

2012 Summer NABC

Appeals Casebook

Philadelphia



NABC
SUMMER
July 12-22
2012

Finessing's fun in Philly!

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Table of Contents

<u>NABC+ Appeal Cases</u>	<u>Page</u>
Case One	3
Case Two	6
Case Three	8
Case Four	11
Case Five	13
Case Six	15
Case Seven	17
Case Eight	19
Case Nine	21
Case Ten	23
Case Eleven	25
Case Twelve	28
Case Thirteen	31
Case Fourteen	33
<u>Non-NABC Appeal Cases</u>	<u>Page</u>
Case One	35
Case Two	37
Case Three	39
Case Four	41
Case Five	43
Case Six	45
Case Seven	47

APPEAL	NABC+ ONE
Subject	Unauthorized Information, Break in Tempo
DIC	Chris Patrias
Event	Life Master's Pairs
Session	Second Qualifying
Date	7/13/2012

BD#	21
VUL	N-S
DLR	N

Ahmed Hussein	
♠	KJT865
♥	K8
♦	--
♣	AQT95

Robert Katz		Summer 2012 Philadelphia, Pennsylvania	Robert Cappelli	
♠	Q7		♠	42
♥	QT32		♥	9765
♦	A9876		♦	542
♣	82		♣	KJ73
Tarek Sadek				
♠	A93			
♥	AJ4			
♦	KQJT3			
♣	64			

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

Final Contract	6♠ by North
Opening Lead	♥9
Table Result	Making 6, NS +1430
Director Ruling	5♠ by North, Made 6, NS +680
Committee Ruling	5♠ by North, Made 6, NS +680

(1)	Break-in-Tempo
(2)	Break-in-Tempo

The Facts: East-West called the Director and claimed that North-South broke tempo after the 5♥ bid by North and the 5♠ bid by South.

The Ruling: The Director ruled that the contract should be adjusted to 5♠ by North making 6. According to Law 16 B, the hesitation by South before bidding 5♠ gave North unauthorized information. The UI expressed uncertainty about the final contract, thus suggesting to North that 6♠ might be a successful alternative.

The Appeal: North-South appealed the Director's ruling, and North, East, and West attended the hearing. Both sides agreed with the facts as presented by the TD.

The TD regretted that he did not have exact poll results available for the committee, but that given the auction with no UI at least two of approximately seven experts polled passed 5S with the North hand.

Appealing Side: North explained that 3♠ was forward-going and that after partner bid Blackwood he had no intention of stopping short of slam with his 4-loser hand. He expected a better hand for the 4N bid and thought partner might have chosen 4♥ with his actual hand. He did not show his void over 4N because they had no agreement as to how to do so.

The Decision: The Committee followed the section of the Appeals Form regarding UI cases, per Laws 73C and 16:

1. Was UI available? Yes, South's hesitation before bidding 5♠ was UI to North.
2. Did the UI demonstrably suggest the action taken by the player who had UI available over any other, less successful alternatives? (Law 16B1a): Yes. South would likely have signed off in tempo had his side been missing two key cards, so the UI made it more likely that only one key card was missing. That in turn meant that slam was more likely to make.
3. List any alternative actions that might have produced a less successful outcome for the offenders:

Pass instead of 6♠.

4. Would Pass have been "logical", per the criteria of Law 16B1(b)?

After discussion the Committee agreed that Pass would have been logical. For instance South could have a more suitable hand for Blackwood such as

Qxxx
x
AKQJx
KJx

With this hand, South would likely have signed off in tempo over the 5♥ response.

5. With affirmative answers to questions 1-4, the AC adjusted the score to 5♠ by North making 6, as the TD had.

The Committee did not assess a procedural penalty. With no UI many or most players would bid 6♠ with the North hand.

The AC found that the appeal had substantial merit. Had complete poll results been made available to the appellants and the committee, the finding on merit might well have been different.

The Panel: Ron Gerard (Chair), Craig Allen, Aaron Silverstein, Patty Tucker, and Adam Wildavsky.

APPEAL	NABC+ TWO
Subject	Unauthorized Information, Break in Tempo
DIC	Chris Patrias
Event	Life Master's Pairs
Session	Second Qualifying
Date	7/13/2012

BD#	21
VUL	N-S
DLR	N

Alan Applebaum	
♠	KJT865
♥	K8
♦	
♣	AQT95

Richard Logan		Summer 2012 Philadelphia, Pennsylvania	Scott Stearns	
♠	Q7		♠	42
♥	QT32		♥	9765
♦	A9876		♦	542
♣	82		♣	KJ73
		Victor King		
		♠	A93	
		♥	AJ4	
		♦	KQJT3	
		♣	64	

West	North	East	South
	1♠	P	2♦
P	3♣	P	3♠
P	4♣¹	P	4♥
P	4♠²	P	4N
P	5N³	P	6♠
P	P	P	

Final Contract	6♠ by North
Opening Lead	♠2
Table Result	Making 6, NS +1430
Director Ruling	6♠ by North, Made 6, NS +1430
Committee Ruling	4♠ by North, Made 6, NS +680

(1)	Asked & explained as not as "Serious" a Slam Try as 3NT
(2)	Break-in-Tempo
(3)	2 Aces & Void

The Facts: All parties agree that there was a break in tempo of 5-7 seconds before North's 4♠ bid. South took further action after the break in tempo and got to slam.

