

2010 Summer NABC

Appeals Casebook

New Orleans



**Appeals at the
2010 Summer NABC
New Orleans, Louisiana**

FOREWORD

The appeal hearings and commentary descriptions are now being compiled and edited by the American Contract Bridge League. They are published on the ACBL web page. This internet publication is intended to be a tool to help improve the abilities of those serving on appeals committees and tournament directors and to communicate decisions and the process to arrive at those decisions to the membership at large.

A total of thirty (20) cases were heard.

Eight (8) cases were from unrestricted (by masterpoints) North American Bridge Championship Events and were heard by a committee of peers. The names of the players involved are included.

Twelve (12) cases were from all other events and were heard by panels (committees) of tournament directors. The names of the players involved are included when the event from which the appeal came was a Flight A/X event or was the top bracket of a bracketed knockout event. When the names of the players are not used, the player's masterpoint total is included.

The cases are first presented without commentary. After the official panel of commentators has had an opportunity to provide their commentary (about 4 weeks) and any corrections to the cases, the commentary is added, corrections made and the internet publication is finalized.

Everyone involved in this process is due praise for their efforts. Special thanks to the NABC Appeals Committee and the Tournament Directors serving on the director committees, scribes and commentators. Without their considerable contribution of time and effort, this publication would not exist.

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THE EXPERT PANEL

Bart Bramley, was born in 1948 in Poughkeepsie, NY, and grew up in Connecticut. He has lived in Boston, Seattle, and Chicago, and currently lives in Dallas with his wife Judy and their two cats. He graduated from MIT and had careers in programming and options trading before taking his current job as a technical analyst at SCA Promotions in Dallas. His National wins include the Vanderbilt, the Reisinger, the LM Pairs and two Blue Ribbons. In WBF events he has won the Senior Bowl and was second in the World Par Contest. He is a staff member and frequent writer for The Bridge World. He is an avid sports fan, especially baseball and the Yankees, and plays a mediocre game of golf. He enjoys word games and trivia games. He is (was?) a big fan of the Grateful Dead.

Jeff Goldsmith, was born near Schenectady, NY in 1961. He has lived in Pasadena, CA, for the last 20 years. He graduated from Rensselaer Polytechnic Institute and Caltech. He is a software engineer, focusing on computer graphics and animation and internet programming, all with a heavy mathematical perspective. He created computer animation for JPL for several years including the movie 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.

Ton Kooijman, was born in the early forties (he wants some guess remaining). His father was a good bridge player whom tried to teach him the game starting in the late fifties. He passed his examination for TD in the Netherlands in the late sixties, some months after he married. Quite soon he started directing in the highest divisions of bridge in the Netherlands. Not much progress in the seventies, though in his private life he became father of a son and a daughter, but at the end of that era he was selected to be TD in the Olympiad in his country in 1980 where he met the international bridge scene with illustrious people like Edgar Kaplan and Kojak, the latter becoming a real example of TD-behavior. In 1987 he was appointed one of the chief TD's in Europe but his job in bridge concentrated around the organization. During the nineties and zeroes, he was operations director for WBF and EBL. But he did not neglect the laws. In the Netherlands, he was chairman of the national appeal committee for many years; and he became a member of the WBF-Laws Committee in 1994. In 1997 he took Edgar Kaplan's place as chairman of this committee. His approach as member of the commentating group will concentrate more on the technical application of the laws than on the question whether a call is acceptable given the available unauthorized information. And since he is European the differences in approach between both continents might draw his attention.

Barry Rigal, was born in London, England in 1958. 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 North American 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. He served as chairman of the ACBL National Appeals Committee from 2003-2006.

Matt Smith was born in 1957 in Victoria, B.C. and still lives there with his wife Vicky. He has been an ACBL National Tournament Director since 2002. He has been an assistant tournament director at several WBF Championships. Is a member of the ACBL Laws Commission, and the first working tournament director to have been appointed since Al Sobel. Matt is an avid golfer when not directing.

Adam Wildavsky was born in Ohio in 1960 and grew up in Berkeley and Oakland, CA and London, England. He is a graduate of MIT and since 1986 he has resided in New York City. He works as a senior software engineer for Google, Inc. Mr. Wildavsky has won the Blue Ribbon Pairs twice and the Reisinger BAM Teams once. He won a bronze medal in the 2003 Bermuda Bowl in Monaco. Mr. Wildavsky is chairman of the National Appeals Committee and vice-chair of the National Laws Commission. His interest in the laws is informed by his study of Objectivism, the philosophy of Ayn Rand.

Bobby Wolff, was born in San Antonio in 1932 and is a graduate of Trinity University. He currently resides in Las Vegas. His father, mother, brother and wives, including present wife Judy, all played bridge. Bobby is a member of the ACBL Hall of Fame as well as a Grand Life Master in both the WBF and the ACBL. He is one of the world's great players and has won 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. He has represented the USA in the following team events: 12 Bermuda Bowls, 5 World Team Olympiads, 3 Senior Teams and 1 Mixed Team. 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. He 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 convention disruption, encouraging less hesitation disruption, allowing law 12C3 to be used in ACBL events and reducing the impact of politics and bias on appeals committees.

APPEAL	NABC+ ONE
Subject	Unauthorized Information
DIC	Henry Cukoff
Event	Life Master Pairs
Session	Second Semi-Final
Date	7/24/10

BD#	15
VUL	NS
DLR	S

Shome Mukherjee	
♠	A986
♥	AQJ87
♦	53
♣	82

Paul Bethe		Summer 2010 New Orleans	David Moss	
♠	QJT2		♠	7
♥	53		♥	KT94
♦	82		♦	QT97
♣	KJ654		♣	Q973
		Mark Aquino		
		♠	K543	
		♥	62	
		♦	AKJ64	
		♣	AT	

West	North	East	South
			INT
2♣ ¹	Dbl ²	3♣	3♠
P	4♠	P ³	P
Dbl	P	P	P

Final Contract	4♠ Dbl by South
Opening Lead	♣ 4
Table Result	Down 1, EW +200
Director Ruling	4♠ down 1, EW +100
Committee Ruling	4♠ doubled down 1, EW +200

(1)	Alerted as Clubs and a major suit
(2)	Alerted as Stayman
(3)	Alleged BIT

The Facts: The final table result was 4♠ doubled, down 1 for a score of -200 North-South after the club opening lead. The director was called after the bidding had commenced on the next board. North-South claimed that East broke tempo for about ten seconds before his pass of 4♠. West insisted that there was no “hitch”. East said that he paused “a normal amount of time for this auction”. 2♣ was properly alerted to show clubs and a major. North’s double of 2♣ was Stayman.

The Ruling: The director ruled that there was a noticeable BIT by East providing UI to West. Pass was considered to be a logical alternative for the West hand. Thus, the score was adjusted to 4♠ undoubled down 1, +100 to East-West pursuant to Laws 12C and 16B.

The Appeal: East-West appealed and East/West attended the hearing. East-West claimed that East had his hand closed at the time of the 4♠ bid. He opened his hand and thought briefly about the “fit” implications (about 4 seconds), and then passed. During the auction on the subsequent board, North started asking West questions such as “How many diamonds did you have?” “How many points?” and “How could you double?” North claimed that East “hitched” after 4♠. East-West stated that no time period had been mentioned and that the director had just written ten seconds on the appeal form. Additionally, no one had mentioned any problem with the tempo of the auction at the time of the bidding. North then called the director. West stated that they had a 46% score in the afternoon, needed matchpoints, and this looked like a good speculative opportunity since he had two trump tricks and needed very little from partner to be successful.

The Decision: The Committee decided by applying Laws 16 and 12 that the alleged “hitch” after 4♠ did not qualify as a BIT. The East hand is allowed 3-5 seconds in this competitive auction at these colors, and there was nothing really to think about with the given hand. East had already shown 4+ clubs and some values with his 3♣ bid. West’s double appeared to be a reasonable shot at procuring extra matchpoints. The Committee reasoned that any potential BIT by East would demonstrably suggest sacrificing in 5♣, not doubling 4♠ since West’s club values would probably be useless on defense. The result was changed to 4♠ doubled, down 1 for +200 East-West.

The Committee: Mark Bartusek (Chairman), Bob White, Patty Tucker, Josh Parker, and Ed Lazarus.

Commentary:

Bramley: The director did a half-hearted job by failing to apply “demonstrable suggestion”, although he followed standard procedure in ruling against the alleged offenders in what seemed to be a close case.

Goldsmith: It is completely obvious to West that East is thinking about saving. Knowing that East thinks 4♠ will make hardly suggests doubling over any other action, so the AC got it right.

The argument that there was no BIT seems wrong. 99% of the time, East will have nothing to think about. If he had any reason to save here, he probably would have bid more than 3♣ the previous time, so even a short hesitation is meaningful therefore it seems likely that a BIT did, in fact, occur.

Kooijman: Why needs the committee all these arguments? If the 3 to 5 seconds pause can not be considered a hesitation the case is closed. It is less easy for me, I consider 5 seconds in this situation as long, and do think that considering 5♣ at this moment might take some time. So I need the conclusion that east’s hesitation does not suggest the double, with which we arrive at the same decision.

How does the ACBL deal with Law 16B3, which tells us that the TD should be called at the end of the play of the board? Noticing a hesitation and reporting it with the conclusion that UI was available and might have been used should not wait until the next board is being played. Calling so late is not an infraction but it weakens the position considerably. Saying it with other words: A player needs a good reason not to call at the end of play at latest.

Rigal: I agree with the appeals committee here. No tempo break, and if there were it would not suggest doubling it would suggest clubs – hence making a double less attractive.

Wildavsky: The well-reasoned AC decision was an improvement over the TD's ruling.

Wolff: NS didn't call the director until the next board had begun. The contract turned on the location of the heart king. If the ace had been held over the king the contract would have made and the table would not have called the TD.

However, West's partner did break tempo and then West did double, which without speculating, may or may not have contributed to the decision to double. Hence for match point purposes, +100 only for EW and -200 to NS.

I think it is important to protect the field (PTF) in a matchpoint event. Never forget that when a TD is called and then later an appeal of his decision is made there is a possible violation committed lending to justifying a less than average board ruled.

APPEAL	NABC+ TWO
Subject	Unauthorized Information
DIC	Henry Cukoff
Event	LM Pairs
Session	1 st Final Session
Date	July 25, 2010

BD#	14
VUL	None
DLR	East

Eric Greco	
♠	T8732
♥	T96
♦	T54
♣	Q8

William O'Brien		Summer 2010 New Orleans, LA	John Maki	
♠	AK9		♠	Q5
♥	AK85		♥	J7
♦	873		♦	KQJ96
♣	KJ5		♣	9642

Brad Moss	
♠	J64
♥	Q432
♦	A2
♣	AT73

West	North	East	South
		P	1♦ ¹
Dbl	P	P	Rdbl
P	1♥	P	P
Dbl	1♠	P	P
Dbl ²	P	1NT	P
3NT	P	P	P

Final Contract	3NT by East
Opening Lead	♥2
Table Result	Made 5, EW +460
Director Ruling	3NT made 5, EW +460
Committee Ruling	3NT made 5, EW +460

(1)	Precision 11-15 HCP
(2)	Disputed Break in Tempo by West

The Facts: There was a disputed break in tempo by West before the double of 1♠. North-South claimed that West hesitated for approximately 20-25 seconds, while West claimed it was more like 7-10 seconds. East denied noticing anything during the auction. Before the double of 1♠, West remarked that "I'm running out of red cards." North-South called the director after East's 1NT bid.

The Ruling: The director ruled that the table result of +460 East-West stands. The director decided that the comment at the table did not demonstrably suggest any particular action and therefore there was no unauthorized information under law 16. The director also decided that there was not an unmistakable hesitation.

The Appeal: North-South appealed the director's ruling and North, East, and West attended the committee hearing. North-South claimed that West took 20-25 seconds before doubling 1♠ specifying an initial pause, a comment, a second pause, then a second comment to the effect of "I'm running out of red cards." North reported that South instantly called the director after East bid 1NT and argued that East should have bid 1NT on a previous round of the auction not after the break in tempo.

