NT was Jacoby or not, and 3NT convinced her it was not.

But the thing that is a standout to me, playing as I do a lot of club bridge, is that this feels to me like a pair that has done this before. It does not look to me like a first occurrence, thus it was important to teach them a lesson. Fortunately the panel corrected the TD's error.

CASE TWENTY-TWO

Subject: Tempo

DIC: John Gram

Open Pairs, first Session, November 20, 2005

Panel: Harry Falk (reviewer), Gary Zeiger and Matt Smith.

Bd: 16 North
Dir: West ♠ A 5 4
Vul: E-W ♥ J 9 8 7 4 3
 ♦ 8
 ♣ 8 5 2

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

 South
 ♠ 9 3
 ♥ K 5
 ♦ 10 6
 ♣ A K J 10 9 6 4

<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
1 ♦	Pass	1 ♠	2 ♣
2 ♠	Pass	4 ♠ ⁽¹⁾	Pass ⁽²⁾
Pass	5 ♣	Pass	Pass
5 ♠	All Pass		

(1) STOP card used.

(2) 20-30 second BIT.

The Facts: The result was 5 ♠ by East, down one, +100 for NS, after the opening lead of the ♣A. The director was called after North bid 5 ♣. He was advised of South's BIT after East's 4 ♠ bid. The director was called back to the table after the deal.

The Ruling: The director disallowed North's 5 ♣ bid, as a violation of Law 16A and assigned a contract of 4 ♠ by East, making four, +620 EW per Law 12C.2

The Appeal: NS appealed the ruling. All players attended the review. North had 1292 masterpoints, South 1000, East 2330 and West 2330. The reviewer asked the players to recreate the auction, using bidding boxes, as close to actual time used as they could recall. The reviewer timed the BIT as about 20 seconds, enough of a break beyond the required 10 seconds to establish an unmistakable hesitation. North said he didn't feel his hand warranted a club raise before the opponents reached game. Once they bid game, he thought he had a good save, non-vulnerable vs. vulnerable.

The Decision: Two players with 1000 to 1500 masterpoints were given North's hand to bid, without any UI. Both players considered bidding 3 ♣ over 2 ♠, but were willing to accept a pass. Each player then passed over 4 ♠. When asked what information any BIT by partner, over 4 ♠ might give them, they each said partner must be thinking about bidding again.

The panel decided there had been an unmistakable hesitation by South after the 4♣ call, which gave North UI demonstrably suggesting the 5♣ bid. The 5♣ bid was disallowed, per Law 16.A. The panel assigned a result of 4♣ by East, making four, for a score of +620 for EW per Law 12C.2. The panel further decided the appeal (just barely) had merit.

Players Consulted: Two peers of NS.

Commentary

Wildavsky: This appeal had no merit. I suggest to panels and ACs that when they feel the need to add the qualification "just barely" that they reconsider whether the appeal is meritorious. NS behaved exactly as a pair who was trying to convey and use UI would have. We need not conclude that they were cheating to adjust the score, nor to assess what is after all only a warning.

Wolff: Now for the real game of "Last bidder gets the zero." How can anyone with a straight face try explain a reason for why some of these players bid what they do? I know that it is a job and someone has to do it, but judging it reminds me of the 1940s radio quiz program *It Pays to be Ignorant*. Here's a sample question: "Did Lincoln die before or after he gave his Gettysburg address?"

Rigal: Any North incapable of bidding 3♣ over 2♣ does not get to bid 5♣ over 4♣. Well decided by everyone - the only issue I object to is the fact that NS did not get hit with an AWMW.

Apfelbaum: I have to wonder exactly what merit this appeal had for the committee. The players all agreed about the break in tempo. North's spade holding meant that South's break in tempo could only mean a hand thinking about a sacrifice. North did not take action earlier (a 3♣ bid seems pretty obvious). Therefore, assign a result for 4♣.

If the committee did not want to assign an AWMW on such an obvious hand, it should explain why.

French: The TD was called after North bid 5♣. Why?? With the long BIT surely acknowledged, what could he do except say "Play on and call me back later if there's a problem." This is a waste of everyone's time in a timed event. It serves no purpose, and it violates Law 16A2, which says you call the TD when you have evidence, not merely a suspicion, of an irregularity. As it says, that can only be "when play ends, or, as to dummy, when dummy is exposed."

More often than not no irregularity will result from the BIT, and the hard feelings that might arise from an unnecessary TD summons will be avoided, not to mention the time saving for both the table and the TD.

When it may be difficult to establish the existence of a BIT later, the TD should be called at the time of the BIT to determine that.

As to this case, the ruling and panel decision were so clear-cut that appealing was a waste of everyone's time. The appeal had no merit whatsoever and an AWMW should have been issued.

Stevenson: The appeal has no merit: I wonder why there was no AWMW? Did the panel think that N/S were inexperienced?

A question being raised in the English casebooks is the habit of some English ACs to return deposits [the equivalent of not giving an AWMW in the ACBL] because the players are inexperienced. It is suggested that this gives the wrong message, and perhaps deposits should be kept anyway.

Whether this was the reasons or not for not giving an AWMW, I feel it was a mistake.

CASE TWENTY-THREE

Subject: Tempo

DIC: Bob Leonard

Daylight Open Pairs, first session, November 21, 2005

Panel: Bernie Gorkin (reviewer), Tom Whitesides and Matt Smith.

Bd: 28 North
Dir: West ♠ K 10 3
Vul: N-S ♥ A 8 6 5 3
 ♦ Q
 ♣ Q 1 0 7 2

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

South
♠ —
♥ K Q J 9 7 4
♦ 9 3
♣ 8 6 5 4 3

West	North	East	South
1♦	1♥	1♠	4♥ ⁽¹⁾
Dbf ⁽²⁾	Pass	4♠	5♥
Dbf	All Pass		

(1) STOP card used.

(2) Two minute BIT, agreed.

The Facts: The result was 5♥ doubled by North, down one, +200 EW, after the opening lead of the ♦A. The director was called after the 4♠ bid, informed of the BIT, then called back after the deal was played.

The Ruling: The director allowed the table result to stand, saying there was no LA to East's 4♠ bid, so no violation of Law 16A had occurred.

The Appeal: NS appealed the ruling. All players attended the review. North had 2000 masterpoints, South 2000, East 146 and West 598. The BIT after South's 4♥ bid was agreed by all players to be very long. NS claimed that with a defensive trick, pass by East was a possible action, instead of 4♠. They also said they had been ruled against in a similar situation in 1983. EW said they do play negative doubles, but in their style the 1♠ bid only guaranteed at least four. East said that with seven spades and four-card support for partner's first bid suit, she had little defense.

The Decision: Six players with 150 to 250 masterpoints were given East's hand to bid, without any UI. All six bid 4♠ without much thought. Since an AWMW was a possibility, the reviewer also polled two players with about 2000 masterpoints about what they would do with the East hand. Each player thought 4♠ automatic. The panel ruled there was no LA to East's 4♠ bid, thus no violation of Law 16A. The panel also decided the appeal lacked substantial merit, and

assigned an AWMW to NS.

Players Consulted: Two peers of NS and six peers of EW.

Commentary

Wildavsky: I agree with the rulings, but I think the appeal had merit. The question at hand was whether or not there was an LA to the 4♣ call. The panel found that 4♣ was clear-cut and seem to have assessed an AWMW on that basis.

Look at it another way. Six out of six of those polled bid 4♣. Had one passed instead, then the Panel would have ruled in favor of the appellants.

It seems that the only possibilities were that NS could win their appeal or they could be assessed an AWMW.

Wolff: The only thing worse than having to deal with the four players at the table is to ask six of these player's peers what they would do. I take it back since asking seven would be worse. Who in the ***** cares what they would do. I would wager that if five minutes later you would ask the same group the same question, you would get six different answers.

Rigal: This is a truly rare occurrence; a BIT with no LA alternative to the 4♣ bid suggested by the UI. With the TD correctly telling the non-offenders that this was so, they richly deserved their AWMW.

Apfelbaum: East made a strong statement that she understood exactly why bidding 4♣ was automatic - she had a long suit with good support for partner. Someone who defends her position like this has a different set of peers than someone who fails to mention the diamond fit. See my discussion about peers as part of CASE SIXTEEN.

The 4♣ bid is automatic, based exactly on the logic in East's defense of her choice. North-South should have understood this. The AWMW is entirely appropriate.

French: Another easy case that should not have been appealed. How could anyone even ask for a ruling after seeing East's hand, and then appeal if it is unfavorable? It's too bad there isn't a greater sanction than an AWMW.

Stevenson: I do not understand why there seems a problem with polling players. Sure, if the hand was different the results would be different - so?

I do not agree with Adam's conclusion. Since it was a meritless appeal, the only possibilities were that the panel would give an AWMW or that they would get it wrong. Well, either getting things right or wrong is normal!