The Ruling: The Director ruled that the table result stands. The Director decided that the South hand was worth another try after North's 4♣ cue-bid. (Law 16A1(a)).

The Appeal: East-West appealed the Director's ruling, and South, East, and West attended the hearing.

Appealing Side: East-West argued that passing 4♠ was a logical alternative. Furthermore, East-West believed that South's 4N action was the sort of action which is taken away by Directors after a slow 4♠ bid. East-West also argued that if South has a drive to slam after North's 4♠ bid, then he would have bid 4N on the previous round.

Non-Appealing Side: South argued that he had new information due to the non-double of 4♥. He believed that his partner had the ♥K or it was onside.

The Decision: Both sides agreed that there was a break in tempo of 15 seconds or more before North's 4♠ bid. Since North was signing off in game in a potential slam auction, clearly the BIT suggests bidding over passing. So if passing 4♠ is a logical alternative, then 4N must be disallowed. All the Appeals Committee members thought passing was a logical alternative. In fact, at one table, the bidding was identical through 4♥. North then bid 5♠, which South passed. At the other two tables of which the Committee was aware, North just bid 6♠. So it appears that South bid enough, but North did not, lending extra credence to the opinion that passing 4♠ was a logical alternative. The Appeals Committee determined that passing was clearly a logical alternative. Therefore, the Committee changed the final result to 4♠, making six, for NS +680.

Since bidding over 4♠ might have been done by many people in the absence of UI, it did not meet the requirements for a procedural penalty.

The Panel: Richard Popper (Chairman), Jeff Goldsmith, and Michael Huston.

APPEAL	NABC+ THREE
Subject	Misinformation
DIC	Chris Patrias
Event	Life Master's Pairs
Session	First Semi-Final
Date	7/14/2012

BD#	10
VUL	Both
DLR	E

Paul Trent	
♠	AK
♥	9
♦	KQJ652
♣	JT98

Michael McNamara		Summer 2012 Philadelphia, Pennsylvania		Billy Ehlers	
♠	86	♠	T97	♥	J875432
♥	AKQT6	♥		♦	AT
♦	87	♦	943	♣	2
♣	AQ64	♣	K753		

Sandra Trent	
♠	QJ5432
♥	
♦	943
♣	K753

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

Final Contract	6♦X by North
Opening Lead	♣2
Table Result	Down 1, EW +200
Director Ruling	Down 1, EW +200
Committee Ruling	Down 1, EW +200

(1)	Ogust
(2)	Alerted & explained as diamonds & spades

The Facts: There was misinformation about the meaning of the 3♦ bid, and this misinformation was not corrected by North before the play of the hand. West claimed that because of the misinformation, he could not envision four clubs in the North hand and misdefended by not cashing his Ace of Clubs and giving his partner a club ruff. Therefore, the table result was down one, instead of down three.

The Ruling: The Director ruled that the auction was largely self-revealing and declined to adjust the table result.

The Appeal: East-West appealed the Director's ruling. North, South, and West attended the hearing.

West contended that the North-South misinformation had caused him to misdefend so as not to try for a club ruff at trick three.

The play to the first trick: ♣2-♣3-♣Q-♣T.

West said that since North was supposed to have four or more spades, his partner could not have a singleton club. In fact, West was worried that North might have a singleton club. North reported after the play of the hand that this 2-suited agreement did not apply to a two-level auction.

North/South maintained that their agreement was that in all auctions at all levels, when it starts 1(M)-P-1N ..., their minor suit overcalls show that minor and the other major. They brought system notes which showed that this was their agreement after a one-level auction as well as over a gambling 3NT.

The Decision: The Committee considered two aspects of this hand: first, the possible misinformation of the alert and explanation, and the misinformation of the failure by North to explain what he believed to be the wrong interpretation of his bid at the conclusion of the auction; and second, the use of the unauthorized information by North when he bid 6♦.

Misinformation: In order for there to have been misinformation in cases where the bidder's hand does not comport with his partner's alert and/or explanation, it must be evident that the explanation is an incorrect representation of the partnership agreement. There are three reasons the alleged was not evident:

1. It was not on the convention card.
2. Although other uses of this convention were spelled out in the system notes, none of them clearly pertained to this auction at this level.
3. The North maintained at the table that this was not their agreement ever after having heard the alert and the explanation.

In light of these facts, the Appeals Committee found that there was no agreement as had been alerted and explained. Accordingly, North/South had committed the misinformation infractions.

The infractions, however, do not automatically yield an adjustment. There must be damage to the NOS as a result of the infraction. In this case, the auction revealed that North could not possibly have four spades in his hand. In fact, he was very unlikely to have had three. Therefore, West's predicating his defense on the idea that North had shortness in three suits is not rational. If North had four spades in his hand, there is no possibility that there could be any gain by continuing with a diamond, or any loss by continuing with a club. Therefore, the Committee found that any damage done to East/West was the result of West's bridge judgment rather than the infractions.

Unauthorized information: The Director ruled that this was not a case of UI because North's presumed improper use of the extraneous information (from South's alert and explanation) did not put North/South in a more favorably position than they would have been in 5♠. The Committee found that 6♦X should have been down three, while 5♠ was likely to fail by one or two tricks and there was even some doubt about whether it would be doubled insofar as the use of the UI did not put North/South in a better position, the Committee agreed with the Director.