West reported that he made all his bids in normal tempo, but admitted upon further questioning by the committee that he took more time to bid over 1♠ than he did in previous rounds of the auction. West finally admitted to a break in tempo of 5-7 seconds and an inappropriate comment before doubling 1♠. East indicated that he passed over both 1♥ and 1♠ as the auction could not end and indicated that he did not notice West's tempo during the auction.

The Decision: The committee determined that West made unauthorized information available before doubling 1♠, both by his inappropriate comment and by his tempo, but that the unauthorized information did not demonstrably suggest one action over another. The committee therefore determined that the table result of East-West +460 should stand for both sides, per Law 16.

The appeal was found to have substantial merit.

The Committee: Chris Moll (Chairman), Tom Peters, Dick Budd, Jim Thurtell, and Ed Lazarus.

Commentary:

Bramley: I disagree strongly. The Directors in both case (1) and (2) failed to apply any kind of legal reasoning, and this time the Committee bought the same bill of goods. While we are here I'd like to repeat my request from eons ago to put the Director's name on the appeal (not just the DIC). The players, the Committee members and the commentators all have their names out there. Why not the Directors? The rest of us have to live with the publicity when we screw up. The Directors should, too. I reject the argument that the "hired help" is somehow immune from explicit criticism.

Anyway, the Committee at least determined that there was a noticeable break in tempo, which seems apparent from the facts. However, for them to claim "no demonstrable suggestion" is mind-boggling. A slow double clearly implies only three trumps, making a removal to One Notrump much more attractive. Furthermore, I'm not buying the argument that East's pass was forcing on West. Couldn't East have had xxx-xx-QJ1098-xxx and been rooting for the auction to end soon? Even if we accept that pass is forcing, why not bid 1NT immediately if that's what you "always" were going to do. Wouldn't that imply more values than an eventual 1NT? I would have changed the result for both sides to 1♠ doubled, down two, +300 to E/W.

Goldsmith: This is an easy one. East had a 9-count and ♠Qx. Partner made a takeout double of 1♦ and sawed off 1♠. East was willing to play 1♥ undoubled with ♥Jx, which seems very odd to me, but when partner, who rated to have four good spades, suggested

penalties in 1♠, he ran to 1NT. Why? Because he knew his partner had an enthusiastic double of 1H, but not of 1S. How did he know it? I don't see any authorized way, so the alleged BIT seems pretty clearly how.

It looks to me as if 1♠x will take 5 tricks. It's possible that North will take 6 tricks, but I don't think it's at all probable. Pretty much, E/W will come to 3 spades, 2 hearts, 2 diamonds, and 1 club for 8 tricks. If they don't draw trumps, North will get a diamond ruff, but East will get a heart ruff. Accomplishing both drawing trumps and getting the heart ruff won't happen. I'd award reciprocal 300s.

Kooijman: How can the TD decide that there was no unmistakable hesitation? When a player estimates a pause by his own side as 7 to 10 seconds experience tells us that it is 10 as a minimum. I am puzzled. I agree that West's remark gives no substantial information, but please put another double card in his bidding box. I don't believe that East did not notice the hesitation and I do not like the appeal by NS. This table goes for the prize for bad behavior by all four players. Do I need to say that I sustain the AC decision? But not all aspects, what substantial merit did the appeal have, or were Greco-Moss too important to handle?

Rigly: I'm unconvinced by the arguments here but frankly I can't imagine what I'm supposed to do over this auction – and the discussions on tempo have not persuaded me that there really was a break in tempo.

Wildavsky: The TD's statement improperly compounds two separate issues, whether there was UI and, if there was, whether that UI could demonstrably suggest one action over another. The comment clearly constituted UI – the question is whether it was suggestive.

I agree with Bart and Jeff and disagree with the TD and the AC. The comment, though improper, does not suggest anything. A slow double, however, clearly suggests three trump rather than four and makes defending relatively less attractive. A pass, while it might not be the majority choice, is certainly not a clear mistake – it would be right quite often. On the facts as presented, I would have adjusted the score for both sides to NS - 300 in 1S doubled.

Wolff: Everything considered I would rule EW +460, NS-460.

Reasons: 1. Remark made was no influence, 2. Regarding the possible maneuvering around EW standing for 1♥ double, but not 1♠ doubled: North had psyched 1 heart on the way to 1 spade and upon doing such antics will normally slow down the opponents actions. Because of that mainly is the reason why I would allow the various tempos with no real restriction.

APPEAL	NABC+ THREE
Subject	Break in Tempo
DIC	Tom Marsh
Event	Senior Swiss Teams
Session	1 st Qualifying
Date	July 26, 2010

BD#	31
VUL	N/S
DLR	South

Barry Schaffer	
♠	K J 10 9 8
♥	Q 2
♦	A 10 9
♣	Q 4 3

Ken Cohen		Summer 2010 New Orleans, LA	Neal Satten	
♠	4		♠	A Q 6 5 3
♥	K J 9		♥	A 7 6 4
♦	K Q J 7		♦	8 3 2
♣	A 10 9 8 7		♣	5

Colby Vernay	
♠	7 2
♥	10 8 5 3
♦	6 5 4
♣	K J 6 2

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

Final Contract	4♥ by West
Opening Lead	♠10
Table Result	4♥ made 5, E/W +450
Director Ruling	2♦ made 3, E/W +110
Committee Ruling	2♦ made 4, E/W +130

(1) Break in tempo

The Facts: Both sides agreed that East's 2♦ call was out of tempo. East stated that he took some time to consider his 2♦ call. North-South felt that BIT was 15-20 seconds, East-West felt it was 5-6 seconds.

The Ruling: Per Law 16B1A, the director ruled that bidding on was demonstrably suggested by the BIT and was likely to be a successful contract. 70% of players polled passed 2♦ in this sequence indicating that pass was a logical alternative to 2♥.

The score was adjusted to 2♦ making three, East/West +110.

The Appeal: East-West appealed and North, East and West attended the hearing. East stated that he took some time for thought, but denied an extended huddle, maybe 5-10 seconds.

The Decision: The committee found there was no reason to dispute the director's judgment that a break in tempo occurred. They found the hesitation demonstrably suggested bidding over passing since if partner was hesitant to take a preference with 4=5=2=2 distribution for example or had extra values both indicate bidding over 2♦.

On the question of whether pass was a logical alternative, one committee member felt that it was not, and another member felt it was too close to call. The other three members felt clearly that some players would pass and thus pass was deemed a logical alternative.

The score was changed to 2♦ making 4, East/West +130, per laws 16 and 12.

Since the committee was split the appeal was found to have merit.

The Committee: Aaron Silverstein (Chairman), Ellen Kent, Jim Thurtell, Michael Huston, and Darwin Afdahl.

Commentary:

Bramley: Good decision. Bidding is possible for West but hardly automatic. The Committee granted E/W one more trick in 2D than the Director. I wish they had clarified why, even a statement as simple as "all plausible lines of play result in ten tricks".

Goldsmith: If E/W had appealed to get 130 instead of 110, the appeal would have had merit. They did not, so it does not.

Kooijman: Once again some surprise, this time procedural. Nobody should be interested in the opinion of the committee members about pass being a logical alternative. If 70%, I repeat: 70%, of the polled players say so, how could any committee say it isn't it? In my opinion the TD should go back to the players with this poll result and tell them that appealing would cost them severely. 'My' committee would have given a procedural penalty.

Rigal: The tempo break does point to not passing over passing. Let's be fair though; the negative double followed by the correction does suggest some extras but West really has only a little to spare, so should pass.

Wildavsky: I don't know why the AC decided on 130 instead of 110, but at IMPs that is not a significant issue.

I see no merit to the appeal. A committee should be prepared to consider an action logical if even one member asserts that given the testimony regarding the bridge logic of the situation he would have taken that action, or if he strongly believes that a significant

number of the player's peers would take it. Following this principle would have avoided a number of poor decisions over the years. I can't think of any case where it would have resulted in changing a correct ruling.

Wolf: Good and to the point ruling.

APPEAL	NABC+ FOUR
Subject	Unauthorized Information
DIC	Tom Marsh
Event	Senior Swiss Teams
Session	2 nd Qualifying
Date	July 26, 2010

BD#	31
VUL	NS
DLR	S

Mark Teaford	
♠	AKQJ865
♥	K53
♦	
♣	Q63

Fred King		Summer 2010 New Orleans, LA	Bob Bell	
♠			♠	32
♥	AQT9876		♥	J
♦	Q843		♦	J65
♣	T9		♣	AKJ7542

Bruce Horiguchi	
♠	T974
♥	42
♦	AKT972
♣	8

West	North	East	South
			2♦
2♥	4♠	P ¹	P
5♥	DBL	P	5♠
P	P	P	

Final Contract	5♠ by North
Opening Lead	♣K
Table Result	Down 1, EW +100
Director Ruling	4♠ made 4, NS +620
Committee Ruling	4♠ made 4, NS +620

(1)	BIT
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The Facts: Both sides agreed that there was an extended hesitation by East following North's 4♠ bid. The director ruled that the break in tempo was much longer than might be expected after the use of the stop card. After the break in tempo, the auction continued to a final contract of 5♠ by North. 5♠ went down one.

The Ruling: The director ruled that there was unauthorized information available to West after the break in tempo by East which demonstrably suggested bidding 5♥ and that pass was a logical alternative according to Law 16B1. Therefore, the director adjusted the score to 4♠ making 4 for +620 North-South according to Laws 16 and 12C.

The Appeal: East-West appealed the director's ruling. North, East, and West were present at the committee hearing. East-West asserted that at this vulnerability bidding 5♥ was clear because East would have doubled if 4♠ was going down and 5♥ was likely to be a very cheap save. North/South asserted that pass was a logical alternative to bidding 5♥ after the break in tempo.

The Decision: The Appeals Committee ruled that since each side agreed that there was a break in tempo by East, much longer than what would have been required by a stop card, West had unauthorized information available. The committee decided that the unauthorized information demonstrably suggested that bidding 5♥ was more likely to be successful. The unauthorized information suggested that East had some values, which would make saving a relatively cheap proposition. Had East held less, 5♥ might go down 800 or more. Therefore, the committee found that pass was a logical alternative to bidding 5♥ and adjusted the score as the TD had, per laws 16 and 12.

The Appeals Committee also ruled that the appeal lacked substantial merit and assessed an Appeal Without Merit Warning (AWMW).

The Committee: Richard Popper (Chairman), Ed Lazarus, Josh Parker, Mark Bartusek, and Richard Budd.

Commentary:

Bramley: Agree, including the AWMW.

Goldsmith: I'm not so sure that the tank demonstrably suggested bidding on. Either partner was thinking of bidding on or he was thinking about doubling 4S. West's spade void seems to me to make it very likely that East was thinking of doubling. I'd rule result stands.

At first, it seemed natural to me to rule as the AC did, but upon serious reflection, I decided that result stands was correct. I was convinced by this argument:

In a hypothetical world, I sat West and bid 5H. The director ruled against me, and I appealed thusly: "From my hand, it seemed totally obvious that partner was thinking of doubling 4S. I think passing and bidding 5H are each logical alternatives in my situation. I felt compelled to bid 5H, because it seemed to me that passing was demonstrably suggested over bidding by partner's hesitation. Never in a million years would I have guessed that partner was thinking of bidding 5C. My diamond length was another clue that partner had a one-dimensional hand, that he failed to double for fear of their running to 5D making. Obviously, I learned otherwise when South bid 5S, but I had no reason to suspect spade length from a weak 2D bidder when I bid 5H."

That argument from West seems pretty compelling, and seems to fit the letter of the law to a T. So while ruling in favor of West doesn't feel right, with the laws as currently written, I think it is correct to do so.

Kooijman: With the new laws there is a relevant question to be answered: does South still play bridge by bidding 5♠? Since the answer is 'yes' I arrive at the same conclusion: 4♠ made for both sides. And I applaud for the first wham (AWMW).

Rigal: Correct ruling and sensible AWMW. I wish we had more of them – and I'm surprised that this went to committee.

Wildavsky: West is a member of the NABC Appeals Committee. He apologized to me for bringing this case, which he later decided was without merit. I told him no apology is necessary. Being objective about one's own case is a difficult matter. An AWMW is not a moral condemnation, just a warning to consider more carefully in the future. When in doubt as to whether to appeal I recommend consulting with knowledgeable friends or acquaintances, so long as there's no possibility that they'll be serving on the committee. I try to make myself available for such consultations.