CASE TWENTY-FOUR

Subject: Claim

DIC: Doug Grove

Compact KO Teams, Bracket 7, semi-final, November 21, 2005

Panel: Bernie Gorkin (reviewer) and Gary Zeiger.

Bd: 25	North		
Dlr: North	♠ 5 3 2		
Vul: E-W	♥ A K 10 5 3		
	♦ J 5		
	♣ A 9 2		
West		East	
♠ A K 9 8 7		♠ 10 6 4	
♥ 2		♥ 8 7 4	
♦ K Q 9 2		♦ A 10 8 4	
♣ 8 6 5		♣ Q J 10	
	South		
	♠ Q J		
	♥ Q J 9 6		
	♦ 7 6 3		
	♣ K 7 4 3		
West	North	East	South
	1♥	Pass	3♥ ⁽¹⁾
3♠	Pass	4♠	Pass
Pass	Dbl	All Pass	

(1) Limit raise.

The Facts: The result was 4♠ doubled by West, making four, +790 for EW, after the opening lead of the ♥A. This was the first board of a six-board KO segment. The director was called after completion of play on board 30 and told NS wished to withdraw their acquiescence to a claim. The play had proceeded: Two top hearts by North, declarer ruffing the second. Declarer drew three rounds of trump, ending in dummy, with South pitching the ♥J on the third round. Declarer played two high diamonds, ending in hand. At trick eight, declarer claimed, in this position, saying, "You get two high clubs."

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

NS stated that South could win the first club, play his last heart, forcing declarer to ruff, and leaving North with a good heart when he won his ♣A.

The Ruling: The director allowed the table result to stand, citing Law 69B. The director stated it would be careless or inferior, but not irrational, for North to play the ♣A on the first round of clubs, allowing 4♣ to make, since South had pitched a heart on the third round of trumps.

The Appeal: NS appealed the ruling. All players attended the review. North had 346 masterpoints, South 573, East 914, and West 1112. NS stated South was marked with the ♣K from his 3♥ bid, which meant ducking the ♣A was automatic. They had not worked out what should have happened until after completing the segment.

The Decision: As noted in the director's citing of Law 69B, once acquiescence occurs, the burden of proof for withdrawal switches to the acquiescing side. If ducking the ♣A was automatic, NS should have been able to work out the consequences before acquiescing to the claim. The panel agreed with the director's judgment that, "for this class of player" rising with the ♣A would be careless or inferior, but not irrational.

The panel thought the length of time it took NS to work out the position was significant. If NS had worked out the position after beginning the auction on the very next board, the panel would have been more inclined to rule in favor of NS. The panel assigned a result of 4♣ doubled, making four, +790 EW.

Players Consulted: None.

Commentary

Wildavsky: Both the TD and the Panel ruled according to the laws - good!

Wolff: For anyone to say winning the ace of clubs, instead of allowing partner to win his king of clubs and clear the hearts so that you could set the hand, he is the one who is irrational not the player who didn't have a chance. The director's must realize that when someone claims, it is polite to think that he is justified and sometimes reason goes out the window and manners take over to allow it. Since that is a human fault, much greater latitude should be given an acquiesce and irrational should be strictly interpreted to allow justice to win

Why is that so hard to understand this. It is so clear to anyone who has been around a few years that our laws, while mostly adequate, could have been written so much better to allow justice to usually be done. For the ACBL to not allow 12C3 (of course the WBF uses it), not to be used, has resulted from Edgar Kaplan's total distrust of allowing any responsibility in the hands of the director.

I hope times have changed and the current group of directors, together with their consulting, are able to handle it and if not, after the criticism that would result, they would soon learn how to handle it or look for another job. Why can't it be in cinemascope that EW don't deserve +790 and see that it doesn't happen. Shame on these directors!

Rigal: I'm not absolutely *au fait* with the provisions of Law 69B, but I'll accept the fact that NS were out of time to appeal the concession. That said, the director and panel clearly made the right decision. The trick in question could be lost by inferior play - just as the panel indicated.

Apfelbaum: Law 69B places the onus on the acquiescing side to show they would be entitled to an extra trick. The fact it took so long is not necessarily dispositive. They had several boards yet to play. It does indicate that for this class of player ducking a club to South is not immediately obvious.

I was not there to hear the players. I will trust the committee's judgment.

French: A true miscarriage of justice if there ever was one. Nobody would rise with the ace of clubs when it can't possibly be lost even if West has the king. Ducking is one of the most automatic plays in bridge, done without thought, why think? Rising with the ace would be irrational, crazy.

Law 69B says the acquiescence is cancelled if it gave up a trick that could not be lost by any normal play of the remaining cards, including play that would be careless or inferior for the class of player involved, but not irrational.

Players do not always analyze a claim correctly, especially one of this type, which often slips through. That does not mean they would make an irrational play had the claim not been made, and the claim should have been annulled. Rulings like this give *carte blanche* to cheating claimers who hope to hoodwink opponents.

Stevenson: I am surprised at Bobby and Marv: there is no question that if the correct play had been automatic it would have been seen at the time: since it was not, it was not automatic.

Note that as in a later case the write-up refers to assigning a score: there is no assigning where claims are concerned, and Law 12C2 does not apply. This also means that Law 12C3, used in other parts of the world, cannot be used in conjunction with a claim, where the TD and panel merely decide how many tricks are made. That decision cannot be split, ie it has to be the same for each side, and even in jurisdictions that use Law 12C3, that decision cannot be weighted, ie only a single figure for number of tricks is permitted.

CASE TWENTY-FIVE

Subject: MI

DIC: Sol Weinstein

Open Pairs, first session, November 22, 2005

Panel: Ron Johnston (reviewer), Charlie MacCracken and Matt Smith.

Bd: 12
Dir: West
Vul: N-S

	North		
	♠ A Q J		
	♥ A Q 8 7		
	♦ 9 5 2		
	♣ K 6 2		
West		East	
♠ 5 4 3 2		♠ K 10 9 6	
♥ K 10 3		♥ J 4	
♦ A J 7 4		♦ K	
♣ 9 3		♣ A Q J 8 5 4	
	South		
	♠ 8 7		
	♥ 9 6 5 2		
	♦ Q 10 8 6 3		
	♣ 10 7		

<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
Pass	1NT ⁽¹⁾	2NT ⁽²⁾	Pass
3♣	Pass	Pass	3♦
All Pass			

(1) 15-17.

(2) Alerted and explained as clubs or 4-4-4-1.

The Facts: The result was 3♦ by South, down three, -300 for NS, after the opening lead of the ♣9. The director was called after the deal was played. NS claimed the 2NT bid was an illegal convention and they had been damaged by its use. EW claimed the explanation was incorrect. They said 2NT just shows clubs. A note on the convention card said they played the same structure as over 1NT openers.

The Ruling: The director ruled that 2NT was illegal, since the convention cards suggested it did not guarantee a known suit. EW's score was adjusted to 3♣ by West, down one, +50 NS. For NS, the damage was perceived to be unrelated to the convention. When South bid 3♦, she knew East had shown just clubs. For NS, the table result of 3♦ down three, +300 EW was allowed to stand.

The Appeal: EW appealed the ruling. All players attended the review. North had 8550 masterpoints, South 1313, East 925 and West 971. EW said the opponents had not been placed in an unfair situation. When the 3♣ bid came around to South, the illegal adjunct had become irrelevant. South should have been on her own. NS thought an assigned score for both pairs was in order.

The Decision: If EW were not actually playing the 4-4-4-1 part of the 2NT bid, West should never have mentioned it. The convention cards supported the notion that they indeed were

playing it. EW were assessed a one-fourth board PP for playing an illegal convention. Since the only part of their agreement which was illegal had no bearing on the deal, the table result was restored for both sides. The panel assigned a result of 3♦ by South, down three, +300 EW.

Players Consulted: None.

Commentary

Wildavsky: The panel's ruling seems better than the TD's. To know for sure, I'd need to see the ACBL's regulations regarding the use of illegal conventions.

Wolff: Finally the light dawns and bridge -300 for NS (if you call his 3♦ bid bridge) plus +300 for EW minus a 1/4 board PP penalty serves this hand. Why can't all rulings try to achieve this type of result?

Rigal: In an apparently complex case both the TD and panel focused on the critical issue (that the infraction did not cause the damage) and got everything correct, down to the PP. Well done!

Apfelbaum: Absolutely the right decision. By the time South chose to bid 3♦, it was already known that East held clubs. There was no reason to change the table result.

However, East-West were playing an illegal convention. Assessing a penalty for its use is totally appropriate.

French: That was some 3♦ bid, vulnerable. The panel corrected the TD's strange illegal ruling. Well done panel, including the PP, the first I've ever heard of for this type of offense. Let's hope it becomes customary.