The Committee thought that the 6♦ bid was an egregious use of the UI, even though North contended that his partner's failure to bid spades directly over 2♥ strongly suggested that South could not hold the hand that would justify bidding spades at the four and five levels without any encouragement. However, since the issue was never addressed by East/West and the directing staff had summarily dismissed it, the Committee decided it would be wrong to issue a procedural penalty as it would have done otherwise.

In summation, the Committee found that there was misinformation, but that the misinformation did not cause the result. They found that there were two infractions. The first infraction was that South alerted and incorrectly explained the 3♦ bid. The second infraction was that North did not correct the misinformation after the bidding was over. In going over the play, we considered many different holdings that North could have, and found none in which shifting to a diamond was correct. Furthermore, we found that the pull of 5♠ to 6♦ should have alerted West that North did not have both spades and diamonds. The Committee determined that the bridge error was the actual cause of the poor result and that there was no causal relationship between the infraction and the result. The Committee also determined that the Appeal was without Substantial Merit. The table result was allowed to stand.

The Panel: Michael Huston (Chair), Chris Moll, and Craig Allen.

APPEAL	NABC+ FOUR
Subject	Break in Tempo
DIC	Tom Marsh
Event	Senior Swiss
Session	2 nd Final
Date	July 17 th , 2012

BD#	10
VUL	Both
DLR	E

Ellen Kent	
♠	AJT8763
♥	--
♦	Q93
♣	AK2

Marjorie Michelin		Summer 2012 Philadelphia, Pennsylvania	Tom Breen	
♠	K		♠	Q542
♥	QT98652		♥	J
♦	52		♦	KJT764
♣	965		♣	J3
		Robert Kent		
		♠	9	
		♥	AK743	
		♦	A8	
		♣	QT874	

West	North	East	South
		2♦ ¹	P ²
4♥	P ³	P	X
P	P	5♦	P
P	X	P	P
P			

Final Contract	5♦X by East
Opening Lead	♠9
Table Result	Down 6, N/S +1700
Director Ruling	Down 6, N/S +1700
Committee Ruling	Down 6, N/S +1700

(1)	Alerted and explained as Flannery
(2)	BIT
(3)	BIT

The Facts: East/West play the 2♦ opening as Flannery. No skip bid warning was given before either the 2♦ or the 4♥ bids. The director was called when South doubled 4♥. As to the alleged break in tempo by South, East said it was a noticeable break of 10-15 seconds. South said it was a slight hesitation; and as to the alleged break in tempo by North, East and South agreed it was 10-15 seconds. North said she hesitated for less than 10 seconds and West said it was 15-20 seconds.

Five players were given the South hand and polled as to their action over 4♥. Two doubled and three passed, with those who passed expressing concern that the opponents might run to a better spot if they doubled.

The Ruling: With or without a stop card, a pause of 10-15 seconds is in line with the correct procedure once a skip bid has been made. Accordingly, no adjustment was made to the table result, 5♦X by East, down 6, +1700 for North/South.

The Appeal: North, South, East and West all attended the appeal. East observed a noticeable break in tempo by North over the 4♥ bid (it took him 10-15 seconds to pass). Since the South hand contains only three sure defensive tricks, pass is a logical alternative to the suggested action of double. Thus, the double should be cancelled and the contract should be 4♥ un-doubled.

South thought that his double was the clear percentage action. The opponents were likely to have trouble handling the 5-0 trump break. Club leads by the defense would likely force the long trump hand to ruff, defeating the contract even if partner had nothing.

The Decision: The committee agreed with the director's finding of no break in tempo. Although ten seconds is a noticeable amount of time at the bridge table, a player is entitled to take that much time to choose his action when a skip bid has been made by the opponents. Both the level of the skip, and the fact that North had not yet called, increase the chance that North might need more than just a few seconds to choose his action. Thus, the table result was allowed to stand.

The committee admonished East for using unauthorized information from West's alert in deciding to run to 5♦. However, they decided not to impose a procedural penalty on top of the -1700 that EW had already suffered. The appeal was found to have substantial merit.

The Committee: Doug Doub (Chair), Craig Allen and Patty Tucker

APPEAL	NABC+ FIVE
Subject	Misinformation
DIC	Candy Kuschner
Event	Wernher Open Pairs
Session	1 st Final
Date	July 18 th , 2012

BD#	1
VUL	None
DLR	N

Andy Kaufman	
♠	T4
♥	JT7
♦	JT
♣	976432

John Koschik		Summer 2012 Philadelphia, Pennsylvania	Chris Hardaway	
♠	AK7		♠	Q83
♥	K53		♥	A864
♦	AQ873		♦	K962
♣	J5	♣	AT	

Michael Shuster	
♠	J9652
♥	Q92
♦	54
♣	KQ8

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

Final Contract	6♦ by East
Opening Lead	♠2
Table Result	Making 6, N/S -920
Director Ruling	Making 6, N/S -920
Committee Ruling	Down 1, N/S +50

(1) Game Force

The Facts: Before the opening lead South asked about the auction and learned that 2♣ was game forcing. When the dummy was faced, the director was summoned. It was learned that East/West have no bid that shows a forcing diamond raise over an opening bid of 1♦. If that information had been provided there was more chance of finding the ♣K which would defeat the contract.

The Ruling: Taking into account both Law 20.F and Law 40.B.4,6 the announcement or alert of the non-existence of a forcing bid does not meet the standard of 20.F that opponents are “entitled to know about calls actually made, about alternative calls available were not made and about relevant inference from choice of action where these are matters of partnership understanding.” Therefore, Law 40.B: “failure to provide

disclosure of a call” entitling the NOS to rectification does not apply. Accordingly, the Director ruled that the table result stands.