As for the case itself, as Jeff points out East was more likely to have been thinking about doubling than saving. One could argue that West is obliged to save after the hesitation! Adjusting the score here is still reasonable, though. I agree that 4S is likely to make, given that East did not double. If he was considering doubling, though, he must have some values, and those values will likely prove useful on offense as well as defense. They could easily be enough to keep 5H from going for 800. Thus, the hesitation could make 5H more likely to be successful.

All told, I think this was a close case, so I'd say the appeal had merit.

Wolff: A slam dunk ruling about returning it to 4 spades and cancelling West's 5 heart bid. My experience is that when partner (reasonably high-level on up) studies and then passes, it is NEVER (or hardly ever) about doubling but rather about bidding on, whether supporting partner or bidding a new suit. Reason being is that doubling (or its counterpart of thinking about doubling and then not) usually enables declarer (good or better) to play the hand more effectively, so studying and then passing when contemplating a double is quite often costly.

APPEAL	NABC+ FIVE
Subject	Unauthorized Information
DIC	Henry Cukoff
Event	Fast Pairs
Session	Second Qualifying
Date	7/29/10

BD#	3
VUL	EW
DLR	S

John Bortins	
♠	K42
♥	A93
♦	96
♣	AKJ43

David Rosenberg		Summer 2010 New Orleans, Louisiana	Gary Kessler	
♠	T9853		♠	AQ76
♥	Q75		♥	J6
♦	J4		♦	AK853
♣	975		♣	Q6

Nancy Benamati	
♠	J
♥	KT842
♦	QT72
♣	T82

West	North	East	South
			P
P	1NT ¹	2♣ ²	2♥ ³
P	2♠	P	3♥
P	P	P	

Final Contract	3♥ by South
Opening Lead	♠T
Table Result	3♥ made 3, NS +140
Director Ruling	3♥ made 3, NS +140
Committee Ruling	3♥ made 3, NS +140

(1)	15-17 HCP
(2)	Major-Minor Two-Suiter or One-Suited Minor
(3)	Transfer to Spades

The Facts: East-West called the director after North's final pass in the auction. South played 3♥ making three for a score of +140 North-South.

The Ruling: The director was called back to the table after the conclusion of play. The director returned to the table a third time after consulting with other directors. The director ruled that there was no use of unauthorized information or misinformation under Laws 16 and 40. After giving the ruling, East-West informed the director that South's bid of 3♥ was accompanied by "body English" that might have betrayed South's intent.

The Appeal: East-West appealed the director's ruling. East-West appeared at the Appeals Committee Hearing. East-West alleged that there was a demonstrable

difference in the way South placed the 3♥ bid card on the table and the way she had previously placed her other bids on the table.

The Decision: The fact that East-West claimed that there was a difference in the manner in which South placed her 3♥ bid on the table from the manner in which she had previously placed her bids on the table was not brought to the director's attention until the third time the director returned to the table. It was not brought up when the director was called originally after the pass of 3♥. It was not brought up when the director was called back at the conclusion of play. It was only brought up when the director came back to deliver his ruling.

After discussion the committee ruled that had the form of her bid been significantly different, it would likely have been brought up earlier to the director. Therefore, the committee ruled that there was no unauthorized information for North and he was free to bid as he chose. Therefore, the table result of 3♥ making three was allowed to stand.

The Committee: Aaron Silverstein (Chairman), Jim Thurtell, and Fred King.

Commentary:

Bramley: In the real world this auction always means "My previous bid was NOT a transfer". Directors and Committees should be loath to force the "transferor's" partner to keep bidding when "everyone" knows what is happening. Good decision.

Goldsmith: How can North pass 3H? Isn't that 100% forcing? How would South have bid AQxxx Kxxxx xx x? If not as she did, then N/S needs to demonstrate to us that the auction as given was impossible to mean anything other than a correction. They didn't and probably can't. So while E/W's late claim about some body English seems lame, it is clear that North figured out that South had forgotten that 2H was a transfer somehow. Not by any authorized way, so passing is illegal. Since South might be 5-6 in the majors, it seems normal for North to bid 4H, so I'd rule reciprocal 50s.

Kooijman: Strange situation. My partner never passes 3♥ in such case. I am surprised that the committee didn't consider this to be a strange action by North and did not investigate further. All evidence seems to point in the direction that the 3♥-bid got some extra information. It is not unusual in my experience not to mention this illegal emphasis on the 3♥ bid, since the auction itself shows clear proof. Why accusing your opponents when the TD will support you anyway? I am not happy with this decision, unless it is my lack of bidding understanding and this is the normal way for NS to reach 3♥ (joke).

Rigal: I HATE with a capital 'H' this sort of appeal. I'm not saying the allegation is not true; what I'm saying is that bringing up new allegations at committee is totally inappropriate.

Wildavsky: I have no quarrel with these rulings. Note that they do not set a precedent – a slightly different set of facts would likely have resulted in an adjusted score.

Wolff: Convention Disruption (CD) strikes and as usual, as of the point of the disruption, renders the rest of the hand unplayable. Here, although West had to consider his partner having spades as one of the possible hand types his bid had shown, when South evidently was transferring to spades, he West was driven out of the picture.

Here, as is usually the case, when CD strikes the opponents cannot protect themselves against it and when South now continues with 3 hearts, North is duty bound to bid either 3 or 4 spades. To not do so is very suspect. Proper ruling EW: Average, NS: Zero with proper disciplines and admonitions to boot. We continue to close our eyes to the cancer which CD represents to our game.

APPEAL	NABC+ SIX
Subject	Misinformation
DIC	Gary Zeiger
Event	Roth Swiss Teams
Session	Second Qualifying
Date	July 31, 2010

BD#	3
VUL	EW
DLR	S

Jorgen Moelberg	
♠	AK943
♥	A
♦	J84
♣	J943

Mike Marlin		Summer 2010 New Orleans, Louisiana	Sandra Marlin	
♠	Q87		♠	JT5
♥	KQT		♥	J3
♦	KQ63		♦	A972
♣	KQ7		♣	AT52

Terje Aa	
♠	62
♥	9876542
♦	T5
♣	86

West	North	East	South
			P
1♣ ¹	1♥ ²	2♥ ³	P
2NT	P	3NT	P
P	P		

Final Contract	3NT by West
Opening Lead	♣4
Table Result	Made 4, EW +630
Director Ruling	3NT down 1, EW -100
Committee Ruling	3NT made 4, EW +630

(1)	Alerted as strong, artificial, and forcing
(2)	Alerted as Spades or Minors
(3)	Alerted as showing 5 Spades

The Facts: North asked West about the 2♥ bid before the opening lead. West informed North that “It shows 5 spades, but don’t be surprised if there are not 5 spades in the dummy. Unfamiliar territory.” North-South both understood West to say, “I’d be surprised if there are not five spades in dummy.” East did not clarify that East-West have no experience versus this convention and they had no agreement about 2♥.

The Ruling: North asserted that he would have led a small spade given accurate information. Declarer has eight winners and must play clubs correctly for a ninth trick. Since the drop and finesse are both reasonable lines of play, the director adjusted the result to 3NT down 1, North-South +100. This was the most favorable result likely for the non-offenders, pursuant to Laws 40B4 and 12C1(e).

The Appeal: East-West appealed and all four players attended the committee hearing. In committee, West stated that he had explained the 2♥ bid as showing spades. Following the conclusion of the auction and further questions by North, West again stated that the bid showed five spades, but said something to the effect of “I would not be surprised if the dummy does not contain five spades.” North asked East whether she had spades before the opening lead was made, but East did not answer, feeling that she did not have an obligation to answer that question. She stated that her partner had correctly stated the meaning of her bids. East-West have been playing bridge together for ten years, but have been playing precision for only about one year. They produced system notes which showed that they play transfer responses to one club for positive response hands, including over interference where there is a known suit. They stated that they generally play in a small club in Kentucky, and nobody in their club plays Suction or similar defenses to their one club bid. Accordingly, they had not encountered this defense before. West agreed that if he had to declare 3NT on a low spade lead, he would not have worked out how to make it. West also agreed that he has a strong Kentucky accent, which might make it difficult for others to understand him.

North stated that he would have led a low spade if he had known that the 2♥ bid did not show spades, and that with that lead, 3NT might go down. North thought that West had said, “I would be surprised if the dummy does not contain five spades.” North testified that he is a school teacher in Norway, and this includes teaching English. North’s English was readily understandable by the Committee.

The Decision: The Committee examined the East-West bidding notes. The notes indicated that East-West ignored competition when possible, and generally played positive responses as transfers. The notes were not explicit as to what East-West played when no suit was known, and apparently East-West had never encountered this situation before. East and West each had about 4000 master points. The notes showed that double would be a balanced hand of 5 plus high card points or an unbalanced hand with 5 to 8 points, so this was an alternative bid that East might have chosen.

After analysis of the bidding notes, the Committee concluded that East had simply misbid, and that West had provided a correct explanation of East’s bidding. There was no allegation of any break in tempo or any other type of unauthorized information, so West was clearly entitled to bid 2NT with his hand. The committee also noted that West had gone out of his way to try to alert North that East might have misbid in this situation. The Committee felt it was unfortunate that North had misunderstood West’s statements, but that since English is the language of the tournament and that West had made an accurate statement about the agreements, there was no misinformation, and so no infraction. Accordingly, the table result of 3NT making 4 was restored.

The Committee: Richard Popper (Chairman), Jim Thurtell, Ellen Kent, Aaron Silverstein, and Bob White.

Commentary:

Bramley: Tough one. The decision is well-reasoned and well-written, but the whole thing leaves a bad taste. In theory, the decision would be the same even without West's attempted disclaimer.

Since the system notes are not explicit about what to do over "suitless" interference, an argument could be made that there was no agreement and therefore West's explanation was MI. I'm also uncomfortable with East's dodgy response to a direct question about whether she had what her partner said she had. She had to know that her answer, or lack thereof, would directly affect the choice of lead. My preference is for players to admit to a misunderstanding when questioned, EVEN WHEN LEGALLY PERMITTED TO EVADE ANSWERING. Doing so will nearly always obviate a ruling (or a Committee) and allow for a valid table result; evasion nearly always has the opposite effect.

Goldsmith: I don't get to see the notes, but...if they really say that transfers are on if there is one known suit, then they do not apply over Suction, and therefore, the correct explanation is "no agreement." Furthermore, if the agreement applied assuming the known suit was spades, then a transfer to spades is unlikely to be natural, so there was MI. Even if West (who, to his credit, was trying to be helpful) had simply explained their agreements in detail, North would probably have worked out that East was unlikely to have spades. So I am pretty confident that there was MI, and that MI damaged the NOS. Again, the actual text of the notes could convince me otherwise.

On a spade lead, however, West would have made nine tricks. What is North to discard on four rounds of diamonds? If a spade, West just knocks out the HA. If a club, he no longer has to guess clubs. Since his stated plan was to figure out how to play clubs, running diamonds is completely natural, and players with 4000 MPs will do it just as a matter of course. There is no need to think of the triple squeeze; it just happens. So I'd rule reciprocal 600s. It is reasonable to rule -100 for E/W, judging that getting the play wrong was at all probable, but I think it is not. It's certainly not likely that West will go down, so N/S get -600.

I'd also give E/W a 1/4 board PP for East's failing to state before the opening lead that there was a mis-explanation. There is no way that she was certain that partner's explanation was correct, so she has to speak up.

Kooijman: I don't understand the facts. Does it say that East should have told NS that they had no agreement about the 2♥ bid? If so, I do not understand the decision and to be honest I tend not to understand it anyway. Why don't I find the question to East why he bid 2♥? All signs lead to my conclusion that EW did not know what they were doing, West NOT giving a right statement about the agreements. So I support the TD, 3NT minus 1, allowing North to lead a spade after hearing that EW do not have an agreement about 2♥.

Rigal: This is an unfortunate case; nobody really did anything wrong but it seems to me as if it was indeed a misbid not misinformation thanks to the system notes. Good ruling.

Wildavsky: I do not understand the basis of the TD's ruling, since it appears that, although North misunderstood, he was provided with accurate information. The AC seems to have been more thorough.