Stevenson: The decision by the panel seems so routine that I am just surprised the original ruling was different.

CASE TWENTY-SIX

Subject: MI

DIC: Matt Smith

Mini-Blue Ribbon Pairs, first qualifying session, November 22, 2005

Panel: Ron Johnston (reviewer), Su Doe and Roger Putnam.

Bd: 2	North
Dlr: East	♠ 4
Vul: N-S	♥ J 10 9 6
	♦ 7
	♣ Q J 9 8 7 5 2
West	East
♠ A 8 6 2	♠ J 10 9 7 5
♥ K 8 7 2	♥ A Q 5
♦ 9 6 3	♦ A J 4
♣ 4 3	♣ 10 6
	South
	♠ K Q 3
	♥ 4 3
	♦ K Q 10 8 5 2
	♣ A K

West	North	East	South
		1♠	1NT ⁽¹⁾
2♣ ⁽²⁾	Pass	Pass	2♦
2♠	3♣	Pass	3NT
Pass	4♣	Pass	4♥ ⁽³⁾
All Pass			

(1) 15-17.

(2) Not Alerted, but intended as spade raise. East belatedly said it showed any one-suited hand.

(3) One ace.

The Facts: The result was 4♥ by South, down three, +300 for EW, after the opening lead of the ♦3. The director was called when dummy came down and again at the end of the deal.

The Ruling: The director ruled it was at all probable that South would have passed 2♣ had he known West's bid was a constructive spade raise, the actual agreement (Law 40C, 12C.2). For NS, the director ruled it wasn't likely South would pass and the subsequent damage was unrelated to the misinformation. The table result stood for NS, -300.

The Appeal: NS appealed the ruling. Only NS attended the review, although EW had been notified. North had 3358 masterpoints, South 2834, East 1718, and West 2278. North said, if he had known 2♣ wasn't natural, he had an easy 2♠ bid available as a transfer to 3♣. When he thought 2♣ was natural, he didn't think he could risk the confusion a 2♠ bid might cause. On this hand, South would have super-accepted by bidding 2NT and then pass North's 3♣ bid. NS both said they would pass if West competed to 3♠. Confusion obviously arose during the actual auction, none of which would have occurred had they known 2♣ wasn't natural.

The Decision: Several experts were consulted about various aspects of both North's and

South's bidding problems. Additionally, two players were given the West hand to bid, if NS stopped in 3♣. The consensus of the responses was there was zero chance South would pass out 2♣. The two players who bid the West hand each bid 3♣, rather than pass out 3♣. Based on expert input, NS passing out 3♣, was not deemed "likely" or "at all probable."

South's 4♥ bid, in the actual auction, was considered a failure to play bridge. If not for that, NS would have played 4♣, the result the expert input suggested was both "likely" and "at all probable." For NS the Panel assigned a result of 4♥ by South, down three, for NS -300. For EW, the panel decided they were not entitled to benefit from the confusion their MI gave NS. EW were assigned a result of 4♣ by North, down one, +100 EW. The appeal clearly had merit.

Players Consulted: Eddie Wold, Jeff Miller, Larry Mori, Don Stack, Corinne Kirkham and Claude Vogel.

Commentary

Wildavsky: It's not clear to me that the expert consultants were asked the right questions. How did the panel conclude that it was not even at all probable that NS would sell out to 3♣? NS did not do well in the actual auction, but it's not as if they weren't trying. They were faced with a situation they ought not have had to deal with. I'm marking this one as too close to call.

Wolff: Again equity comes to our rescue and peeks out from troubled waters. Bravo!

Rigal: I do not agree with either the TD or panel here though my disagreement is more on appoint of principle than anything else. Where, as here, there has been MI the question should be asked: "Had South not been misinformed, is there a greater chance that he would have passed 4♣ than on the auction plus explanations that actually occurred?"

The answer is surely yes. If so, then despite the fact that South might be argued to have stopped playing bridge (it is a qualifying day of a weak event, remember) then NS should not get landed with the table result. Of course EW should not be allowed to profit - they were correctly given +100 only, but NS should get the reciprocal of that.

Apfelbaum: I fail to see why a pair cannot profit by a failure to play bridge. The fact that it came from confusion caused by misinformation is not particularly relevant to me. Someone's brain went "kaflooie." It might just as well have gone "kaflooie" without the misinformation.

Otherwise, this is an excellent decision.

French: This is not an easy case, causing everyone a lot of grief, and I wish EW had been socked with a big PP for failing to Alert and explain the 2♣ bid.

South actually thought 4♣ was Gerber even though North had passed 2♣. I wonder what sort of hand he expected North to have. For this "failure to play bridge" he gets nailed with the 4H contract by the panel. Hey, panel, no one at this level knows how to bid.

Anyway, South, confused by the 2♣ bid, presumably natural, knew North could transfer to clubs over it, therefore didn't dream that North had clubs, probably forgot North's previous pass or thought it inadvertent, and showed one ace. He does not deserve to be crucified for this when it would not have happened absent the failure to Alert.

Sorry, I have to explain something. It is only when the non-offenders could easily have avoided damage that redress is annulled by some irrational action. For this NS there was no easy way to avoid damage, they didn't know how. Moreover, for this South the 4H bid was not irrational and he was due redress.

Okay, suppose East had Alerted and explained 2♣ as showing some one-suited hand OR a spade raise. North would bid 2♠, transfer to clubs, and I guess North says South would "super accept" by bidding 3♣, a doubtful bid with AK bare, but let that pass.

Now north would sign off in 3C and the panel determined that West would certainly bid 3♠, despite the fact that he has already shown his hand, rather than pass 3♣. That seems right, not vulnerable, but it's close to grant that for an offending side. Okay, grant it. Now they say North will bid 4♣, despite the NS denial of that (admittedly irrelevant) and lack of expert opinion. That 3♠ goes off one, possibly doubled by South, isn't mentioned.

Adjust the score to 4♣ by South, off one, -100, and +100 for EW. That's probably giving insufficient benefit of doubt to NS and too much to EW, but I can buy it.

Stevenson: It seems pretty obvious that E/W should not profit from their MI so their adjustment seems fine.

How about N/S? The interpretation of when to give no redress to the non-offenders is more stringent in the ACBL than the rest of the world, ie in the ACBL it is more likely that redress will be denied. The standard has been set variously as "if the non-offenders make an egregious error" or "if the non-offenders fail to play bridge".

Now, it is possible that some people will think this is not fair. If there had been no infraction, the non-offenders would not have faced the problems they did, so why should they be penalised for going wrong? The answer to that is that such a decision is not one for a TD, panellist, AC member or commentator: once the ACBL have made such an interpretation of the Laws it is the job of everyone to follow it.

So, were the actions of N/S bad enough to be described as "making an egregious error" or "failing to play bridge"? I am afraid I am in agreement with the panel: they were that bad.

That is where Barry's comments go astray: I agree this does not seem fair on N/S, but we have to follow the ACBL's interpretation, not what we would like to do.

CASE TWENTY-SEVEN

Subject: UI

DIC: Matt Smith

Mini-Blue Ribbon Pairs, second qualifying session, November 22, 2005

Panel: Ron Johnston (reviewer), Bernie Gorkin and Gary Zeiger.

Bd: 24 North
Dir: West ♠ Q 9 7 6 5
Vul: None ♥ 9 7
 ♦ A J 10 5
 ♣ A 6

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

 South
♠ —
♥ A J 8 6 2
♦ K Q 9 6 4 2
♣ K 2

<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
Pass	1 ♠	Pass	2 ♦
Pass	3 ♦	Pass	3 ♥
Dbf	3NT	Pass	4 ♥
Dbf	5 ♣	Pass	6 ♦
All Pass			

The Facts: The result was 6♦ by South, making six, +920 NS, after the opening lead of the ♥K. The director was called before North bid 5♣ and told that South had just blurted out, "I didn't see those doubles." NS confirmed the remark. The director was called back after the deal was played. West further alleged that North had taken out a different bid card 4♦, before bidding 3NT, giving South UI. NS disputed this.

The Ruling: The director allowed the table result to stand, NS +920. He ruled that passing was not an LA for South after the 3NT bid, even if South had UI, which was hotly disputed. He further ruled the UI from South's comment was unrelated to North's 5♣ bid. Law 16A had not been violated.

The Appeal: EW appealed the ruling. North, South and West attended the review. North had 2750 masterpoints, South 1950, East 860 and West 1500. West said South should not be allowed to pull 3NT after North's uncertainty. If the pull was allowed, he thought North should be forced to bid 5♦ after South's comment. South would then pass 5♦. NS agreed the comment had been made, which was 100% out of line. They continued to dispute the allegation of North fumbling before bidding 3NT. Regardless, South said she would always bid out her shape. North agreed he was compromised by South's comment before he bid 5♣, but felt that, after slowing the auction down with 3NT, he could safely cue 5♣ on the way to 5♦.