The Appeal: North/South appealed. North, South and West attended the hearing. South contended that he had known that East/West had no forcing diamond bid and that the structure of the East/West bidding system might require manufacturing a 2♣ bid with a hand that was to be a forcing diamond hand, he would have been able to more seriously consider the possibility of leading the ♣K which would beat the contract. However, the non-alert of the bid and the subsequent description of the bid as natural made serious consideration of the ♣K less likely.

West said that he didn’t think he owed his opponents a correction of his partner’s explanation because “basically” it was a correct explanation except for the fact that it is occasionally a manufactured response.

The Decision: The directing staff allowed the Appeals Committee to consider the “alertability” of this 2♣ call. The staff was split on the issue. The Committee considered the definitions listed on the ACBL General Convention Chart which contained “A ... response is natural if, by agreement, in a minor it shows three or more cards in that suit.” It was the Committee’s opinion that since the definition uses the word “shows” rather than “promises” or “guarantees” it provides for rare or occasional decisions to deviate from the expectation that partner will have. Accordingly, this 2♣ bid is natural insofar as it “shows” at least three clubs, even though the bid was a witting manufacture without three clubs. This means that the 2♣ bid is not alertable.

However, the explanation of the 2♣ bid by East was inadequate since he described the bid as natural and did not provide for the framework of the system which might occasionally compel the bid on a doubleton. At the time of the bid it was properly presumed to be natural, but at the end of the auction it was perfectly apparent that this was a sequence in which a club bid might have suspect naturalness. It was East’s responsibility to reveal that fact when South requested information about the 2♣ bid; describing it as “natural” did not fulfill East’s obligation to provide a complete description. A corresponding obligation accrues to West when he knows that East’s description is incomplete or is not a complete statement of the agreement. Hence, there was misinformation.

Given the finding of MI, the Committee discussed at length the probability and likelihood of the ♣K lead by South if no infraction occurred. The Committee decided that it was both “at all probable” and likely that South would have led the ♣K. Therefore, the Committee adjusted the result to down one, N/S +50.

The Committee: Michael Huston (Chair), Chris Moll and Craig Allen

APPEAL	NABC+ SIX
Subject	Break in Tempo
DIC	Candy Kuschner
Event	Wernher Open Pairs
Session	1 st Final
Date	July 18 th , 2012

BD#	14
VUL	None
DLR	E

Lee Atkinson	
♠	842
♥	T5
♦	9862
♣	A832

Vladimir Oudalov		Summer 2012 Philadelphia, Pennsylvania	Stanley Weiss	
♠	AT63		♠	975
♥	AQ9763		♥	KJ842
♦	54		♦	QT3
♣	6		♣	J7
		Mark Yaeger		
		♠	KQJ	
		♥	--	
		♦	AKJ7	
		♣	KQT954	

West	North	East	South
		P	1♣
1♥	P	3♥ ¹	4♣
P ²	5♣	5♥	P
P	P		

Final Contract	5♥ by West
Opening Lead	♣A
Table Result	Down 3, N/S +150
Director Ruling	5♣ by South, Making 6, N/S +420
Committee Ruling	5♣ by South, Making 6, N/S +420

(1)	Asked and explained as pre-emptive
(2)	BIT

The Facts: All agreed that there was a significant hesitation before West passed South's 4♣ bid. The director was summoned after East's 5♥ bid and again at the end of the hand. West's BIT "demonstrably suggested" that bidding would be more successful than passing.

The Ruling: A player poll confirmed that passing 5♣ was a logical alternative to bidding 5♥. Accordingly, the results were adjusted to 5♣ by South, making 6, N/S +420. East/West were given a ¼ board procedural penalty for violating Law 73.C.

The Appeal: East/West appealed. All four players attended the hearing. East/West stated that the slow tempo by West over 4♣ suggested that passing was the correct action and that East bid to try to avoid taking advantage of the UI. There was a discussion over

whether or not pass was a logical alternative over East's 5♥ bid. South thought his pass of 5♥ was forcing. Obviously, North felt it was not a forcing pass.

The Decision: There was a BIT by West over 4♣ which demonstrably suggested that bidding would be more successful than passing. Once South bid 4♣, West could not have been thinking about doubling, but only about bidding. East's bid of 5♥ was egregious and constituted a procedural violation under Law 90; the procedural penalty imposed by the director was upheld. The appeal was without merit given that pass is clearly a logical alternative. The failure of North/South to double 5♥ was not considered a failure to continue to play good bridge. North/South should not have been put in this situation and whether or not North's final pass was forcing is ambiguous. Therefore, the director's ruling stands, 5♣ by South making 6, N/S +420.