Yes, West ought to have explained the exact agreement, that they play transfers when there is one known suit. Then North would have known exactly as much as West did, and could draw his own conclusions. In my judgment, though, West's actual explanation ought to have been as informative. North still has to guess what East's long suit is.

Kudos to Jeff for noticing that declarer was likely to score up 3N even on a spade lead.

Wolff: Again CD is committed by NS so another Zero to them with probably only an average to EW, at best Average +. Again when CD occurs bridge, as we know it, stops and speculation reigns. At last reports it is impossible to then look into everyone's mind and accurately (or even close to) determine what would have happened. Stop CD by penalizing it out of existence and presto changeo partnerships will suddenly stop having these bridge breaking mixups and either learn their conventions or cross them off their convention cards.

APPEAL	NABC+ SEVEN
Subject	Unauthorized Information
DIC	Gary Zeiger
Event	Roth Swiss Teams
Session	First Qualifying
Date	July 31, 2010

BD#	3
VUL	EW
DLR	S

Karen McCallum	
♠	J83
♥	AT83
♦	982
♣	T72

Colby Vernay		Summer 2010 New Orleans, LA	Tom Kniest	
♠	AKT		♠	74
♥	97		♥	KQ652
♦	K74		♦	QJT
♣	KJ965	♣	A43	

Lynn Baker	
♠	Q9652
♥	J4
♦	A643
♣	Q8

West	North	East	South
			2♠ ¹
P	3♦ ²	P ³	P
3NT	P	P	P

Final Contract	3NT by West
Opening Lead	♠3
Table Result	Made 4, EW +630
Director Ruling	3♦ N down 5, EW +250
Committee Ruling	3NT W made 4, EW +630

(1)	Alerted as 3-9 HCP with a five-card suit
(2)	Alerted as 0-18 HCP, natural and non-forcing
(3)	Undisputed break in tempo

The Facts: East asked South about the alerted 3♦ bid. The explanation was a bit unclear with North urging South to give a complete explanation of their agreement. East may have asked more than one question. He then took about five seconds before passing. West said that he did not believe East took that long to pass. When it was his turn to bid, West also asked more than one question, with North again contributing to the exchange. He noted to the committee North-South's reputation for light action. Considering those facts, West stated that he believed 3N was a gamble worth risking. North-South maintained that there was a clear break in tempo of about ten seconds.

The Ruling: The Director ruled that there a break in tempo that conveyed unauthorized information to West and that pass was a logical alternative to 3NT.

Accordingly, the Director ruled that the final contract should be 3♦ by North down five for a final result of East-West +250 under laws 16B1(a) and 12C1(e).

The Appeal: East-West appealed and all four players appeared at the Committee hearing. The Appeals Committee ruled that since the issues of logical alternative and “demonstrable suggestion” could easily be resolved against appellants, the crux of this case lies in whether there was unauthorized information. The Director told the Committee that as a matter of ACBL regulation, East’s question of South concerning North’s alerted 3♦ bid is protected from application of Law 16. That leaves only the alleged break in tempo to resolve.

The Committee ruled that East was in a very “hot” seat. He was fourth to bid after a non-vulnerable weak two which could have been as light as 3 HCP, a passed partner, and a bid on his right which could have been made on an enormous range of high-card strength. His obligation was to attempt not to convey unauthorized information. Both a fast pass and an extended huddle would violate that obligation. The Appeals Committee believed that he fulfilled his obligation by asking about the alerted 3♦ bid (which is eminently desirable regardless of his hand) and by waiting a few seconds after hearing about the very unusual agreement before making his call. By doing so, he makes interest in the auction appear the same as lack of interest.

The Decision: In this context, the Appeals Committee decided the evidence showed that East’s pass did not constitute an “unmistakable break in tempo” as referenced in Law 16. Therefore, the Appeals Committee ruled that the table result of 3NT by West making four should stand.

The Committee: Michael Huston (Chairman), Curtis Cheek, Jeff Roman, Fred King, and Ed Lazarus.

Commentary:

Bramley: Outstanding decision. A more literal-minded Committee could easily have decided otherwise. If they had it would have left a really bad taste. (Note the contrast with the Case Six decision.)

We have seen this kind of situation before. One side takes strange and unusual action for the express purpose of giving their opponents a big problem. Then, when the opponents DO have a big problem, the perpetrators call the cops on them! Here, we have a weak two-bid within N/S’s hyper-aggressive and wide-ranging style, in conjunction with a NON-FORCING response with an even WIDER range, that also happened to be a PSYCH. Give me a break. When your opponents overcome all of that you should congratulate them, not accuse them of hosing you. Highly unusual actions automatically bestow extra time on the opponents to work out what is happening. East clearly acted within an appropriate amount of time. End of case.

Goldsmith: Look at East's hand. It seems pretty clear that he wasn't thinking about anything but the alert and explanation, and was very unlikely to have paused more than a couple of seconds.

I like the AC's ruling.

Kooijman: The facts tell me that there was an undisputed break in tempo. But the appeal committee is wiser than the facts and decide that there was no unmistakable break in tempo. What to do? I even have the feeling that West bids 3NT (gamble of course) to escape from the accusation to have used the huddle. But once he enters the auction EW will end in 3NT, so his choice doesn't matter. -250 to NS.

Rigal: My sympathies are entirely with E/W. The highly unusual destructive methods played by N/S are likely to produce tempo problems and incomplete explanations make matters worse for their opponents. Good ruling.

Wildavsky: I prefer the AC's ruling to the TD's ruling. Their reasoning is compelling.

Wolff: Players, like NS, will stop playing their conventional psychic bids or have to get used to being taken advantage of by undue hesitation. Because of that I would allow the questionable antics of EW and charge it off to parrying with the enemy.

APPEAL	NABC+ EIGHT
Subject	Unauthorized Information
DIC	Zeiger
Event	Roth Swiss Teams
Session	Second Final Session
Date	August 1, 2010

BD#	18
VUL	NS
DLR	E

Renee Mancuso	
♠	AKQ42
♥	
♦	AQJT3
♣	Q54

Michael Polowan		Summer 2010 New Orleans, LA	Jacob Morgan	
♠	J9875		♠	3
♥	J53		♥	T9762
♦	7		♦	K8652
♣	J962		♣	T8

Sheri Winestock	
♠	T6
♥	AKQ84
♦	94
♣	AK73

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

Final Contract	6NT by North
Opening Lead	♥9
Table Result	Made 6, NS +1440
Director Ruling	6NT made 6, NS +1440
Committee Ruling	3NT made 6, NS +690

(1)	Forcing
(2)	Alerted as agreed stall bid; 2-3 spades expected
(3)	Long hesitation; 15+ seconds agreed by all

The Facts: All four players agreed that there was a long hesitation by North of 15 or more seconds before her 3NT bid. East-West called the director after South bid 4NT.

The Ruling: The director polled three players who indicated that they would bid 4NT with the South hand because they had not shown extra values and that North's auction suggested extra values. The director ruled that even though the break in tempo demonstrably suggested bidding on, pass was not a logical alternative to 4NT on the

given hand. Therefore, the director ruled no adjustment because Law 16B1 was not violated.

The Appeal: East-West appealed the director's ruling and all four players attended the committee hearing. East-West argued in committee that pass was a logical alternative to 4NT on the given hand and asserted that the hesitation was much longer than 15 seconds, which North-South agreed to. North-South argued that pass was not a logical alternative and that the break in tempo didn't necessarily suggest moving on because it could have been based on a strain decision rather than extra values.

The Decision: The committee decided by applying Laws 16 and 12 that the hesitation in this auction usually shows extras and so demonstrably suggests bidding on, and that pass was a logical alternative. It adjusted the contract to 3NT making six for +690 North-South. It also noted that one committee member's teammate did in fact pass on the same auction.

The Committee: Aaron Silverstein (Chairman), Barry Rigal, Ira Chorush, Jeff Meckstroth, and Gary Cohler.

Commentary:

Bramley: Another tough one. While a technical analysis of the auction indicates that North implies extra values, and South has undisclosed extra values herself, South also knows that they have a misfit and will need more than just SOME extras to undertake a slam. Note that North does have considerably more than what would be needed to qualify as "extras". Bidding on with the South hand is not automatic, even though it may be the "right" bid. Given that pass is a logical alternative, the Committee made the right decision.

Goldsmith: Not only do I think passing 3NT is a LA, I think it's the only alternative. South has extras, but she also has a misfit. Time to get out while the getting out's good. Good ruling, AC.

Kooijman: Not much to say. Good idea to have partners of AC-members proving the logical alternative.

Rigal: I did write a dissent here but can't retrieve it right now. I'm convinced that fourth suit followed by a delayed no-trump action indicates doubt about strain or level. South has huge extras – more than enough to underwrite the four-level. Therefore there is no logical alternative to action here.

Wildavsky: This decision involved my teammates. As I noted in case 4, being objective about one's own cause is a difficult matter. I won't attempt it here.

Wolff: Somewhat tough decision, but certainly on the bidding given it is a logical alternative for South to pass 3NT so that I would choose that action to be forced.

APPEAL	Non NABC+ ONE
Subject	Unauthorized Information
DIC	Boyd
Event	Bruce 0-5000 LM Pairs
Session	First Qualifying Session
Date	July 23, 2010

BD#	26
VUL	Both
DLR	E

2152 Masterpoints	
♠	AQJ5
♥	984
♦	J
♣	AQ872

4658 Masterpoints		Summer 2010 New Orleans, LA	3440 Masterpoints	
♠			♠	T982
♥	A32		♥	KQJ
♦	98652		♦	Q743
♣	KJT96		♣	53

1678 Masterpoints	
♠	K7643
♥	T765
♦	AKT
♣	4

West	North	East	South
		P	P
1♣	1♠	1NT	4♠
P ¹	P	P	

Final Contract	4♠ by North
Opening Lead	♥K
Table Result	Made 4, NS +620
Director Ruling	4♠ doubled made 4, NS +790
Panel Ruling	4♠ doubled made 4, NS +790

(1) Alleged fast pass over jump to 4S by South
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The Facts: North-South called the Director after the auction, alleging that West passed immediately after South's jump to 4♠.

The Ruling: The Director determined that West passed immediately after the jump to 4S. The Director found that the fast pass after 4♠ conveyed unauthorized information to his partner that suggests passing because his opening bid was weak in third seat. The Director ruled that double was a logical alternative to pass because half of the players polled indicated that they would double with the East hand. The Director adjusted the score to 4♠X +790 North-South.

The Appeal: East-West appealed the Director's ruling asserting that double was not a logical alternative to pass with the East hand. East-West admitted to the fast pass over 4♠ and that there was unauthorized information available to partner from the fast

pass. East-West asserted that while there was unauthorized information from the fast pass of 4♠, they felt that there was authorized information available to East that suggested the final pass, i.e. West's third seat opening bid and failure to double 4♠.

The Decision: The Panel polled six players with between 3000-5000 points. Four players bid 1NT and then doubled 4S with the East hand. The other two players passed the 1♠ overcall but would have doubled 4♠ if they had bid 1NT. One player thought partner's pass of 4♠ was forcing.

The Panel decided that East had unauthorized information pursuant to Law 73C. The question then became whether double was a logical alternative to pass with the East hand. The Panel decided as a result of the polling data that double was clearly a logical alternative to pass in this auction. Therefore, since the fast pass demonstrably indicated that West had a weak hand, Law 16B1 required that East double 4♠.

The Panel: Bernie Gorkin (Chairman), Bill Michael, and Peter Marcus.

Commentary:

Bramley: Was the STOP card used? This seems like such an obvious question that I can't believe nobody asked it. While good form is to pause after any skip-bid, with or without the STOP card, the violation is clearer when it is used. Since West agreed that he quick-bid it's all moot. I like the ruling and the precedent.

E/W have a valid point that the auction itself is suspicious enough to deter East from doubling. However, styles vary, and East cannot be allowed to work it out with an assist from partner.

Goldsmith: No Merit.

Rigal: I really like the basis of this decision but I'm shocked, shocked that East would be deemed to have to double here. With no trump trick and ♥KQJ a broken reed on defense, I think West might have been due a PP, but N/S got an unexpected and undeserved bonus. I look forward to reading RW's comments here.

Wildavsky: Was the Stop Card used? It doesn't affect this ruling, but enquiring minds want to know!

That said this was a fine effort by the TD. Kudos to NS for calling him and giving him a chance to make it.