The Decision: Two players with around 2000 masterpoints were given South's hand to bid.

Each bid 4♥ over 3NT, and thought it automatic. Two other players with around 2000 masterpoints were given North's hand to bid. Each player repeated North's actions. When asked what information they might derive from a comment from partner about not seeing the doubles, they each said that maybe partner was lying about the heart controls, which would discourage them from bidding 5♣.

The panel agreed with the consulted players' opinions and decided no violation of Law 16A had occurred. The panel assigned a result of 6♦ by South, making six, +920 NS. The panel also assigned NS a one-fourth board PP for South's comment during a live auction.

Players Consulted: Four peers of NS.

Commentary

Wildavsky: The TD and Panel rulings were correct. The panel improved upon the TD's adjustment by adding an appropriate procedural penalty. The appeal had little merit, and while it was unlucky for NS that EW's appeal led to a reduction in the NS score, the panel did well to assess the penalty that the TD ought to have applied himself.

Wolff: The light is shining brighter and brighter since bridge (I guess) is played and scored and culprits are punished.

Rigal: If it is established (as I think it is) that no impropriety took place with the 3NT call, then all we have to deal with is South's comment - correctly if harshly penalized with one-fourth board PP - and the question of damage from that comment. As the TD and panel correctly pointed out, this was unlinked to the 5♣ call. Well done again by both.

Apfelbaum: Excellent decision. After North raises South's two-over-one response, South should bid out her shape. There are too many slam possibilities. Once North is aware that South is 5-6 in the red suits, it is easy to cue the ♣A holding such good four-card support for diamonds. South's comment was completely out of line. The committee correctly assessed a procedural penalty.

French: Why can't players keep quiet during the auction, using only their bidding boxes to communicate with partner? It's good to see South getting a PP for her remark. There is no indication that North used it to advantage.

The removal by North of the 4♦ bid card before bidding 3NT is a more serious concern. Having been given a diamond raise, however, South certainly could not logically pass 3NT. West's arguments were silly, North's intelligent.

Good ruling, good panel decision, but where is the AWMW?

Stevenson: Assuming that the write-up is accurate as to timing, West alleged that North had changed his call but the allegation came at the end of the hand and was hotly disputed.

There was no need for any hot disputes. Once E/W failed to mention it until the end of the hand the TD and panel should routinely assume it did not happen if it was disputed.

The whole reason that the ACBL does not allow reserving rights is to make absolutely sure that facts especially in UI cases are established as immediately as possible after the alleged events

have occurred [or not].

The TD should have made that clear to E/W: then, if they took it to appeal, there was more case for an AWMW.

CASE TWENTY-EIGHT

Subject: Claim

DIC: Matt Smith

Mini-Blue Ribbon Pairs 1st Final November 23, 2005

Panel: Charles MacCracken (reviewer), Su Doe and Roger Putnam.

Bd: 6
Dir: East
Vul: E-W

North
♠ A K 5 3
♥ J 9 7
♦ K J 10 4 3
♣ 5

West
♠ Q J 9 7 6 2
♥ A Q 8 6
♦ 9 7 2
♣ —

East
♠ 10 8
♥ K 10 3
♦ 6 5
♣ A K Q 8 4 3

South
♠ 4
♥ 5 4 2
♦ A Q 8
♣ J 10 9 7 6 2

<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
		2♣ ⁽¹⁾	Pass
2♠ ⁽²⁾	Pass	3♣	Pass
Pass	Dbl	Pass	Pass
Rdbl	Pass	3♥	Pass
Pass	Dbl	All Pass	

(1) Natural, limited opening bid.

(2) Non-forcing.

The Facts: The result was 3♥ doubled, by East, down two for +500 for NS, after the opening lead of the ♠4. The play had gone spade won by the ace. The ♠5 (suit preference) was returned and ruffed by South. South then cashed the ♦A and led the queen, overtaken by the king. North switched to the ♠3. Declarer ruffed with the ♥10, cashed the ♠A, pitching dummy's diamond, played ♥K and continued with a heart to the ace. When both followed he claimed (see position below) saying: "Dummy's good." The director was called at this point.

	North	
	♠ K	
	♥ J	
	♦ J 10 4	
	♣ —	
West		East
♠ Q J 9		♠ —
♥ Q 8		♥ —
♦ —		♦ —
♣ —		♣ K Q 8 4 3
	South	
	♠ —	
	♥ —	
	♦ 8	
	♣ J 10 9 7	

Declarer admitted he forgot the ♠K, but when the director was at the table said: "Of course I'll draw the trump."

The Ruling: Two tricks were given to the defense. Since declarer forgot the ♠K, he might have forgotten the trump position, Law 70. The final result was 3♥ doubled, down two for a NS score of +500.

The Appeal: All four players attended the hearing. North had 950 masterpoints, South 2250, East 3025 and West 2600. Declarer said it was obvious he knew about the outstanding trump. He asked NS if they thought he was unaware of the outstanding trump, but neither was willing to make such a judgment.

The Decision: Law 70A requires the director to adjudicate a challenged claim as equitably as possible to both sides, but any doubtful point must be resolved in the non-claiming side's favor. There was an outstanding trump and it could take a trick on a normal line of play, so the conditions of Law 70C1 and 3 were met. Thus a trick or tricks must be awarded NS if "it is at all likely that claimer at the time of his claim was unaware that a trump remained in an opponent's hand." (Law 70C2)

Normally, when declarer claims as soon as he finds out his trump holding is powerful enough to draw the remaining trump, the director rules the conditions of Law 70C2 have not been met. Thus, there is no "doubtful point" as defined by Law 70A. In this case, declarer forgot the ♠K. That indicated a certain lack of attention to the deal and the panel decided it was just enough to create a "doubtful point" about the outstanding trump and that must be resolved in the non-claiming side's favor. The panel assigned a result of 3♥ doubled by East, down two, +500 for NS. The panel felt this was a very close call, thus the appeal had merit.

Players Consulted: None.

Commentary

Wildavsky: Good work by the TD and the Panel.

Wolff: Good ruling.

Rigal: Nicely spotted by both TD and panel. When a player has forgotten a master card in a side-suit, he cannot claim to have counted trump correctly if he says nothing about an outstanding trump. No merit though. The TD's decision is identical to the panel's with no new evidence presented.

Apfelbaum: A sound decision. Declarer did not draw all of the enemy trumps before claiming, and failed to recall there was a high spade outstanding. There might be some people who would want declarer to draw both of dummy's trumps before "cashing" a spade, but the appellants did not make that argument and it strikes me a bit severe in light of the class of player involved.

French: East thinks the spades are high and does not mention the outstanding trump when making his claim. He may have thought the spades were high but he sure as heck didn't think all outstanding trumps were gone. In view of that Moysian fit he was no doubt paying very close attention to the heart situation, so much so that he forgot about the spade king. There is no evidence that he was unaware of the outstanding trump. When both defenders followed to the ace he carelessly claimed, thinking everyone knew he would play the heart queen next. Can't do that.

Okay, so make him lead spades first. Winning the king, North leads a diamond, ruffed, and now only the heart queen and two good spades are in dummy. No one in the world cashes those cards in the wrong order; it's automatic with a good trump and two winners to play the trump first, the reverse is not "normal" play. Moreover, it's impossible that declarer didn't know the heart jack was still out.

North-South could have asked the TD to allow the claim, is there no sportsmanship anymore? Nevertheless the claim should have been allowed, except for the spade king. Rulings like this make players think that the Laws are very stupid, but their blame is misplaced.

Danny Kleinman has a good rule for non-experts: Never claim, never concede. How much time would be saved if they would just follow that rule!

Stevenson: At first sight I thought this was a type of case that I classify as a standard disputed claim. The conditions are:

- 1 Declarer is claiming
- 2 There is one and only one trump outstanding
- 3 Declarer makes no mention of the trump in his statement
- 4 Declarer always says to the TD "Of course I knew there was a trump outstanding"
- 5 The last trick played was not a trump

In such cases I think we should teach TDs, panels and ACs to *always* give a trick or more to the defense if legally possible.

However, the interest in this case is that #5 is not satisfied, and declarer could argue with some justification that he was testing trumps: once he knew there was no problem he claimed. This did not mean he did not know there was a trump outstanding.

Compare the case where declarer has a trump suit of AKxx opposite QJxx in a grand slam. He cashes one round to make sure they are not 5-0 and then puts his hand down with no statement about drawing trumps. Of course he would be given his contract, perfectly correctly.

So because #5 is not present in this case, I have a slight doubt about it, but on balance I believe the panel was correct.