The Committee: Richard Popper (Chair), Marc Rabinowitz and Abbey Reich

APPEAL	NABC+ SEVEN
Subject	Unauthorized Information
DIC	Candy Kuschner
Event	Wernher Pairs
Session	2 nd Final
Date	July 18 th , 2012

BD#	20
VUL	Both
DLR	W

Lyle Poe	
♠	Q43
♥	Q87
♦	T5
♣	AQ964

Richard Zeckhauser		Summer 2012 Philadelphia, Pennsylvania	Debbie Rosenberg	
♠	AKJ52		♠	T976
♥	--		♥	T542
♦	AK9762		♦	J843
♣	87		♣	2

Brad Theurer	
♠	8
♥	AKJ963
♦	Q
♣	KJT53

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

Final Contract	6♣X by North
Opening Lead	♠T
Table Result	Down 1, N/S -200
Director Ruling	Down 1, N/S -200
Committee Ruling	Down 1, N/S -200

(1) Explained as 19-20 HCP, natural

The Facts: Before West bid 3♠, 2NT was explained as natural with 19-20 HCP, which was the actual North/South agreement. East felt that 5♥ by South should be disallowed due to the UI from North's explanation. Although South had unauthorized information from his partner's explanation, North's bid was in accordance with the agreement and, further, South's hand combined with the authorized information from both his partner's and the opponents' bids made it clear to bid on over 4♠.

West stated that if he had known that the 2NT bid was Unusual NT he would have jumped to 4♠ right away. Several players were polled and none would have bid 4♠ with West's hand no matter the agreement for 2NT. No polling was done to ascertain whether or not 5♥ should be allowed.

The Ruling: Table result stands; 6♣ doubled by North, down one, -200 for North/South.

The Appeal: North, South, East and West all attended the appeal. West reiterated that had he known that South had a two-suited hand for his 2NT bid, he would have bid 4♠ at his second turn. East/West also argued that the UI that South possessed suggested that he bid over 4♠, and that his hand did not merit bidding again in absence of the UI.

North/South argued that South had only one defensive trick against 4♠, but lots of offense. North's bidding showed values, but they did not rate to be all defensive, since otherwise North might have doubled 3♠, or East would not likely have raised to 4S. South's hand, not the UI, made it clear to compete over 4♠.

The Decision: West received the correct partnership agreement of the 2NT bid before he chose to bid 3♠, so no adjustment can be made based upon misinformation.

South had UI from his partner's explanation of his 2NT bid. However the authorized information that South had from both his partner's and his opponents' bids, combined with South's 6-5 distribution with two good suits, strongly indicated that bidding was more likely to be successful than passing. Thus, the committee determined that a pass by South at his second turn was not a logical alternative to the suggested action (from the UI) of competing at the five level. The appeal was found to have substantial merit.

The table result of 6♣ doubled by North, down 1, -200, was allowed to stand.

The Committee: Doug Doub (Chair), Mark Rabinowitz, Craig Allen

APPEAL	NABC+ EIGHT
Subject	Break in Tempo
DIC	Charles MacCracken
Event	Fast Pairs
Session	2 nd Quarter-Final
Date	July 19 th , 2012

BD#	7
VUL	Both
DLR	S

Raghavendra Rajkumar	
♠	KJ
♥	QJ
♦	AJT7
♣	AQ972

Zachary Grossack		Summer 2012 Philadelphia, Pennsylvania	Adam Grossack	
♠	Q76		♠	842
♥	97		♥	KT8432
♦	KQ963		♦	42
♣	T65		♣	84
		Rajeswaran Rajkumar		
		♠	AT953	
		♥	A65	
		♦	85	
		♣	KJ3	

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

Final Contract	6♣ by North
Opening Lead	♥
Table Result	Making 6, N/S +1370
Director Ruling	Making 6, N/S +1370
Committee Ruling	Making 6, N/S +1370

(1)	Game forcing
(2)	BIT
(3)	RKC
(4)	Asking for Queen

The Facts: All players agreed to a significant break in tempo prior to North's 3♦ bid. The director was called at that time and again when dummy was faced.

The Ruling: The director ruled that the table result stood, because North's break in tempo did not demonstrably suggest South's 4♣ bid. Table result stands, 6♣ making 6 for North/South, +1370.

The Appeal: North, East and West attended the hearing. East/West argued that North's break in tempo before bidding 3♦ suggested that he wanted to do more than just play 3NT. South's balanced hand was within the range he had described, and that passing 3NT was a logical alternative to the suggested 4♣ bid.

North's 2♣ bid was a game force, but South did not raise clubs immediately, because that would have shown four card support. When North bid 3♦, South judged it to be more economical to show his heart control before supporting clubs. South had a fine hand for supporting clubs, with good controls, good trumps, a ruffing value, and some good spot cards in his side suits.

North/South play Precision. The 2NT rebid showed 11-13 HCP. North thought that 4♠ showed one key card, and attempted to sign off in 4NT. South responded to 4NT as a queen ask, after which North changed his mind about the meaning of 4♠ and carried on to 6♣.

The Decision: The committee ruled that the break in tempo before North bid 3♦ did not make any additional suggestion beyond the natural bridge meaning that North had doubt about whether 3NT was the best contract. Thus, South was free to exercise his judgment in selecting his bids. The table result was allowed to stand. NS +1370, EW -1370.

The Committee: Doug Doub (Chair), Adam Wildavsky, Ed Lazarus, Jeff Goldsmith and Craig Allen

APPEAL	NABC+NINE
Subject	Unauthorized Information
DIC	Steve Bates
Event	Mixed B-A-M
Session	2 nd
Date	July 19 th , 2012

BD#	12
VUL	N-S
DLR	W

Robert Morris	
♠	QT8
♥	Q7642
♦	JT4
♣	97

Marc Nathan		Summer 2012 Philadelphia, Pennsylvania	Cathy Nathan	
♠	J7		♠	542
♥	AT		♥	KJ8
♦	A92		♦	8753
♣	AJT865		♣	K32
		Rhoda Walsh		
		♠	AK983	
		♥	953	
		♦	KQ6	
		♣	Q4	

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

Final Contract	3♣ by West
Opening Lead	♠6
Table Result	Making 4, N/S -130
Director Ruling	2♣ by North, Down 5, N/S -500
Committee Ruling	2♣ by North, Down 5, N/S -500

(1)	11-14 HCP
(2)	Alerted and explained (incorrectly) as clubs

The Facts: North/South's actual agreement is that South's double is penalty oriented. North gave an incorrect explanation when asked about the alert. Three 'Flight A' players were polled. Given the auction and the correct explanation that the double is for penalty, all three players passed North's bid of 2♣.