Not only has the appeal no merit, I'd have assessed a procedural penalty against West for his failure to follow prescribed procedures. Apparently he has not been called to account for such violations often enough. How many of his 4658 MPs were won with actions like this one?

Wolff: A wonderful innovative ruling which addresses unethical fast passes which attempt to preclude partner from acting further.

APPEAL	Non NABC+ TWO
Subject	Unauthorized Information
DIC	Boyd
Event	Bruce 0-5000 LM Pairs
Session	First Qualifying Session
Date	July 23, 2010

BD#	26
VUL	BOTH
DLR	E

1912 Masterpoints	
♠	AQJ5
♥	984
♦	J
♣	AQ872

3021 Masterpoints		Summer 2010 New Orleans, LA	2226 Masterpoints	
♠			♠	T982
♥	A32		♥	KQJ
♦	98652		♦	Q743
♣	KJT96		♣	53

2868 Masterpoints	
♠	K7643
♥	T765
♦	AKT
♣	4

West	North	East	South
		P	P
P	1♣	P	1♠
P	2♠	P	3♦
P	3♠ ¹	P	4♠
P	P	P	

Final Contract	4♠ by South
Opening Lead	♣T
Table Result	Made 5, NS +650
Director Ruling	3♠ made 5, +200 NS
Panel Ruling	3♠ made 5, +200 NS

(1) Alleged break in tempo by North before his 3♠ bid

The Facts: East-West alleged that North, at his third turn to bid, immediately reached for the bidding box and then pulled his hand back and pondered for at least 20 seconds before bidding 3♠. East-West called the Director immediately after South's 4♠ bid and then again at the conclusion of the hand. At the table, North-South did not dispute the above facts to the Director. After the ruling, North-South contended that the break in tempo was ten seconds or less.

The Ruling: The Director ruled that there was a break in tempo, which caused unauthorized information to be available to South. The unauthorized information demonstrably suggested action over inaction to South. The Director also found that pass was a logical alternative to the 4♠ bid selected by South at his final turn to call.

Therefore, the Director ruled that the score be adjusted to 3♠ making 5 for +200 North-South according to Laws 73C and 16B.

The Appeal: North-South appealed asserting that South made a help suit game try in diamonds because he was trying to decide whether to bid 3N or 4♠. North-South claimed that they never planned to stop short of game.

The Decision: The Panel found that while the amount of the break in tempo was disputed, it was clear there was an unmistakable hesitation. North admitted the break in tempo and reported that he was trying to figure out South's bidding.

The Panel gave the South hand to six players in the 1500-3000 point range. Given the 3♦ bid (most would have bid 4♠ at this turn), four of those polled bid 4♠ and two would have honored partner's bid and passed. The Panel felt that the polling results indicated that pass is a logical alternative to bidding 4♠. According to Laws 16B and 12C1, the result must be adjusted to 3♠ making five for +200 North-South. The Panel also ruled that since the majority of those polled bid 4♠, no AWMW was given.

The Panel: Bernie Gorkin (Chairman), Bill Michael, and Peter Marcus.

Commentary:

Bramley: No merit. The choice-of-games argument is not credible. Note that although North should not take too MUCH time, neither can he take too LITTLE time. (See Case One.) At every turn, a bidder must strive to make his call in a tempo that suggests he has something to think about, whether or not he does. Establishing such a tempo in the "no-think" positions frees him to use a little extra time in the positions where he actually does have a problem.

Goldsmith: No Merit.

Rigal: Clearly correct decision...but please be aware TD Panel. If your criteria for not awarding an AWM is a pooled-player majority, look again at Case 4 and many, many others....(By the way I'm shocked four players drove to game but that's life in the non-NABCs, or maybe it puts my game in its proper place.)

Wildavsky: The Panel applied the wrong standard for assessing an AWMW. A player who intended 3D as a game try would always pass 3S, and we have no way of judging whether South intended his bid that way. Given his hand it seems unlikely. Spades will take an extra trick much more often than not and opener will not be well placed to judge whether this is one of the rare exceptions since he will not be able to picture South's singleton. In any case, his actual intent is not relevant. We are not mind readers. Since we have no way to be certain we must adjust his score just as we would that of a player who had made a game try, when a game try is plausible. Certainly it is here.

Wolf: Once, South makes what can only be a game try, he is not allowed to calibrate EFFECTIVELY his partner's lack of acceptance in order to finalize his decision. He must pass and the ruling sent this message.

APPEAL	Non-NABC+ THREE
Subject	Misinformation
DIC	Gary Zeiger
Event	0-1500 LM Pairs
Session	First Qualifying
Date	7/23/10

BD#	2
VUL	NS
DLR	E

450 Masterpoints	
♠	96
♥	KJT9652
♦	5
♣	KQ3

1219 Masterpoints		Summer 2010 New Orleans, LA	1067 Masterpoints	
♠	Q5		♠	AJ42
♥	43		♥	AQ87
♦	32		♦	AT64
♣	AJT9754		♣	6

715 Masterpoints	
♠	KT873
♥	
♦	KQJ987
♣	82

West	North	East	South
		1♦	P
1N	2♥	Dbl ¹	2♠
P	3♥	Dbl	4♦
P	4♠	Dbl	P
P	P		

Final Contract	4♠ Doubled by South
Opening Lead	♦3
Table Result	Down 2, NS -500
Director Ruling	4♠ doubled down 2, NS -500
Panel Ruling	4♠ doubled down 2, NS -500

(1)	Card showing
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The Facts: North-South called the Director after the hand was completed. The Director determined that North asked about East's first double in the auction. West told North-South that East's first double was card showing, not penalty.

The Ruling: The Director ruled that it was not clear that there was misinformation. In addition, even assuming that there was misinformation, North's second call and South's subsequent calls were unrelated to the misinformation. Law 21 doesn't apply since any possible misinformation didn't influence North-South's actions.

The Appeal: North-South appealed the Director's ruling. All four players were present at the hearing. North argued that the first double should have been described as penalty, in which case he would have passed 2♠. East-West argued that the first double was card showing and East just happened to have hearts. West reported that he would have bid 3♣ if South hadn't bid 2♠.

The Decision: The Panel reported that they gave the North hand to four players in the 500-800 masterpoint range. All four players polled passed 2♠. All four players were also asked if the meaning of the first double was relevant to their decision, and all four reported that they would pass whatever the meaning of the first double.

Therefore, since bidding vs. passing was not deemed to be influenced by the meaning of the double, Law 21 Misinformation was not applied and the Director's ruling was upheld.

The Panel: Bernie Gorkin (Chairman), Bill Michael, and Peter Marcus.

Commentary:

Bramley: No merit. Hopeless whining. I can't believe they found four players who passed 2♠ doubled. South could not bid over 1♦, and North is looking at a pretty good suit of his own. Would the Panel have decided differently if all of the pollees had bid 3♥? Let's hope not.

Goldsmith: No Merit.

Rigal: I am not sure there was MI, and the polled players' decisions make the Panel's decision seem appropriate. In particular South's 4♦ call seems worthy of some special Darwin Award.

Wildavsky: Given West's interpretation of the double, it surprises me that he did not bid 3♣ over 2♠. That said, I have no quarrel with the TD and Panel rulings.

I don't see the merit in the appeal. The only reason I have to doubt that the explanation was accurate is West's failure to bid, and that it was not mentioned in the appeal. In any case, while misunderstandings about these doubles are common, out and out deceit is rare. Did NS really believe that EW had a secret agreement to play this double as penalty while explaining it as card showing?

Wolff: An Appeals committee should never be used in order to correct original bad bridge. Ruling is correct.

APPEAL	Non NABC+ FOUR
Subject	Unauthorized Information
DIC	Boyd
Event	0-5000 LM Pairs
Session	Second Qualifying Session
Date	July 23, 2010

BD#	22
VUL	EW
DLR	E

1855 Masterpoints	
♠	Q96
♥	J4
♦	752
♣	J9862

1946 Masterpoints		Summer 2010 New Orleans, LA	4063 Masterpoints	
♠	A5		♠	73
♥	KQT9875		♥	A632
♦	A4		♦	KJ93
♣	74		♣	KT3

2400 Masterpoints	
♠	KJT842
♥	
♦	QT86
♣	AQ5

West	North	East	South
		P	1S
2H	P	4H	P ¹
P	4S	Dbl	P
P	P		

Final Contract	4♠ doubled by South
Opening Lead	♦A
Table Result	Down 1, NS -100
Director Ruling	4♥ W made 4, EW +620
Panel Ruling	4♥ W made 4, EW +620

(1)	Break in tempo by South over 4H of about 15 seconds according to North-South, 20 seconds according to East-West.
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The Facts: Both sides agreed that a break in tempo over 4♥ occurred of at least 15 seconds. North argued that at favorable vulnerability, 4♠ would be a good sacrifice. When asked why he hadn't bid 2♠ earlier in the auction, North replied that he wanted to see what would happen.

The Ruling: The Director ruled that there was a break in tempo that conveyed unauthorized information to North that demonstrably suggested bidding. The Director also determined that pass was a logical alternative to 4♠ for North in this auction and Law 16B required the result be set back to 4♥ by West making four for +620 East-West.

The Appeal: North-South appealed the Director's ruling and North-South attended the Panel hearing. East-West did not attend the Panel hearing. North-South argued that at favorable vulnerability, 4♠ would be a good sacrifice.

The Decision: The Panel determined that South's break in tempo demonstrably indicated that he wanted to take some action over 4♥. North's heart holding makes it unlikely that South was thinking about doubling. The Panel polled six players and only two even considered bidding 4♠. The other four players considered nothing other than pass. Thus, by Law 16B the contract was set back to 4♥ by West making 4 for +620.

The Panel: Bernie Gorkin (Chairman), John Gram, Dan Plato, and Anita Goldman.

Commentary:

Bramley: More hopeless whining, and even less merit. The Panel needs a bidding lesson. South cannot make a penalty double, so if he's thinking it can only be about bidding or making a takeout double. North's heart holding is irrelevant.

Goldsmith: No Merit.

Rigal: As Foghorn Leghorn: "Ridiculous, Ah say ridiculous, failure to award an AWM". The right decision of course, but if this case doesn't merit one, what case will? N/S have to learn; when you commit an infraction based on UI and wash your dirty linen in public you don't get away unscathed.

Wildavsky: No merit. None. None. None! If this doesn't deserve an AWMW, what appeal will?

Wolff: A slam dunk ruling to suggest further discipline imposed on North since he was so blatant with this unethality.

APPEAL	Non NABC+ FIVE
Subject	Unauthorized Information
DIC	Boyd
Event	0-5000 LM Pairs
Session	Second Semi-Final Session
Date	July 24, 2010

BD#	15
VUL	NS
DLR	S

3967 Masterpoints	
♠	AT3
♥	QT54
♦	K5
♣	7653

2185 Masterpoints		Summer 2010 New Orleans, LA	1937 Masterpoints	
♠	J762		♠	KQ98
♥	82		♥	KJ
♦	J97		♦	AT3
♣	KQ82		♣	AJT4

3053 Masterpoints	
♠	54
♥	A9763
♦	Q8642
♣	9

West	North	East	South
			P
P	P	1N	2♦ ¹
P ²	2♥ ³	2♠	P
4♠	P	P	P

Final Contract	4♠ by East
Opening Lead	♣9
Table Result	Made 4, EW +420
Director Ruling	4♠ made 4, EW +420
Panel Ruling	4♠ made 4, EW +420

(1)	Alerted and explained as Diamonds and a Major
(2)	West asked for an explanation of the 2♦ bid
(3)	Alerted and explained as pass or correct

The Facts: North-South called the Director at the conclusion of the hand asserting that West's question about the 2♦ bid and subsequent pass conveyed unauthorized information.

The Ruling: The Director ruled that even if there was unauthorized information conveyed by West, pass by East was not a logical alternative as defined by Law 16B, so the result stands. The Director polled a number of players about this auction and found that most players bid with the East hand.

The Appeal: North-South appealed the Director's ruling and North, East, and West attended the Panel hearing. North argued that West conveyed unauthorized information by asking about the meaning of the 2♦ bid and then passing. North admitted

that West didn't pause, squirm, or show any signs of discomfort at his turn to bid. North based his request for an adjustment solely on the fact that West had asked the question and East had resulting unauthorized information. East reported that he bid 2♠ because he had better than a standard 1N opening. East stated that he didn't open 1♣ and rebid 2N because of his heart holding. West reported that he jumped to 4S because he assumed his partner had five spades.