CASE TWENTY-NINE

Subject: MI

DIC: Matt Smith

Mini-Blue Ribbon Pairs, first final, November 23, 2005

Panel: Charles MacCracken (reviewer), Su Doe and Roger Putnam

Bd: 6		North		
Dlr: East		♠ A K 5 3		
Vul: E-W		♥ J 9 7		
		♦ K J 10 4 3		
		♣ 5		
	West		East	
	♠ Q J 9 7 6 2		♠ 10 8	
	♥ A Q 8 6		♥ K 10 3	
	♦ 9 7 2		♦ 6 5	
	♣ —		♣ A K Q 8 4 3	
		South		
		♠ 4		
		♥ 5 4 2		
		♦ A Q 8		
		♣ J 10 9 7 6 2		
	West	North	East	South
			1♣	2♣ ⁽¹⁾
			3♣	
	Dbf	Pass		
	All Pass			

(1) Natural. EW did not hear the alert.

The Facts: The result was 3♣ by East down two, for a score of +200 to NS after the opening lead of the ♠4. This was the last board of the round and the director was called prior to the next round. West's double had shown a desire to defend a major suit contract (if 2♣ were Michaels). East bid 3♣ immediately, because he had a minimum and did not want to defend a two-level major suit contract. After the deal, EW realized the 2♣ overcall was natural.

The Ruling: Since the alert was not heard, regulation requires ruling that it was not made. The staff projected the following auction based on EW knowing the 2♣ bid was natural.

----	----	1♣	2♣
2♣	Pass	2NT	Pass
3♥	Pass	3♣	All Pass

A double of 3♣ by North was considered, but discarded, because of the obvious minimum nature of South's overcall.

After the lead of the ♣5, West can discard two diamonds while North ruffs the second club. West would have only three more losers, so EW was awarded +140. Laws 40C & 12C2 were cited.

The Appeal: NS appealed the ruling. South and East attended the hearing. North had 3339 masterpoints, South 2783, East 2200 and West 1300. South stated NS had an agreement that he

would double 2NT with a good club suit and an outside ace, so North would never lead her singleton club. He was asked what he would do with six clubs to the A Q J and out. South said he would pass. South was asked which suit North would lead if not a club and he responded that was a tough question. The hearing was in the playing area right after the session, but North did not say what she would have led and why.

The Decision: Two experts and four players with 2500 to 4000 MPs were consulted. All bid the North hand with the information that South could double 2NT to show good clubs and an outside ace. All led a club. When asked for a second choice, there were none.

Given the expert advice, the panel believed it certain that 3♣ would make and awarded a score of NS -140 and +140 to EW. Law 40C and Law 12C2 were cited.

Since South's appeal was based completely on North not leading the suit of partner's overcall and since none of the consultants even considered any other lead, the appeal was judged to have no merit and an AWMW was issued to NS.

Players Consulted: Adam Wildavsky, Bill Wickham and four players with 2500 to 4000 masterpoints.

Commentary

Wildavsky: I agree that the appeal had no merit.

It's worth noting that ACBL regulation require that when Alerting a player both say "Alert" and display the "Alert" card from the bidding box.

Wolff: Another well-reasoned ruling.

Rigal: Assuming 2♣ both requires an alert, and that the basis of the ruling is correct (that the fact that it was not heard means it was not properly made) then the TD ruling is clear, and the panel verdict plus AWMW were also properly decided. As miserable and pettifogging an appeal as I've heard since CASE FOURTEEN.

Apfelbaum: The key to this case is the regulation that an Alert not heard is an Alert not made. There are sound reasons for the regulation to read this way, but it does open up a large area for mischief. The pair making the Alert can testify to what they said, but no one can say with certainty what is heard. Suppose a member of the other pair has a hearing impairment. Most people these days use hearing aids that are nearly undetectable. If that person says they did not hear the alert, who is to argue?

On the merits, once we grant the alert "was not made," the decision is pretty clear. So is the lead and play. I disagree with the AWMW, however. The appealing pair said they Alerted the 2♣ bid. They are entitled to try to convince a committee they did Alert the bid and that the committee should not believe East-West. Finally, a regulation that is not generally known should not be the basis for an AWMW. It would be better to inform the appealing pair of the regulation and try to educate them.

French: The ruling and panel decision was too lenient, as a double of 3♠ seems probable enough (1/6 chance is the ACBL guideline for the offending side) in a matchpoint contest, with E-W vulnerable. Of course North would lead a club. The argument that South can't have good

clubs is specious. Doubling 2NT with KJxxxx or Axxxxx in clubs and an outside ace, partner passing, is hardly automatic.

All of the uncorroborated N-S testimony is completely irrelevant, and most of the questioning pointless. TDs and panels must judge these cases without "help" that cannot be accepted absent corroboration (e.g., convention card, system notes, recognized bridge logic).

When questioning other players, it was inappropriate to coach them with "the information that South could double to show good clubs and an outside ace," which is standard bridge knowledge. And were they asked if they would consider doubling 3♠? Apparently not.

The AWMW was well-deserved, but the result should have been adjusted to 3♠SX making.

Stevenson: Like Marv, I wonder about 3♠ doubled, but only for the offending side.

However, Jay's ideas on mischief, and the whole scenario leaves me completely puzzled. What happened to the alert strip in the bidding box?

As for the AWMW, the best judge of what happened at a table is the TD who went to the table, because afterwards players tend to firm their opinions in their own favour. This should be explained to players, and if their only reason for appealing is to overturn the TD's decision as to what happened, it should be explained that such an appeal is usually meritless.

CASE THIRTY

Subject: UI

DIC: Su Doe

Senior Pairs, 2nd Session November 23, 2005

Panel: Charles MacCracken (reviewer), John Ashton and Matt Smith.

Bd: 5
Dir: North
Vul: N-S

North
♠ Q 8 7 3
♥ J 8 6 5
♦ 8
♣ A J 3 2

West
♠ 6 5
♥ K Q
♦ K Q 7 6 4
♣ Q 10 9 8

East
♠ K J 10 4 2
♥ 10 4
♦ A J 10 5
♣ 7 5

South
♠ A 9
♥ A 9 7 3 2
♦ 9 3 2
♣ K 6 4

West	North	East	South
	Pass	Pass	1♥
2♦	3♥ ⁽¹⁾	4♦	Pass
Pass	4♥	All Pass	

(1) Alerted, but no explanation requested at that time.

The Facts: The result was 4♥ by South, making four, +620 for NS after the opening lead of the ♦K. The director was called after dummy came down. The 3♥ bid was alerted, although it should not have been. When asked, after the bidding was over, it was described as weak. Both convention cards were marked weak as well. North commented at the table that he had forgotten their agreement that 3♥ was weak.

The Ruling: The improper alert presented North with the UI that South thought his hand was weaker than it was. This suggested it might be more advantageous for North to bid than to pass. Since pass was an LA, the 4♥ bid was cancelled and EW played 4♦ down one for a score of NS +50. Law 16A and Law 12C.2 were cited.

The Appeal: NS appealed the ruling. All players attended the review. North had 250 masterpoints, South 250, East 1000 and West 1380. North said he thought 4♥ might be a good sacrifice against 4♦. He maintained the position even when the adverse vulnerability was pointed out. West thought the alert suggested 4♥ and so it should not be allowed. After more discussion, North said his singleton diamond improved in value after the 4♦ bid. Later, South said he pursued the appeal, having forgotten his partner was a passed hand.

The Decision: Three players with about 250 masterpoints were polled and all passed 4♦ without the UI. When asked what an Alert by partner would have suggested, they all thought

maybe partner thought 3♥ was weak. There was an irregularity and EW were damaged. The damage was a direct result of the irregularity and passing was an LA. The contract was changed to 4♦. In 4♦ there are four routine losers, so NS was awarded the score of +50. Laws 16A.2, 73F.1 and 12C.2 were cited.

The appeal was judged to have no merit, but education was thought to be a better avenue than an AWMW with two players in the 250-masterpoint range.

Players Consulted: Three players with about 250 masterpoints.

Commentary

Wildavsky: If the appeal has no merit then an AWMW should be assessed - anything else makes a mockery of the AWMW process. It's only a warning, and ought to be an effective form of education.

Wolff: Too tough!! North didn't show discipline (what else in new) and bid on to a poor contract. It happened to make so let normal playing luck (NPL) prevail and the result stand. Why should the panel play God and penalize them whether they are a goose or a gander. It is questionable whether the UI helped or not. It certainly got NS to a poor contract which didn't figure to make. They made it this time so let it be. NPL!

Rigal: Although I do not approve in theory of the reason for not awarding an AWMW, the panel were on the spot and I was not. If they think it appropriate, I can live with it - but as the exception, not the rule.