The Ruling: The alert and subsequent mistaken explanation is unauthorized information for South. The poll demonstrated that pass was a logical alternative to bidding 2♠. Accordingly, the result was changed to 2♣ by North, down 5, N/S -500.

The Appeal: North/South appealed the ruling despite being warned by the Screening Director that with the unanimous poll against them, they would need to convince the

Appeals Committee that pass is not a logical alternative. All four players attended the hearing.

North/South explained why the incorrect alert had occurred, but their agreement is clear that a double in that sequence is penalty/card-showing. Over this type of double, many pairs play 2♣ as a scrambled. They stated that they did not discuss this at this tournament, but that they had in the past. (They had not played together in several months.) They contended that over a “scramble” when a bid of 2♣ can be made on as few as three clubs, a pass by South was illogical.

The Decision: The committee concluded that there was unauthorized information and the UI suggested that bidding would be more successful than passing. The unanimous poll, strongly suggested that pass is a logical alternative to bidding. Further, bidding on a balanced hand with club tolerance isn’t clear, as partner may not “rescue” on bad balanced hands. Opposite a weak hand with five or six clubs, 2♣ may be the best contract. Based on all of this, the Committee concluded that pass was a L.A. and upheld the director’s ruling. Whether to assign a score of -400 or -500 was briefly considered, but the Committee was informed that it would not make a difference.

As to the issue of merit, the committee felt that the argument offered by appellants was very flimsy. North/South’s contention that they might play this action as “scrambling” with no documentation to support this claim gave the Committee little incentive to overturn the unanimous blind poll. If they had documentation as to their agreements that might be a different case, but simply stating that 2♣ scrambling is an “expert standard” type of agreement isn’t enough to outweigh the poll. Accordingly, North/South were given an AWMW.

The Committee: Doug Doub (Chair), Adam Wildavsky, Ed Lazarus, Jeff Goldsmith and Craig Allen

APPEAL	NABC+ TEN
Subject	Misinformation
DIC	Charles MacCracken
Event	Fast Pairs
Session	2 nd Final
Date	July 20 th , 2012

BD#	26
VUL	Both
DLR	E

Steve Clark	
♠	AJ862
♥	T97654
♦	J
♣	3

Baixiang Liu		Summer 2012 Philadelphia, Pennsylvania	Jack Lee	
♠	KT		♠	7
♥	82		♥	KQJ3
♦	842		♦	AQ5
♣	AKQJT5		♣	98742

Louise Clark	
♠	Q9543
♥	A
♦	KT9763
♣	6

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

Final Contract	4♠X by South
Opening Lead	♣A
Table Result	Making 4, N/S +790
Director Ruling	Making 4, N/S +790
Committee Ruling	Making 4, N/S +790

(1)	Announced as "could be short"
(2)	Alerted and explained as spades and clubs

The Facts: At the end of the auction, South informed East/West that his 1♠ bid had been alerted in error and that it only showed spades. The Director was summoned at this time. North had mistakenly alerted the bid because he thought 1♣ had been alerted and that East/West were playing a strong club system. The Director spoke with East away from the table and he stood by his double. The Director spoke to West away from the table and he said that he might bid 5♣. At the table, The Director offered West the opportunity to change his final call which he declined.

After 4♠ made, West said that given the correct explanation of the bid he would have bid 2♠ instead of 3NT over 1♠ which would have shown a limit raise or better in clubs. West claimed not to have understood how important it was to give a suggested action earlier away from the table even though only a last pass change was offered.

The Ruling: Given the statements made by both East and West away from the table and that West should have known that South's best possible club holding was 9876, the table result was not changed, 4♠X by North, making 4, +790.

The Appeal: With South's showing a club suit, it was natural for West to bid 3NT. Had West had proper information, it would have been sensible for West to show his excellent club support with a 2♠ bid over 1♠.

West's running suit, lack of a singleton, and six solid losers argue for playing in 3NT rather than 5♣. Few players would seriously consider bidding anything other than 3NT over 1♠ with the West hand.

The Decision: West's hand provides seven sure tricks in a 3NT contract, but is a long way from making a slam, unless partner has significant extra values. West had a chance to reconsider when he had received the correct information, and play in 5♣, rather than defend. West only decided that he wanted to bid differently after he found out the entire hand. The committee determined that EW were not damaged by misinformation and allowed the table result to stand, North/South +790 in 4♠ doubled, East/West -790.