The Decision: The Appeals Panel decided that this situation was an interpretation of ACBL Regulations and thus the province of the DIC of the tournament. The DIC's policy statement reported, "The act of asking for an explanation of an alerted call immediately after the alert is made can not, in and of itself, be deemed to convey unauthorized information." Therefore based on this policy, the Panel ruled that the result stands. North was informed by the Panel of the policy but chose to pursue the appeal anyway. An Appeal Without Merit Warning (AWMW) was given to North because the appeal was pursued despite the warning that it could not succeed.

The Panel: Charlie McCracken (Chairman), Harry Falk, and Jean Molnar.

Commentary:

Bramley: The no-merit limbo bar has been lowered to the floor with this one. Even the Panel finally got the message.

Goldsmith: No Merit.

Rigal: There are two issues here; the first is that as the regulations currently stand West did not convey UI to East. The second is that it was deemed (and I agree) that passing the East cards at the second turn was not a Logical Alternative. Note that in any event West would not have sold out at his next turn. Given that the position was properly explained to N/S the AWM seems properly allocated.

Wildavsky: I disagree that there is no logical alternative to bidding 2♠. Pass would be logical enough. That is not relevant here. East has no UI, so he was entitled to bid as he pleased.

I wonder whether North might have learned his bridge on foreign shores. The English Bridge Union has a rule, foolish in my opinion, that asking and then passing is deemed to convey UI. Since our rule is the opposite, and was clearly explained as such, there was no merit and finally the panel agrees. That's one for five so far.

Wolff: Obviously East committed no ethical crime and should be permitted to score up 4 spades making. However, it seems incredible to me that the original TD plus the 3 panel members failed to see that NS should have defeated 4 spades by merely giving partner a club ruff by returning his opening lead, after winning the ace of spades as soon as possible. Our desire for credibility cannot be successful if all the TD's missed such an obvious capper to the argument. Perhaps the TD staff should take more time before jumping to some conclusion which, at least in this case stays in second place

behind NS failing to defeat a baby hand. It is one thing for NS to not see it, but quite another very serious matter for the TD's involved (4 out of 4) to not.

APPEAL	NON NABC+ SIX
Subject	Unauthorized Information
DIC	Albright
Event	Daylight Open Pairs
Session	Second Session
Date	July 24, 2010

BD#	21
VUL	NS
DLR	N

3402 Masterpoints	
♠	KQ7
♥	A3
♦	J653
♣	AQ82

8376 Masterpoints	Summer 2010 New Orleans, LA	11974 Masterpoints
♠ JT5		♠ A864
♥ 7642		♥ T
♦ T9		♦ AKQ82
♣ KJ93		♣ T64

2043 Masterpoints	
♠	932
♥	KQJ985
♦	74
♣	75

West	North	East	South
	1N ¹	2♣ ²	2♥ ³
P	2♠	P	3♥ ⁴
P	P	P	

Final Contract	3♥ by South
Opening Lead	♦T
Table Result	Down 1, EW +100
Director Ruling	4♥ S down 2, EW +200
Panel Ruling	4♥ doubled S down 2, EW +500

(1)	15-17 HCP
(2)	Alerted as transfer to Diamonds
(3)	Break in tempo and announced as transfer
(4)	Break in tempo before 3H bid

The Facts: North-South admitted that in their system if there had been no intervening bidding, 2♥ followed by 3♥ would be a forcing hand with 5-5 in the majors.

The Ruling: The Director ruled that there was unauthorized information and that North would bid over 3H without the unauthorized information. The Director also determined that South would bid 4♥ over partner's rebid because partner might not be able to make use of the heart suit in any other contract. The score was adjusted to 4♥ by South, down two for +200 East-West.

The Appeal: East-West appealed the Director's ruling and North and East attended the Panel hearing. East argued that it was obvious from South's table actions

that she did not have the values to bid game. East asserted that had North-South's misunderstanding forced them to 4♥, she would have doubled knowing that partner had some values. East also pointed out that North-South have been playing together intermittently for fifteen years.

The Decision: The Panel consulted six top players to determine whether East would have a legitimate double over 4♥ in this auction. Two doubled the final contract, three passed and one passed but said double was a real possibility. The Panel reasoned that East was denied the opportunity to double the projected final contract by North's precipitous pass, so there was more than enough agreement with her stated intent to change the final contract to 4♥ doubled down two for +500 East-West pursuant to Laws 16B.1(a), 73C, and 12C.1(e).

The Panel: Charles MacCracken (Chairman), Harry Falk, and Ken Van Cleve.

Commentary:

Bramley: Suppose 4♥ had been cold (and very small rearrangements make it so). Would East have then asked for the contract to be changed to [fill-in-the blank] spades, doubled, going down? Because shouldn't North be forced to prefer spades forever, no matter how many times South bids hearts? Nah.

But I digress. Even though East won the case, this strikes me as abuse of the appeals process. East had already received a highly favorable ruling, and then wanted to get a complete top. Perhaps this was the "correct" decision. (I do have a hard time finding fault with the Panel's logic.) If so, then something is wrong with the system that allows it.

A (slightly) fairer decision would have been split scores: +200 to E/W (most likely) and -500 to N/S (at all probable). You're not entitled to free candy every time you ask for it.

Goldsmith: 3♥ was 100% forcing. North passed because he blatantly took advantage of UI. First order of business is a 1/2 board PP and a good yell at North. I think the lowest number of hearts N/S can play is 5. If North behaves, South has lots of options; probably the most successful is to pass whatever North bids, so we have to determine likely and at all probable outcomes. I think it is likely that N/S will play 5♥x for -800, so that is the appropriate score for each side. It is at all probable that N/S can do better, but that does not help them. I do not want to know how South managed to go down in 3♥.

Rigal: I am not sure the Panel addressed the right issue. Assume screens so no UI; wouldn't you as a savvy world champion who's been around the block more than once KNOW what this auction means...it's like a natural 2NT bid where partner converts to 3C. I think North is allowed to take a chance in the concept of the double and pass 3H. The argument for the double looks absurd to me, by the way, but the Panel bought it.

Wildavsky: All fair enough. I wonder why the contract was not adjusted to 4Sx or 5Hx though. I'm also surprised E/W appealed. They had a perfect right to, but the change from +200 to +500 cannot have gained them much.

Wolff: CD again and should not be tolerated. Perhaps East thought she was acting according to the laws and sadly maybe even she was, but how can we accept such aberrant behavior? For everyone to bury their heads in the sand and allow such an act and the awful result obtained is the same as catering to total unethality and as far as I am concerned when East didn't speak up after the bidding was over and WHETHER OR NOT NORTH ASKED is nothing short of overt cheating. Sad, but not surprising, that EW should accept such a ruling, but even worse yet that the committee and the whole high-level bridge community would not insist that East had a duty to inform North and if by not so doing to benefit from the result and not to be disciplined for what he (she) did. Perhaps by not doing so, we all deserve everyone to act suspiciously and unethical and none of us to care one whit what happens. If this committee is an example, I shudder to think of what we want the future of bridge to be. SHAME ON ALL who contributed.

Furthermore if we go to the genesis of this possible law, Edgar Kaplan may have had in mind, to now penalize the bid of 2 hearts as showing spades would be the same as not allowing psychics. To that I say: East had no intention of psyching, but rather thought her two heart bid is a limit raise or better in clubs. Again, very sadly, our administrators are catering to that very novice like interpretation of her bid, although why on earth would West think that East, his partner, might be intending it to show 5 spades. However what should sophisticated opponents think about what they heard in the bidding and its explanation? Do we need to psychoanalyze our opponents and if so how can we do it? Until we cast the strict letter of the law interpretation of some bridge activity and try and restore honor and equity to our game we will continue to make bridge seem, during these times, to be a laughing stock.

STRONG LETTER TO FOLLOW!

APPEAL	Non NABC+ SEVEN
Subject	Unauthorized Information
DIC	Boyd
Event	0-5000 LM Pairs
Session	Second Semi-Final Session
Date	July 24, 2010

BD#	19
VUL	EW
DLR	S

350 Masterpoints	
♠	T53
♥	AKT
♦	QJ963
♣	A4

3737 Masterpoints		Summer 2010 New Orleans, LA	4924 Masterpoints	
♠	A876		♠	KQ94
♥	873		♥	Q
♦	75		♦	AK842
♣	QT95		♣	KJ7

2500 Masterpoints	
♠	J2
♥	J96542
♦	T
♣	8632

West	North	East	South
			P
P	1N ¹	Db1 ²	ReDb1 ³
P ⁴	P	P	

Final Contract	1NT Redoubled by North
Opening Lead	♦4
Table Result	Made 2, NS +760
Director Ruling	3♠ E made 4, EW +170
Panel Ruling	1NT Redoubled by N made 2, NS +760

(1)	14-16 HCP
(2)	Penalty
(3)	Not alerted; shows 5+ card suit (run-out)
(4)	West asked about the Redouble and was told "not sure but pass by South would be Non-Forcing"

The Facts: North reported that he could not remember the meaning of the redouble and failed to alert the redouble. South neglected to inform the opponents of the meaning of his redouble until after he laid down the dummy. East-West called the Director immediately after being informed of the meaning of the redouble.

The Ruling: The Director ruled that there was misinformation pursuant to Law 40. The Director also determined that this misinformation damaged East-West and therefore adjusted the board to 3♠ by East making 4 for +170.

The Appeal: North-South appealed and four players attended the Panel hearing. North reported that he forgot the meaning of the redouble during the auction. South said that he befuddled by the course of the auction and did not think to tell the opponents about his bid until he was putting the dummy down. South said East-West could have called the Director after the dummy came down but seemed happy until the outcome was known. North said it seems illogical that East-West would want to defend if dummy is strong but want to run out if dummy is weak. North said it seems like we are giving them a double shot at good result. East argued that if redouble was a weak one-suited run-out than the suit is probably hearts which was too dangerous to defend with a singleton.

The Decision: The Panel gave the hand to seven players (one with 975 MP, one with 35,000 MP, and the rest between 1800 and 4975 MPs). Those polled were asked “If redouble showed the balance of strength, what is your call?” They were also asked if “If redouble was a weak run-out, what is your call?” Two out of seven bid 2♦ when redouble showed the balance of strength, while none of those polled bid when redouble was a weak run-out.”

Therefore, the Panel went back to the original table result of 1NT redoubled making two for +760. The Panel decided to impose a procedural penalty against North-South for failing to clarify the situation before the opening lead was made.

The Panel: John Gram (Chairman), Jay Albright, and Peter Marcus.

Commentary:

Bramley: Rub of the green, thus a correct decision. However, I hate the procedural penalty, which should be given only for gross violations. This does not qualify, especially as South’s gaffe had no bearing on the outcome. Getting lucky is not a crime.

Rigal: I am glad that no one suggested any absurd concept such as convention Disruption would apply here. The point is that N/S got spectacularly lucky (I sympathize: I have been the beneficiary of this precise accident once myself) and E/W could not possibly have done anything different. In fact, bringing an appeal against a proper TD decision would have merited an AWM...but as we can see, the TD ruling was incorrect.

Goldsmith: The Panel is clearly right; the only issue is the PP. South clearly should announce the mis-explanation before the opening lead, which would allow the director to be called and East to have the option to retract his final pass. Since the violation of correct procedure allowed the director to mis-rule and hence caused the AC to have to meet, it is reasonable to award a PP.

Wildavsky: South caused this mess by his violation of proper procedure, so the procedural penalty was perfectly in order. Well done by the Panel for assessing it.

As for the score adjustment, the Panel decision was far superior to the TD's. The Panel has the reasoning exactly right. Correct information would not have made the winning action more attractive.

There is an inconsistency in the facts presented as to when the TD was called. Fortunately it does not affect the ruling here.

Wolff: The TD was wrong here and normal playing luck (NPL) should have allowed the actual result. Yes NS got very lucky but that is not illegal. Yes South should have found a way, perhaps asking his partner to leave the table and explain what he thought his bid meant, but I agree that by so doing would have made the passout of 1NT doubled even more likely. The rules should always cater to efforts by the maker of a confusing (meaning not totally known) bid to right the wrong and again respect honest efforts to help the opponents know what they have a right to know.