Apfelbaum: Imagine that South is asked about the meaning of North's 3♥ raise. He responds that it shows a limit raise. He then passes East's 4♦ bid. Pass must be a logical alternative for North. He is short in diamonds, but presumably South is already aware of this possibility. Therefore, South probably holds something good in diamonds and wants to defend. Pass is a pretty clear choice. The extraneous information given by the Alert had to help guide North to the right choice of bidding on.

An excellent decision, including the choice to educate rather than punish. The entire concept of extraneous information is often confusing even for experienced players. We should remember that we want these people to come back. Gentle education is the way to get people to do what we want and still enjoy their bridge experience.

French: Good ruling and panel decision.

Ignorance of the ACBL Alert Procedure causes many problems. There is no excuse for not knowing which common bids are Alertable or not. Well, there is an excuse, which is that the ACBL and clubs do not promulgate the Alert regulations well, e.g., by offering players a copy of my Alert digest (www.marvinfrench.com).

Another excuse is that the Alert Procedure could be further simplified. For instance, weak jump raises should be either Alertable or not regardless of competition. Currently they are not Alertable in competition, Alertable otherwise, a complication that many players cannot handle. The same goes for weak jump shift responses.

Stevenson: Should inexperienced players be penalised? It is an interesting question. English ACs tend to give deposits back [equivalent to not issuing an AWMW] to inexperienced players, but there is a growing feeling in the English case-books that with too many meritless appeals perhaps they should be tougher.

In North America, an AWMW is merely a warning, so in effect is a less serious penalty. I am beginning to lean towards the idea of issuing an AWMW for a frivolous appeal whether the pair is inexperienced or not.

CASE THIRTY-ONE

Subject: UI

DIC: Sam Stoxen

IMP Pairs, Wednesday Evening, November 23, 2005

Panel: Charles MacCracken (reviewer), Matt Smith and Gary Zeiger.

Bd: 24	North		
Dlr: West	♠ K 9 8 5 3		
Vul: None	♥ 9 5 3		
	♦ A 8		
	♣ J 10 2		
West		East	
♠ 7 4		♠ A Q J 2	
♥ 7 6		♥ 10 4	
♦ K 9 6 5 4 2		♦ J 10 7	
♣ 9 6 5		♣ K Q 7 3	
	South		
	♠ 10 6		
	♥ A K Q J 8 2		
	♦ Q 3		
	♣ A 8 4		
West	North	East	South
Pass	Pass	1NT ⁽¹⁾	2♣ ⁽²⁾
2♦	Pass ⁽³⁾	Pass	2♥
Pass	Pass	2♠	3♥
All Pass			

(1) 13-15, announced.

(2) Alerted.

(3) North asked about the 2♦ bid before passing (see below).

The Facts: The result was 3♥ by South, making three, +140 NS after the opening lead of the ♠ 7. The director was called at the end of the auction. Prior to passing North asked if 2♦ was natural. When told it was, she asked if it was a transfer and then explained that she was asking because she knew that people played it many different ways. East asked about the 2♣ bid and was told it was a one-suited hand, not necessarily clubs. EW felt North should have raised to game with her 8 points and three-card support.

The Ruling: North had no UI. No infraction by South had occurred. The table result stood, NS +140.

The Appeal: EW appealed the ruling. All players attended the review. North had about 1875 masterpoints, South 1010, East 14,300, and West 7800. East said North should have raised to game with 8 HCP and three trump. When asked for a reason, he could not give one other than East and West would both have done so. He could provide no UI that North possessed which would cause the director to make such an adjustment.

When he was asked if he thought South had UI from North's extended questioning that influenced her 3♥ bid he said, "That too."

North said she did not raise to game because her ♠K seemed to be poorly placed after East reopened with 2♣.

The Decision: Even though the question of South's using North's extended questioning as cause for bidding 3♥ seemed to be more of an afterthought in the appeal, the reviewer talked to three players with around 1000 MPs (North's holding). All bid 3♥ without a second thought.

Since there was absolutely no reason why North should not bid what she wished, the panel ruled 3♥ by South, making three for a score of +140 to NS. Law 16A was not violated.

EW are an experienced pair and should have known there was no basis for an appeal. The reviewer expressed the panel's displeasure with the pursuit of this groundless appeal and awarded EW an AWMW.

Players Consulted: Three players with about 1000 masterpoints.

Commentary

Wildavsky: This appeal clearly had merit. In fact I might have ruled in favor for NS. North's behavior was outrageous, and it seems to me that a Pass by South over 2♣, while perhaps conservative, would be perfectly logical.

What EW may have been too polite to say was that once North had implied some points with his questions he knew South could take them into account. Having shown his hand with his questions, raising would have been an overbid.

Wolff: Sometimes a questioner means evil and sometimes he doesn't. It is up to the panel to decide. Here there is no evidence whatsoever that North had any evil intentions when she asked what she did. Allow the result to stand.

Rigal: The TD and panel came to exactly the right conclusion and rightly awarded an AWMW. Just because you don't like your opponents bidding does not entitle you to waste the panel's time.

Apfelbaum: I agree with the decision, including the AWMW. East-West have an obligation to point to some action that created extraneous information. They also have to show that the extraneous information could demonstrably suggest a particular action over a logical alternative. They did not meet this obligation, except for the off-handed remark about North's extended questioning of East-West about West's 2♦ bid. The off-handed remark does not demonstrably suggest any particular action to South, particularly in light of his holding in that suit.

North adequately defended his decision to stop in a part score by pointing out that his ♠K had no value considering East's 2♣ bid.

There was no extraneous information that East-West pointed to as suggesting a particular action over a logical alternative. Considering their experience, the committee was correct to award the AWMW.

French: South asks if 2♦ is natural, which it has to be if not Alerted, then when told yes asks if it is a transfer and keeps talking?? All too typical these days, as players try to show off their

knowledge.

How on earth could EW think that this had an effect on the auction? North should bid 4♥ because she asked about 2♦? What kind of logic is that? North did not have to defend her pass to 3♥. The only issue is whether South had UI from her remarks and used it profitably, obviously not so. Had South jumped to 4♥ successfully, there would be a case worth adjudicating.

Good ruling and panel decision, and an easy AWMW, but a PP for North would not be amiss. Useless talk during the auction should be discouraged.

Stevenson: In England, there has been a tendency for many years for players not to ask questions when they have nothing in their hand, so when North asks questions South has the UI that North might have a few points.

In North America players tend to ask routinely about alerted calls, so it has often been said to me that such questions may provide UI in England, but not in North America. While I accept that, this was an unalerted call. Why on earth was North asking about 2♦ with no alert? Why the further question whether it was a transfer?

But anyway, even if it had been felt that these injudicious bids provided UI, South's actions are clear.

CASE THIRTY-TWO

Subject: MI

DIC: Matt Smith

Mini-Blue Ribbon Pairs, second final, November 23, 2005

Panel: Charles MacCracken (reviewer), Ron Johnston and Olin Hubert.

Bd: 5
Dlr: North
Vul: N-S

North
♠ A J 10 7
♥ K 7 5
♦ 10 8 6
♣ Q 3 2

West
♠ 9 6 5
♥ J 6 4
♦ K Q J 4
♣ 8 6 4

East
♠ K 8 4 3
♥ 10 2
♦ A 9 3
♣ A J 7 5

South
♠ Q 2
♥ A Q 9 8 3
♦ 7 5 2
♣ K 10 9

West	North	East	South
	Pass	1♣	1♥
Pass	2♣ ⁽¹⁾	Pass	2♦ ⁽²⁾
Pass	2♥	All Pass	

(1) Alerted. Shows invitational values, but does not necessarily show hearts.

(2) Not Alerted. Shows 11-12 points and no interest in game.

The Facts: The result was 2♥ by South, making two and a NS score of +110 after the opening lead of the ♦K. The director was called at the end of the auction when South called attention to North's failure to alert 2♦. Away from the table West said he would have doubled 2♦. Away from the table East said he would not have changed his bidding.

The Ruling: The likelihood that a double by West would lead to a 3♦ bid by East was considered low. If East did bid 3♦, North or South might double and EW would go down two for -300, so there was no damage. Law 40C was cited.

The Appeal: EW appealed the ruling. All players attended the review. North had about 4300 masterpoints, South 1600, East 1700 and West 2300. EW said the auction would have led to their bidding 3♦ which NS would not double. In fact, NS might even bid 3♥ whereupon EW would be +100. NS said they each knew their partner had about 11 points, so it was obvious to double, at matchpoints, to protect their +110. North said he did not Alert because it did not make sense to him that 2♦ would be artificial because he was a passed hand. All four agreed that their masterpoint holdings (1600 to 4300) did not accurately reflect their ability and stronger players should be consulted.

The Decision: Seven players were asked to bid the North, East and South hands. One immediately bid 3♦ with the East hand when given the projected auction. None of the three who

were given the North hand and none of the three who were given the South hand doubled on the projected auction. None of the six would have bid 3♥.