The Committee: Doug Doub (Chair), Gail Greenberg and Stan Subeck

APPEAL	NABC+ELEVEN
Subject	Disputed Claim
DIC	Steve Bates
Event	Mixed B-A-M
Session	1 st Final
Date	July 20 th , 2012

BD#	24
VUL	None
DLR	W

Jo Morse	
♠	72
♥	JT32
♦	Q843
♣	QT2

Howard Parker, III		Summer 2012 Philadelphia, Pennsylvania	Libby Fernandez	
♠	T5		♠	AJ86
♥	94		♥	AQ87
♦	9762		♦	AK5
♣	A9864		♣	KJ
		Carlos Pellegrini		
		♠	KQ943	
		♥	K65	
		♦	JT	
		♣	753	

West	North	East	South
P	P	2♣	2♠
♣ P¹	P	2N	P
3N	P	P	P

Final Contract	3NT by East
Opening Lead	♦J
Table Result	Down 1, N/S +50
Director Ruling	Down 2, N/S +100
Committee Ruling	Down 1, N/S +50

(1)	Shows values
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The Facts: Because the table was running late, the Director was at the table watching the end of the play. South led the ♦J against 3NT. The play proceeded as follows:

- Trick 1: ♦J-♦2-♦4-♦A
- Trick 2: ♠6-♠Q-♠5-♠2
- Trick 3: ♦T-♦6-♦3-♦K
- Trick 4: ♠8-♠K-♠T-♠7
- Trick 5: ♠3-♣4-♥3-♠J
- Trick 6: ♣J-♣3-♣A-♣2
- Trick 7: ♥9-♥J-♥Q-♥K
- Trick 8: ♠4-♠6-♦8-♠A
- Trick 9: ♣K-♣5-♣8-♠T
- Trick 10: ♦5-♠9-♦7-♦Q

Trick 11: ♠Q-♥7-♣7-♠9

The final position was:

	North	
	♠ --	
	♥ T2	
	♦ --	
	♣ --	
West		East
♠ --		♠ --
♥ 4		♥ A8
♦ 9		♦ --
♣ --		♣ --
	South	
	♠ --	
	♥ 65	
	♦ --	
	♣ --	

At the end of trick 11, North was on lead. The Declarer (East) claimed the last two tricks saying, “The rest are mine, I have the hearts.”

The Ruling: Citing Law 70.E.1, the Director ruled that since Declarer did not specify in her claim that she was going to finesse for the ♥T, Defenders would get a trick with it.

The Appeal: East/West appealed the ruling and West attended the hearing. The screening director corrected a few errors that appeared on the original Appeal Form. First, the second call made by West was pass not double. Second, West contended that it was the ♥4, not the ♥9 that was played from dummy. Third, the Declarer’s exact statement when claiming was “... I know the hearts,” instead of “... I have the hearts.” This wording was corroborated by the director who was at the table and witnessed the claim and the appeal form had been changed to reflect the correct wording.

West’s appeal largely concerned the exact sequence of events. The players were late, which is why the director was present at the table. North cashed the ♠Q and declarer (East) faced her hand making the statement, “I know the hearts.” All four players began to sleeve their cards, when South withdrew acquiescence. Declarer made a further, clarifying statement at that point to the effect of, “I know you have the ten of hearts.” At no point was the word “finesse” used but neither were the cards exposed.

The Decision: The committee ruled that claim was valid, overturning the Director’s decision. Two main points were considered: the exact wording of the original statement (“know” versus “have”) and the sequence of the play. North had previously discarded a heart then played the jack when a heart was led from the entry-less dummy. Such a play would be irrational from Jxx, as Declarer could have KQT and would be unable to repeat the heart finesse later.

On the first point, had Declarer either faced their cards with no statement or the statement, "I have the hearts," the Committee may have felt that declarer may have thought the hearts were all winners. However, the statement that was actually made, while an inferior choice of words, indicated they were taking the finesse. Further, the Committee felt that since no additional information was given to Declarer (such as seeing the cards) before she indicated that North possessed the ♥T, this acted as a clarification of the previous statement.

Coupled with the second point, the ♥J play without the ten being irrational for North likewise makes attempting to drop the ten irrational for East. Therefore, the claim is valid, per Law 70. The Director's ruling was reversed to 3NT by East, down 1, N/S +50.

The Committee: Tom Carmichael (Chair), Drew Becker and Patty Tucker

APPEAL	NABC+ TWELVE
Subject	Break in Tempo
DIC	Steve Bates
Event	Mixed B-A-M
Session	2 nd Final
Date	July 20 th , 2012

BD#	22
VUL	E-W
DLR	E

Nader Hanna	
♠	62
♥	76
♦	KQ6432
♣	742

Petra Hamman		Summer 2012 Philadelphia, Pennsylvania	Hemant Lall	
♠	AQT54		♠	J73
♥	T952		♥	AKJ83
♦	--		♦	AT875
♣	A965	♣	--	

John Eaton	
♠	K98
♥	Q4
♦	J9
♣	KQJT83

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

Final Contract	6♥ by East
Opening Lead	♣K
Table Result	Making 7, N/S -1460
Director Ruling	5♥ by East, making 7, N/S -710
Committee Ruling	6♥ by East, making 7, N/S -1460

(1) B.I.T.

The Facts: The Director was summoned to the table at the end of the hand. All four players agreed that there was a hesitation before West's 5♥ bid, but East/West noted that most of their bids in this sequence had been slow. South claimed that East, with 8-losers, does not have a forward-going hand. East stated that the bid of 4♠ committed them to going to slam.

The Ruling: The Director offered the hand to five top Flight A players. Two of them would always bid on, two would pass and one would consider passing. On that basis, pass was considered to be a logical alternative to bidding. As per Law 16.B, the Director adjusted the result to 5♥ by East, making 7, N/S -710.