APPEAL	Non NABC+ EIGHT
Subject	Claim
DIC	Molnar
Event	Monday A/X Daylight Pairs
Session	Second Session
Date	July 26, 2010

BD#	23
VUL	BOTH
DLR	S

2274 Masterpoints	
♠	T9752
♥	A8
♦	T53
♣	J95

16993 Masterpoints		Summer 2010 New Orleans, LA	3065 Masterpoints	
♠			♠	AKJ63
♥	JT32		♥	654
♦	KJ874		♦	AQ962
♣	T843		♣	

10730 Masterpoints	
♠	Q84
♥	KQ97
♦	
♣	AKQ762

West	North	East	South
			1♣
P	1♠	2♦	2♥
5♦	P	P	6♣
P	P	6♦	Dbl
P	P	P	

Final Contract	6♦ Dbl by East
Opening Lead	♣A
Table Result	Down 1, NS +200
Director Ruling	6♦ doubled E down 1, NS +200
Panel Ruling	6♦ doubled E down 1, NS +200

The Facts: In the two-card end position, West (Dummy) had ♠T8, North had ♦T5, and East (Declarer) had ♦Q9. Declarer was in the Dummy and called for a club and North played the 5♦. There was a dispute about which diamond Declarer played from his hand, NS insisted that he played the ♦Q making North's ♦T win the last trick. Declarer denied playing his ♦Q. Declarer said since he had played a round of diamonds earlier and knew North still had the remaining two diamonds, he would not play his Q if North played the 5. Declarer kept saying he had a "high crossruff."

The Ruling: The Director ruled that since East couldn't prove which diamond he played as a result of scrambling his cards, he was deemed to have played the ♦Q under Law 65. Therefore, the Director ruled that declarer was down one in 6♦ doubled.

The Appeal: East-West appealed the ruling and South, East, and West attended the Panel hearing. East reported that he had set-up a high cross-ruff and would never have had played the ♦Q in that situation. West reported that he thought declarer was claiming. South reported that declarer definitely played the ♦Q and denied that he was claiming.

		North			
		♠			
		♥			
		♦	T5		
		♣			
West		Summer 2010 New Orleans, Louisiana		East	
♠		♠		♠	
♥		♥		♥	
♦		♦	Q9	♦	
♣	T8	♣		♣	
		South			
		♠			
		♥	Immaterial		
		♦			
		♣			

The Decision: The Panel decided that the dummy’s comment about thinking that declarer was claiming is highly suggestive that the ♦Q had been played. The Panel was also persuaded by both defender’s cards were in order, but declarer’s cards were scrambled. Law 65 provides that a player who mixes up his cards may lose the ability to claim a doubtful trick. The Panel also stated that because both defenders were stating that the ♦Q had been played and only declarer disputing their claim, the statements are 2-1 in favor of the ♦Q having been played. Therefore, the Panel ruled that the final result was 6♦ doubled down 1.

The Panel: Bill Michael (Chairman), Tom Marsh, and Nancy Boyd.

Commentary:

Bramley: Yuk. Disputed claims are difficult to adjudicate. Forcing declarer to play the queen looks irrational from here, since declarer showed that he knew South had no more trumps. However, his statement about a “high” crossruff suggests that he thought his trumps were equals, so maybe he did play the queen. Or maybe not, since in a looser sense he did have a high crossruff, as he could score all of his trumps separately without impediment.

Regardless of the decision, I disagree with every point the Panel makes: (1) Dummy’s comment about declarer claiming doesn’t suggest anything about which card declarer played. He DID have the rest, and he could KNOW he had the rest. (2) If declarer was

claiming he wouldn't play either of his cards, so scrambling them is irrelevant. (3) Declarer is always outnumbered 2-to-1. Does he therefore lose all disputes to the defenders?

One side or the other should have conceded gracefully. If declarer really thought both of his trumps were high, he should have admitted so. Otherwise, the defense should have relented. I dislike imposing a ludicrous result, so since it's too close to call I'd have given the trick to declarer.

Rigal: Frankly, I don't know how I would have ruled here; I think either way the decision was going to be very harsh on someone. For what it's worth, I think I'd have gone the other way. We all know what the 'bridge' result was but occasionally players do depart from double-dummy I've heard.

Goldsmith: There really is not enough information to judge. When exactly was the director called? How and when were declarer's cards mixed up? If the director was called immediately, and declarer mixed his cards after the director call, down one seems clear. If the director was not called until after declarer put his cards back into the board, and he did so not knowing there was a dispute, I'd judge to let the contract make. In these cases, the table director usually knows a lot more than is written down, so it takes exceptional circumstances to overrule him or the Panel, as they have contemporary access to the table director.

Wildavsky: I see no merit to this appeal. The ruling is cut and dried.

Wolff: To me it is not a case of 2 to 1 saying how the card was played, but rather in the real doubt of establishing equity, at least to me, is to allow declarer to not have to be subject to doing something off the charts stupid, as long as some evidence showed he knew what he was doing. To rule otherwise doesn't make sense to me since it downgrades bridge to a lottery type game. Having respect for the game is to expect normal plays to be made rather than ridiculous ones. I blame the TD Panel for not having the experience to be able to recognize what is involved.

APPEAL	Non NABC+ NINE
Subject	Unauthorized Information
DIC	Ken Horwedel
Event	Open Pairs
Session	First Session
Date	July 25, 2010

BD#	11
VUL	None
DLR	S

10237 Masterpoints	
♠	KJ3
♥	A9842
♦	T65
♣	K5

1615 Masterpoints	Summer 2010 New Orleans, LA	486 Masterpoints		
♠		54	♠	A2
♥		Q	♥	653
♦		AK98742	♦	QJ3
♣		632	♣	AJ987

3175 Masterpoints	
♠	QT9876
♥	KJT7
♦	
♣	QT4

West	North	East	South
			P
3♦	P ¹	P	4♠
P	P	Dbl	P
P	P		

Final Contract	4S Dbl by South
Opening Lead	♦A
Table Result	Made 5, NS +690
Director Ruling	3♠ S made 5, NS +200
Panel Ruling	4♠ doubled S made 5, NS +690

(1) Break in tempo over 3D bid

The Facts: East-West called the Director after South's 4♠ bid and alleged a 30+ second break-in-tempo by North over the preempt. North didn't deny the break-in-tempo but claimed that she was waiting for West to pick up his stop card.

The Ruling: The Director disallowed the 4♠ bid pursuant to Law 16.B.1. The Director ruled that there was a break-in-tempo by North which gave South unauthorized information. The Director determined that 3♠ was a logical alternative to 4♠. The Director also decided that North was experienced enough to be required to know the Stop Card proprieties.

The Appeal: North-South appealed the ruling and all four players attended the Panel hearing. North-South claimed that even if South only bid 3♠, North would carry on to game with her hand.

The Decision: The Panel gave the North hand to seven flight A players and all seven passed over 3♦. They also asked if they would bid over partner's balancing 3♠ bid and six out of seven passed. Then the Panel looked at East's double of 4♠ with only two sure tricks. The Panel felt that East would not sell out to 3♠ and thus would balance with a 4♦ bid. Then the Panel decided that North would revalue her hand and make the 4♠ bid. After North bid 4♠, the Panel decided that East would repeat his double and the same final contract of 4♠ doubled would be reached. Therefore, the Panel ruled that the final result was 4♠ doubled by South making five. The Panel also decided that North was an experienced player with over 5000 masterpoints so should know the stop card proprieties. Therefore, the Panel assessed a ¼ board procedural penalty against North-South for the unsubstantial nature of his reason for hesitating.

The Panel: John Gram (Chairman), Charlie MacCracken, and Bernie Gorkin.

Commentary:

Bramley: Well, did she wait for West to pick up his STOP card? This seems like the most essential fact to determine, yet the Panel makes no statement one way or the other. Many people incorrectly follow this procedure, so I would not punish North if that's what she was doing, since then her "break in tempo" would afford no inference and South could do whatever he wanted. Thus, I would arrive at the same decision as the Panel, but from a completely different angle. And of course I would not impose a procedural penalty, which is horrendous for a minor violation of proper form.

Goldsmith: I will buy the final ruling, but not the PP. Most players do not know the stop card rules, and that includes players with 10,000 masterpoints. Furthermore, PPs should almost never be given to players who are trying to do the right thing. I also will not buy North passing 3♠, despite the poll. In fact, I find the poll incredible. It seems impossible that N/S will not reach 4♠. There is a question whether East will double on a different auction, but since I cannot fathom why he did on this one, I am not going to try to figure out if he would on a different one.

Rigal: Why was NORTH penalized? Surely South is the player who has stepped out of line by his 4♠ call instead of bidding 3♠. Then North might or might not bid game (maybe it depends on how many of her values she thought she had shown already?). I can understand why the Panel left the score in 4♠x; frankly, raising a passed hand to game is not that clear an action. If the table result is going to be re-implemented the PP is the only way to go. E/W were somewhat hard done by, though.

Wildavsky: So many issues here I scarcely know where to start! I'm glad it came up, though -- it could be instructive.

The ACBL's Stop Card policy is both deeply flawed and poorly understood. Here is my 2003 proposal to replace it with the WBF policy:

http://tameware.com/adam/bridge/laws/stop_card.html

North's contention that she was waiting for West to remove the stop card is eminently plausible. Her hand gives no indication that she was considering a call. I've found many opponents become annoyed if I bid before the stop card is removed. I take the precaution of telling them that I'm waiting. Sometimes that annoys them as well -- tough!

The Panel's projection of what would have occurred after a 3♠ balance is misleading. The laws do not require us to know with certainty what would have happened in a hypothetical situation -- that is usually impossible. Rather, Law 12c1e instructs the TD to assess the possibilities and categorize them as "likely" and "at all probable".

These two rulings are legal only if the TD judged that it was not even at all probable that NS would reach 4♠ after a balance of 3♠, and the Panel judged that it was not even at all probable that NS would stay out of 4♠. That's quite a difference. Neither contention is supported by a poll.

Since I don't believe there was any UI, I prefer the Panel's adjustment, though not their reasoning.

I do not understand the procedural penalty. North's violation of procedure was caused by West's violation of procedure. ACBL policy states explicitly that there should be no penalty for West's violation. Well and good, but then there should be no penalty for North's either.

Wolff: The ruling and the reasoning for it belongs in Ripley. I do agree that NS should be allowed to bid 4 spades and be doubled making 5, but with a 1/2 board (not a 1/4 board) penalty for the undue hesitation and partner now bidding. However my suggestion satisfies all of the demons:

1. EW has to live with the result of 4♠X making 5.
2. NS, instead of a top (or near) get at best an average.
3. Most importantly the matchpoint field is protected (PTF).

I wish all of our committees would consider this scheme of deciding penalties, keeping in mind that a TD call or an Appeals meeting is not a candy store adventure, that bridge equity needs to be heard, and that PTF is alive and well.

APPEAL	Non NABC+ TEN
Subject	Misinformation
DIC	Ken Van Cleve
Event	Sunday A/X Swiss
Session	First Session
Date	July 25, 2010

BD#	7
VUL	BOTH
DLR	S

Tim Baird	
♠	AJ9
♥	T64
♦	KQ96532
♣	

Louk Verhees		Summer 2010 New Orleans, LA	Jeff Wolfson	
♠	T8642		♠	Q75
♥	AJ975		♥	3
♦	74		♦	J
♣	8		♣	KQJ95432

Jay Sloofman	
♠	K3
♥	KQ82
♦	AT5
♣	AT76

West	North	East	South
			1N ¹
2♣ ²	2N ³	3♣	3♦ ⁴
P	4♥ ⁵	5♣	Dbl
5♥	DBL	P	P
P			

Final Contract	5♥ Doubled by West
Opening Lead	♥6
Table Result	Down 6, NS +1700
Director Ruling	5♥ doubled down 6, NS +1700
Panel Ruling	5♥ doubled down 6, NS +1700

(1)	15-17 HCP
(2)	Alerted but not asked about
(3)	Alerted as a transfer to diamonds
(4)	Alerted and explained as "likes diamonds"
(5)	Alerted and explained as splinter, but the actual agreement was Blackwood

The Facts: East alerted the 2♣ bid but the opponents chose not to ask about the meaning. 2N was alerted as a transfer to diamonds and 3♦ was alerted as liking diamonds. 4♥ was alerted and explained as a splinter but intended as Blackwood. The Director at the table determined that Blackwood was the actual agreement.