There was a failure to alert and EW may have been damaged as a direct result. Therefore, NS were awarded +100 for 3♦ down two. Law 40.C and Law 12.C.2 were cited.

Players Consulted: Seven players with 2500 to 5700 masterpoints.

Commentary

Wildavsky: Good work by the panel. The TD ruling was reasonable, and the panel improved it slightly.

Wolff: Truly ridiculous along the same patterns of a couple of hands in a row. 2♥ making two +110. Please don't consult peers on these hands as those peers would bid something different tomorrow. Just trust your nose and your heart and allow well-intentioned players to play the game.

Rigal: This is a tough case: I'm inclined to feel that this is too generous to the non-offenders. The combination of a 3♦ bid and no double (remember North knows his side has the balance of high-cards and only eight hearts when South does not bid 3♥ over a projected 3♦ bid) looks like too much of a combination shot for EW. they should keep the table score. The panel adjustment is just about acceptable for NS.

Apfelbaum: I must disagree with the thinking of this committee. South will be the declarer on this hand, so why would West want to come into the auction holding a 3-3-4-3 hand with only the ♦K-Q-J? He does not need a double to get that lead. Nor should he be interested in competing with such a poor distribution.

Even if we give West a double, it seems likely that North-South will double. They know they hold 22-23 hcp and the opposition are in a nine-trick contract. This is matchpoints, where every point has to be contested. Surely someone will double with the idea of leading a trump.

I understand that the non-offenders are to get the best score probable (one in three) and the offenders the worst score likely (one in six). Looking at these hands and considering the skill of the players involved, I believe 2♥, making two is the result that will be achieved more often than five times in six. There should be no adjustment.

French: Not an easy case, but the panel's decision was well-reasoned. Normally the double of an artificial 2♦ would show at least five, but KQJx is sufficient surely. Not vulnerable, it seems likely enough that East would then compete with 3♦, down two undoubled, as the panel decided.

Again we see the practice of taking players away from the table for no reason other than to trap the unwary into making a self-damaging statement before they have time to think. This is not only unfair, it wastes TD time and robs players of playing time in this timed event. The only question to be asked should be asked at the table, saying to West, "Do you want to change your last call because of the misinformation?" There is no more UI from the reply than that which comes from seeing West asked that question (the only one appropriate) away from the table, shaking his head negatively. I hope West was offered that option, we can't tell from the writeup.

Note that West's answer away from the table was not accepted by the TD. That is a good

example of the unfairness inherent in this practice. If the TD agrees with the answer, okay. If he doesn't, his view prevails. That makes the answer irrelevant and the questioning a waste of time.

East may not change his last call, of course, after West passes, so questioning him away from the table is particularly pointless.

Stevenson: Pleasing to see the panel did not feel they had to follow what the players told the TD away from the table. I think it an unfortunate practice for the reasons Marv gives.

It is important if we are to assess these cases that all pertinent facts are included in the write-up. There is no suggestion of North and South disagreeing on the meaning of 2♦ in the write-up, so if it is so as suggested by two people then a major part of the ruling and decision has been omitted.

Personally, I lean towards the TD's ruling myself.

CASE THIRTY-THREE

Subject: Tempo

DIC: Ken Van Cleve

B/C/D Pairs, second session, November 26, 2005

Panel: Tom Whitesides (reviewer), Candy Kushner and Gary Zeiger.

Bd: 18
Dir: East
Vul: N-S

North
♠ A K 9 3
♥ J 5 4
♦ A K 10 9 4
♣ K

West
♠ Q
♥ 9 7 6
♦ Q 5 3
♣ J 9 8 6 4 2

East
♠ 7
♥ A K Q 3 2
♦ J 7 6
♣ A Q 10 5

South
♠ J 10 8 6 5 4 2
♥ 10 8
♦ 8 2
♣ 7 3

West	North	East	South
		1♥	Pass
2♥	3♦	3♥	Pass
Pass	4♦ ⁽¹⁾	Pass	4♠
All Pass			

(1) Noticeable BIT, agreed by all players.

The Facts: The result was 4♠ by South, making four, +620 for NS after the opening lead of the ♥6. The director was called after the 4♠ bid and informed of the agreed BIT.

The Ruling: The director ruled there had been a noticeable hesitation, but the BIT did not demonstrably suggest the 4♠ bid. Law 16A had not been violated and the table result stood, +620 for NS.

The Appeal: EW appealed the ruling. All four players attended the review. North had 747 masterpoints, South 35, East 600 and West 706. EW claimed the BIT indicated North was thinking of bidding something else, which suggested that South not pass. While the 4♠ bid may not have been directly suggested, doing something other than passing clearly was and surely pass was a choice. South said if NS were going to play at the four level, his hand was worth something in spades and nothing in diamonds and 4♠ was game.

The Decision: Three players with under 100 masterpoints were given South's hand to bid. They each duplicated South's first two passes. On the third round, two players passed and one bid 4♠. This established passing as an LA.

The players were then asked what information they might derive from a BIT by partner before the 4♦ bid. They really didn't know, but two players thought maybe partner was stretching.

None of the players thought partner was suggesting any willingness to play in a different strain.

The panel found there had been a noticeable hesitation before the 4♦ bid, which conveyed UI, but decided the UI did not demonstrably suggest one action over another. Law 16A had not been violated. The panel assigned a result of 4♠ by South, making four for a score of +620 for NS. The panel decided the appeal had merit.

Players Consulted: Three players with under 100 masterpoints.

Commentary

Wildavsky: A poll cannot contravene the facts. A hesitation carries the unambiguous implication that the player was considering other actions. Plausible other actions are Pass, Double, 3♠, and 4♠. All of these imply shorter diamonds than would be shown by an in-tempo 4♦ bid, thus they all make 4♠ more attractive.

In any case a panel should not rule in favor of the offenders after polling only three players.

Wolff: Ruling was okay, but why didn't North bid 3♠ instead of 4♦? He didn't, but then got lucky when partner had seven spades and bid them himself.

Rigal: Yes the 4♦ call is obscene - at least North had the grace to make it slowly. But just because it is a terrible and slow call does not mean it imparts UI to South to bid 4♠ (particularly since North did not bid 3♠ at his final turn, or double). Well decided by both TD and panel - though maybe an AWMW was in point.

Apfelbaum: A correct decision. The agreed break in tempo surely suggested doubt about 4♦ as a final contract, but it did not demonstrably suggest that another strain would be better. It could just as easily have meant doubt between 4♦ and 5♦.

There is something missing in the write-up, however. North has over 700 masterpoints while South has less than 100. This suggests an unbalanced partnership where, perhaps, North makes all the decisions for the partnership. The committee should have investigated this possibility. It might have discovered some information that could change the outcome. For example, suppose that investigation would reveal that North tries to declare every hand. If so, then the break in tempo might suggest doubt about the quality of the trump suit.

French: North's BIT carried no more of a suggestion of another suit than a suggestion of borderline values. We know now that he was thinking of bidding a rational 3♠ instead of the irrational 4♦, but South could not read that from the BIT. Good job by all.

Stevenson: Fair enough. It is pleasing that we have got away from the "If it hesitates, shoot it" mentality, and now to adjust we need more than UI to partner and a successful action: we need the link that the UI suggests the successful action.

CASE THIRTY-FOUR

Subject: Tempo

DIC: John Ashton

B/C/D Swiss Teams, November 27, 2005

Panel: Charles MacCracken (reviewer), Doug Grove and Tom Whitesides.

Bd: 3
Dir: South
Vul: E-W

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

West	North	East	South
			Pass
Pass	1♣	1♠	Pass
2♠	4♥	Pass ⁽¹⁾	Pass
4♠	Dbl	All Pass	

(1) BIT.

The Facts: The result was 4♠ doubled, by East, down one, +200 NS after the opening lead of the ♥2. The director was called after West bid 4♠. West spoke to the director away from the table and said he had meant to bid 3♠ but pulled the wrong card. East asked how many hearts North could have and was told up to six if he has seven clubs. Length of the BIT after the question was answered was disputed.

The Ruling: The contract was adjusted to 4♥ by North, making five, NS +450. The BIT demonstrably suggests a 4♠ bid. Pass is an LA vulnerable vs. not. Law 16.A.2 and 12.C.2 were cited.

The Appeal: EW appealed. All four players and EW's captain attended the review. North had 420 masterpoints, South 360, East 315 and West 315. West repeated that he had meant to bid 3♠, so 4♠ was a natural extension, even with the adverse vulnerability. East said she had to process the answer to her question before she could bid and she had no idea how long she took to think. EW's captain thought this was such an unusual situation that East should be given extra leeway because of the incorrect answer to her question.