The Ruling: The Director determined that there was misinformation and a violation of Law 40 but that the 5♣ and 5♥ bids were unrelated to the misinformation. The table result of 5♥ doubled down 6 for EW -1700 was allowed to stand.

The Appeal: EW appealed the Director's ruling and all four players agreed to the facts of the case as the first session of the A/X Swiss Teams ended. After lunch, during the second session the Panel heard the case. EW argued that the improper alert of 4♥ (improperly made; no alerts above 3NT after the first round of bidding), and explanation of 4♥ as a splinter influenced West to bid 5♥ because he believed a fit in hearts had been found.

The Decision: The Panel found that the misinformation was unrelated to the result. West's 2♣ bid showed the majors but partner still bid clubs naturally and freely at the three and five levels. West's bid at the five level on limited values vulnerable caused the damage not the explanation of heart shortage. The table result of 5♥ doubled by West down 6 for EW -1700 was allowed to stand.

The Panel: John Gram (Chairman), Charley McCracken, and Bernie Gorkin.

Commentary:

Bramley: Agree. Thanks for no procedural penalty. I assume 2♣ showed majors, but I would like to know for sure. Just because N/S did not ask is no excuse to keep us all in the dark. Another example of the willingness of many players to expose their own hideous bids in pursuit of worthless appeals.

Goldsmith: No Merit.

Rigal: West's argument for bidding 5♥ was based on assuming partner could not work out that he had hearts in support of partner. Not a very good case to bring to appeal. A la lantern – or if you prefer, AWM.

Wildavsky: Good ruling. I see no merit in the appeal.

Wolff: Since this hand came from a Swiss Team we cannot use what was mentioned in 9 to determine the penalties. Everything considered and with CD also being present (but decided by the TDs as irrelevant) there is some justification in allowing 5♥X down 6, -1700 to stand. If it then was decided that since West (a very good player) was taken in by that CD perhaps a different decision of a fairly normal result (if it could be determined) to have occurred. Another in the continuing line of "When CD occurs, bridge stops".

APPEAL	Non NABC+ Eleven
Subject	Unauthorized Information
DIC	Kenneth Van Cleve
Event	A/X Swiss
Session	Sunday Afternoon
Date	July 25, 2010

BD#	15
VUL	NS
DLR	S

Debbie Gailfus	
♠	AK7
♥	T9x
♦	J9x
♣	AKJx

Jack Spear		Summer 2010 New Orleans, LA	Tom Kniest	
♠	Q62		♠	JT
♥	KJxxx		♥	8x
♦	8		♦	AQTxxx
♣	T8xx		♣	9xx

Alan Gailfus	
♠	98543
♥	AQx
♦	K7x
♣	Q7

West	North	East	South
			P
P	1♣	2♦	2N ¹
P	3♣	P	3N
P	P	P	

Final Contract	3NT by South
Opening Lead	Not provided
Table Result	Made 5, NS +660
Director Ruling	3♣ N made 4, NS +130
Panel Ruling	3♣ N made 4, NS +130

(1)	Alerted by North, no explanation requested by East-West
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The Facts: East-West called the Director at the conclusion of the auction and then called again after the conclusion of play. 2NT was intended as natural and this represents their actual agreement. North alerted the 2NT under the mistaken impression that it was Lebensohl.

The Ruling: The Director determined that there was unauthorized information available from the alert of 2NT that demonstrably suggested bidding 3NT. The Director determined that passing 3♣ was a logical alternative to bidding 3NT that would be less successful for the offenders. Three players were polled and all three passed 3♣. The Director ruled that the 3NT call was not allowed under Law 16B because of the unauthorized information.

The Appeal: North-South appealed the Director's ruling and all four players attended the hearing.

The Decision: The Panel polled three Flight A players and all three passed with the South hand. The Panel determined that there was unauthorized information available from North's alert of the 2N bid. South intended the 2N bid as natural but North's alert provided unauthorized information to South that it had been interpreted by North as Lebensohl. The unauthorized information suggested to South that North's 3♣ may not have been weak. The unauthorized information demonstrably suggested that South should bid 3N. The Panel also determined that pass was a logical alternative to 3N with the South hand. Therefore, the Panel determined that the auction should be rolled back to 3♣ making 4 by North-South for +130.

The Panel: John Gram (Chairman), Charles McCracken, Bernie Gorkin.

Commentary:

Bramley: Pray tell, what arguments did N/S advance for their cause? No merit.

Goldsmith: No Merit.

Rigal: I repeat my comments from case four (and indirectly case two). A slam-dunk AWM apparently not even considered by the Panel.

Wildavsky: I see no shred of merit here. I wish I understood why the Panel disagreed.

Wolff: I agree with the ruling since CD was vigorously penalized.

APPEAL	Non NABC+ TWELVE
Subject	Misinformation
DIC	Rick Beye
Event	Regional Knockouts
Session	First Session
Date	July 31, 2010

BD#	12
VUL	NS
DLR	W

Nancy Arnold	
♠	532
♥	J873
♦	853
♣	875

George Fox		Summer 2010 New Orleans, LA	Vic Sowers	
♠	Q64		♠	A7
♥	AKT64		♥	52
♦	T6		♦	AQJ97
♣	J92		♣	K643

Jim Darvey	
♠	KJT98
♥	Q9
♦	K42
♣	AQT

West	North	East	South
2♥ ¹	P	2N ²	P
3♣	P	3♥ ³	3♠
P	P	P	

Final Contract	3♠ by South
Opening Lead	♥A
Table Result	Down 3, EW +300
Director Ruling	3♥ W down 1, NS +50
Panel Ruling	3♠ S, down 3, EW +300

(1)	Alerted as 5+ Hearts, 9-11 HCP
(2)	Relay to 3♣
(3)	Described to North-South as invitational with 4 Hearts

The Facts: South asked for the meaning of the 3♥ bid at his turn to call. West described 3♥ as invitational with four hearts. South bid 3♠ and went down three for -300. North-South called the Director at the conclusion of the hand reporting that the misinformation had caused South to bid 3♠. East-West agreed that the correct information for the 3♥ bid is invitational with two hearts, not four hearts. South stated that he would be less willing to bid 3♠ with the correct information.

The Ruling: The Director polled six players: Two players thought little of South's decision to bid 3♠ and thought he had set up an expected problem. Four of the players polled reported having sympathy for the argument of South even though they might not

have bid 3♠. The Director applied Laws 40 B.4. and 12 C.1.E and changed the result to 3♥ by West, down one, for NS +50.

The Appeal: East-West appealed and all four players attended the Panel hearing. North-South argued that when East-West are known to have a nine-card fit, it is more attractive to bid, but if it was known that they only had a seven-card fit, the 3♠ bid becomes much riskier. East-West argued that whatever the meaning of 3♥, bidding at this vulnerability was very risky.

The Decision: The Panel polled seven players to get their opinion of the South hand. One player reported that he would double 2NT, while the other six passed 2NT and 3♥. All six were adamant that it was right to pass 3♥ whatever the meaning of 3♥. While there was misinformation according to Law 40, the poll showed that the 3♠ bid didn't hinge on the meaning of 3♥. The Panel decided that the misinformation did not lead to the bad result. The 3♠ bid was made after an invitational call by East and before West had a chance to accept the invitation. Because virtually no one would bid 3♠ regardless of the meaning of 3♥, Law 21 B.3. does not apply. Therefore, the Panel ruled that the table result of 3♠ by South, down 3, EW +300 is reinstated.

The appeal was found to have substantial merit.

The Panel: Sue Doe (Chairman), Olin Hubert, and Bernie Gorkin.

Commentary:

Bramley: I disagree. Maybe bidding is anti-percentage, as indicated by the poll, but the misinformation was relevant to THIS South. Clearly, bidding is more attractive when partner is known to have very few hearts, which has the twofold effect of increasing his offensive potential and decreasing his defensive potential. South was caught in a double-whammy. On the info he had, he was entitled to expect that either 3♥ or 3♠ would make, maybe both. Moreover, if E/W had 9+ hearts then North must have a few high cards, else the opponents would have already bid game.

The E/W argument is lame. Of course bidding is risky, but, as N/S argued, it's MUCH riskier in the face of a seven-card fit than a nine-card fit. Essentially, the Panel is saying that bidding is insane under any circumstances, an egregious error, bad enough to sever the link between the MI and the outcome.

I would have ruled the same as the Director, 3♥ down one for both sides. The play in 3♥ can have many variations, nearly all of which result in down one. Finally, I would have found no merit.

Goldsmith: I think the director's ruling is far better than the Panel's Ruling. The real question is whether there was any merit to the E/W appeal. That is a close call.

Rigal: I am not happy with the decision of the polled players. If I were asked if I would bid 3♠ with the right information I would say no. With the knowledge that East had four hearts, I am not sure. So N/S were damaged and the TD ruling looks better than the Panel's Ruling.

Wildavsky: The TD got this one right. The Panel ruling was unjust.

Everyone would agree that correct information makes Pass more attractive. That is all we need to know to adjust the EW score – they cannot be allowed to profit through MI, per Law 21B3. Normally we adjust the score for the NOS as well, unless we judge that the call was a serious error per law 12C1(b). The New Orleans ACBL LC minutes follow the lead of the WBF and instruct us that the standard for "serious error" is high, something like a revoke or failure to cash the setting trick against a slam, not a mere error in judgment.

Wolff: While I do not agree with the polled players assessment, thinking that it made a big difference whether East had 4 hearts or not and I would then bid 3 spades or at least strongly consider it. Remember when partner has not more than 2 hearts there is more room in his hand to have more spades, but this is not a how to play bridge class so I'll respect the poll and not talk against the Panel's Decision. However EW needs to have a CD penalty for not knowing their conventions, which, in turn would mitigate the penalty against NS.

WHY AREN'T OUR TD'S AND APPEALS COMMITTEES MORE TUNED IN TO THE EVILS OF CD? I have never heard anyone who can adjudicate it properly nor learn to live with it constantly, but in spite of this, no one seems to really try and eliminate it. WHY???????

FINAL COMMENTS

Adam Wildavsky

Chairman, National Appeals Committee

I was gratified by the performance of the NAC in New Orleans. By my reckoning, we improved three TD rulings and worsened none. Percentagewise that is the committee's best performance since I started keeping track almost a decade ago. Likewise, the small number of cases is a sign that TDs are doing better. That is not to say that there is no room for improvement. I thought both the TD and the AC were mistaken in case NABC+ 2. I agree with Bart that the TD decision does not seem to have followed the laws, and while the write-up shows the committee going "by the numbers" in practice, I fear their procedure was more ad hoc.

The Panels, while carrying a greater workload, had an easier time of it. While they assessed only one AWMW fully half their cases (1-5 and 11) lacked merit. I was disappointed in their ruling in case 12, overturning a good TD decision.

Making correct rulings is not always easy. Sometimes it is like playing bridge, where we cannot simply instruct our partners "Make fewer mistakes next time" or "You'll do better with more training." Still, with more time to make decisions and the ability to consult with those more knowledgeable we should be able to get all the straightforward cases right. For now I'll suggest two principles that I find useful:

1. Always follow the laws specifically. Whether changing a score or letting it stand cite the law or laws applied. We have become a lot better about this over the past 15 years, even through two updates of the lawbook.
2. Take an expansive view of logical alternatives. As I note in case NABC+ 3, a committee should be prepared to consider an action logical if even one member asserts that given the testimony regarding the bridge logic of the situation he would have taken that action, or if he strongly believes that a significant number of the player's peers would take it. Following this principle would have avoided a number of poor decisions over the years. I cannot think of any case where it would have resulted in changing a correct ruling.

A committee is often handicapped by seeing all four hands and thus knowing which action would be successful. At the table players have a wide scope for action and often take actions that seem strange or anti-percentage in the harsh light of the post-mortem.

As always, my figures are online. I welcome comments or corrections:

http://tameware.com/adam/bridge/laws/nabc_casebook_summaries.html