North said he opened 1♣ because he had such a strong hand, he wanted to reverse. When the panel tried to recreate the length of time the pause took after the answer to the question, South and East could offer no opinion. North thought it took about 10 seconds, but West thought 22.

The Decision: A large number of peers (300 masterpoints) were consulted. Most could not bring themselves to bid less than 4♣ (or 2♣, probably leading to 4♣), so they were deemed unsuitable. Four players met the criterion. One said she would bid either 2♣ or 4♣. When asked what she would do over 4♥, she said that is why she thought about 4♣, but having made her choice she was not bidding any more - the opponents had now exchanged all the information they needed to. Of the three who would have bid 3♣, one said he was through. The other two both bid 4♣ when it came back to them. When asked why, one said, "We have to bid our vulnerable games at IMPs." The other just thought he had to bid one more.

After they made their decision they were asked what a hesitation by partner over 4♥ would mean. They all thought bidding on was suggested, especially given their heart holding. Given that West thought East paused 22 seconds, his perception was that there was an unmistakable hesitation. Two consultants passed which showed that pass was an LA. All thought the BIT demonstrably suggested the 4♣ bid.

The panel changed the contract to 4♥ by North, making five for a score of +450 for NS.

Many players at this level have not developed the discipline to pass with five-card support and tend to bid on reflexively, so for this class of player the appeal had merit.

Players Consulted: Four players with 200 to 400 masterpoints.

Commentary

Wildavsky: I see no merit in the appeal.

Wolff: Okay, but we need consistency on competitive decisions that only come to committee when some side's bidding turns up roses and others want redress. The main idea is that if the non-offending side were just onlookers then NPL should rule for them and the possible culprits should also keep their score but be penalized procedurally according to the severity of their sins. Keep the candy store closed and let equity establish the scores and above all protect the field at match points.

Rigal: I like the TD adjustment - since he had not seen the peer review. The panel here consulted a large number of opinions (see CASE SIXTEEN) and came to the right result. This should be a lesson for us all to establish ground rules.

Apfelbaum: A fine decision, although I disagree with the process. Newer players are incredibly diverse in their thought process. I fail to understand how any committee could come up with a peer. On this hand especially, they rejected many players as peers because they chose to bid 4♣ immediately. Why? If this person is thought to be a peer, give him or her the auction actually taken and then ask for their opinion. At least, the committee should explain why the 4♣ raise should disqualify a player as a peer. I am reminded of my comments to CASE SIXTEEN.

Turning to the hand, West actually bid 2♣. This is a limited bid. East chose to double a non-vul North after he showed at least 11 cards in hearts and clubs. Even if all East wanted to show was a bunch of high cards, there is nothing in the West hand to suggest that North will make this game. East could easily hold three trumps and longer clubs. In fact, that is just what a player should expect.

Now let us consider West's skill level. Many newer players insist on bidding on whenever they have a ten card or longer trump fit. However, there are a significant number who do not take that position. Why must the committee consider this West as one or the other type? Most of the newer players are inconsistent, and for that reason could be one way on a Saturday and the opposite the next day.

I believe that we should hold every player to the standard they show at the table. This particular West actually bid 2♣, but said he made a mistake by pulling the wrong bid box card. Accepting this, I would have determined the meaning of a 3♣ bid. There is nothing in the write-up to explain what that bid would mean. There also is nothing to explain what 2♣ meant. Assuming 3♣ to be pre-emptive and 2♣ to be constructive, there is reason to permit West to pull the double. If 2♣ is a more normal meaning (6 to 9 with no special feature), then passing 4♥ is a logical alternative. West does not have something so different from his actual hand that he is required to rescue East. And if 3♣ would show a better hand than 2♣ there is also no reason to pull the double.

French: So after EW called the police because of the 4♣ bid, West said he meant to jump to 3♣ but pulled the wrong card. Yeah, sure. What he should have done is put the screws to North with a 4♣ bid.

I like North's response to the inane question by East. Ask a stupid question and get...a good answer, in this case one that East had to "process," which caused the BIT. Uh-huh. Hey, captain, the answer was right, 4♥ shows shorter hearts than clubs.

Opening the lower of two suits of equal length in order to reverse and show a strong hand is popular with the B/C/D crowd. Someone should tell them this guarantees that the first suit is longer, and that jumps in a new suit can show a strong hand without lying about suit lengths. Too bad 1♣ couldn't be passed out, teaching North the value of 2♣ openings. Sorry, I digress.

The ruling and panel decision were right on, players have to learn not to bid with the help of hesitations. An Appeal Without Merit Warning might serve to remind them of that, but at this level a lecture is probably more appropriate.

Stevenson: I think several of the comments have moved a long way away from a very simple case. For example Bobby's wish for a different law book and Jay's comments on pulling a double that did not exist.

1. Was there UI? Yes, there was a BIT.
2. Was there an LA to the chosen action? Yes, some players who do not bid 4♣ the previous round will not expect to change their minds and bid 4♣ this round.
3. Did the LA suggest the chosen action over an LA? Yes, partner's BIT suggests bidding on rather than passing.

So adjust!!!! Easy!!!

I doubt that an AWMW was in order since West probably believed the 4♣ bid was reasonable, but on the other hand an AWMW would teach players to think about UI positions a bit more.

Closing Comments

Barry Rigal: By a clear margin the Regional decisions both at a panel and TD level were better than any collection I've seen in a case book. Yes there was one clunker (TD ruling CASE TWENTY-ONE) but apart from that there were several difficult cases well decided. The consideration given to awarding of PPs was especially welcome, (though questionable in CASE SEVENTEEN) and there was some improvement in giving AWMWs - or at least having an excuse for not giving them when they were known to be appropriate. Well done all concerned.

Jay Apfelbaum: I do not enjoy reading committee decisions that depend on the opinions of peers. For the most part, there is no description of the individuals the committee considered to be peers. Masterpoints is not a fair barometer: it is much more a record of attendance than one showing that player's current skill level. Committee members should be able to understand the thinking of players of all skill levels. Most experts do this routinely as part judging the tactical advantages of various bids or plays. We should recognize this skill and use it as much as possible.

I do not mean to say that no tournament director possesses the skills of a bridge expert. Some TD's are very skillful. I suggest only that these people are not playing with enough frequency to be able to make these judgments as reliably as a committee of true experts who may play hundreds of sessions each year. Perhaps the National Committee could experiment by using both TD's and players on regional bridge appeal committees. Each group might get a better idea of the strengths of the other.

Overall, I rate the committee decisions as reasonable or better. The major flaws are in writeups that are incomplete. That could be the result of poor writing more than poor decisions. That said, overall, the National Committees made better decisions.

A final word about the AWMW process. A committee should be willing to impose an AWMW only when it feels that education will not achieve the desired result - fewer frivolous appeals. We must strive to keep our players - not drive them away by sanctioning someone for something they thought was legitimate.

Jeff Goldsmith: The directors did a little worse than normal, and I think the ACs did a little better. It's hard to evaluate ones own ACs, so I'll leave it at that.

I wonder if some directors do a particularly bad job on these rulings, or if the blind spots are distributed equally. Even Major League Baseball is now using real tools to evaluate their umpires; it's long past time that the ACBL did too. MLB has been more or less forced to take an active approach; umpiring has embarrassed them several times in the last few years. Perhaps the ACBL ought not wait until it happens.

We have a couple of repeat problems. Identifying limit raises vs. preemptive raises in the minors has come up a couple of times. Take home for players: when you explain a minor-suit raise, state your HCP range precisely. There were no "Bergen" explanations this time around, but that's another one: if you answer "Mixed Raise" or "Bergen Raise" and your opponent goes wrong, you greatly risk an adjustment due to misinformation. We all know that an explanation is supposed to be precise and not include the name of the convention. In particular, it ought to include forcing or not forcing, natural or artificial, and an exact point range if there is one.

If the vulnerability or seat matters, that ought to be noted so that the next time around, an

opponent can know to ask again. So let's make sure explanations include those things. You play preemptive minor suit jump raises? When asked, explain, "natural, non-forcing, 6 to 9 HCP at this vulnerability," or the like.

David Stevenson: A good job overall by TDs, ACs, Panels and scribes. I was a little unhappy at the rulings in the National events. I scored the results as follows:

TDs [National events]: 8 from 16, 50%

ACs: 13 from 16, 81%

TDs [other events]: 15 from 19, 79%

Panels: 16 from 19, 84%

My own view is that TDs should be getting 70%+, ACs/Panels 80%+.

There were only a few cases which I thought were very poor, the unnumbered case called MISSING FROM THE DENVER CASE-BOOK, both TD and AC, CASE SEVENTEEN, Panel only, and CASE TWENTY-FIVE, TD only.

I also worry somewhat over the write-ups of the TDs' rulings: these often seem to have no explanation.

But overall as usual these casebooks do an excellent job.