The Appeal: East/West appealed the Director's ruling. North, East and West appeared at the hearing. East and West clarified their agreements on the auction: 1) The 3♣ cue-bid was game forcing (appeared on their convention card). 2) The 4♠ cue-bid shows extra value as per their partnership agreement. 3) East stated that when his partner bid 4♠, he was looking for a small slam at least and had not ruled out the possibility of a grand slam. North maintained that the hesitation before bidding 5♥ suggested that West was thinking of bidding more (higher).

The Decision: Both sides agreed that there had been a break in tempo. Law 16.B.1.a states that the partner of the offender "may not choose from among logical alternatives one that could demonstrably have been suggested over another by the extraneous information." The committee believed that the information conveyed by the auction, prior to the hesitation provided East the information which resulted in his choice of calls after West's 5♥ bid, not the B.I.T.

The factors taken into account were:

- 1) The 2♣ overcall by South
- 2) The fact that 3♣ was a game-forcing raise
- 3) The 3♦ bid by North
- 4) The fact that West cue-bid above the level of game (showing extra values)
- 5) The double of 5♣ by South
- 6) The double of 5♦ by North

The committee also felt that the facts of 3♣ being game-forcing may not have been known when the players were polled. Accordingly, the Committee restored the table result, 6♥ by East, made 7, N/S -1460.

One member of the Committee, Jurek Czyzowicz, wrote a dissenting opinion in this case:

"Similarly to the other Committee members I understand the reasons of the East player to continue bidding after partner's sign-off of five hearts (and I could have perhaps taken the same action at the table, without unauthorized information). However, contrary to other members' opinion, I strongly believe that the poll among top A flight players gave the conclusive evidence that PASS was a logical alternative. I believe that the opinion of some committee members that the poll could be biased, as the consulted players could have been unaware that the three clubs bid was game-forcing, is insufficient to change the director ruling. I think that in case of doubt (which was not the case, in my opinion) a new poll could have been taken.

I would like to add a comment of a general nature. I have a firm opinion that if a ruling body is being given a standard mechanism how to act in typical situations, a decision to not apply it should be extremely rare and cautious. Otherwise, it shows that either the

mechanism itself, or the individuals applying it (tournament directors) were flawed, and I do not agree with either of these.”

The Committee: Michael Huston (Chair), Drew Becker, Craig Allen, Patty Tucker and Jurek Czyzowicz

APPEAL	NABC+ THIRTEEN
Subject	Misinformation
DIC	Gary Zeiger
Event	Open Swiss Teams
Session	2 nd Qualifying
Date	July 21 st , 2012

BD#	6
VUL	E-W
DLR	E

Jim Diebel	
♠	T5
♥	QJ9753
♦	--
♣	Q8762

Ira Cooper		Summer 2012 Philadelphia, Pennsylvania	Cathy Cooper	
♠	KQ2		♠	A8
♥	T		♥	AK62
♦	Q8654		♦	AJ3
♣	KJT5		♣	A943
		Jerry Poliquin		
		♠	J97643	
		♥	84	
		♦	KT972	
		♣	--	

West	North	East	South
		1♣ ¹	2♣ ²
2♦ ³	5♣	6♦	X
P	P	P	

Final Contract	6♦X by West
Opening Lead	♥7
Table Result	Down 2, N/S +500
Director Ruling	5♣X by North, Down 5, N/S -1100
Committee Ruling	6♦X by West, Down 2, N/S +500

(1)	Precision
(2)	Not alerted, intended to show spades and another suit
(3)	8+ HCP, natural

The Facts: North/South had nothing on their convention card describing the 2♣ bid over an artificial 1♣ opening bid. North said they agreed to play Mathe but nothing was written down. South thought his bid showed spades and another suit. East assumed North/South had a large club fit and partner had a void in clubs.

Three players polled said that they would pass 5♣ with the East hand which would be a forcing pass; and would then pass their partner's double

The Ruling: Result changed to 5♣X by North, down 5, North/South -1100.

The Appeal: North attended the hearing. North/South had agreed to play that over a natural 1♣, a 2♣ cue bid showed spades and another suit. North said that over an artificial 1♣, double showed the majors, 1NT showed the minors, and other bids were natural. South was unaware of having agreed to this.

North/South did not have the agreement that 2♣ was conventional over a strong 1♣, but rather, South was guilty of some fuzzy thinking. His 2♣ overcall showed a club suit, rather than something like he actually held. East/West were not misinformed by North's failure to alert 2♣, and the table result should stand.

Given the opponent's bidding, East placed partner with a void in clubs and long diamonds. She judged that she would obtain a better score in 6♦ than in defending 5♣ doubled. Had she been properly alerted, double would have been more attractive.

The Decision: The committee determined that North/South did not have the agreement that over a strong 1♣ opening, a 2♣ bid showed spades and another suit. Since none of the committee members had heard of that convention, it seemed far more likely that South was in a bit of a fog when he thought his partnership's agreement over a natural 1♣ opening also applied to an artificial 1♣ opening. Thus, there was no misinformation, and the table result was allowed to stand. 6♦ doubled by West, down 2, North/South +500, East/West -500.

There is an ACBL regulation that requires players to know their agreements in common situations, and to be able to explain them properly to their opponents. A majority of the committee chose to assess a procedural penalty of 1 victory point against the North/South team for failing to live up to their requirement on this deal.

There was a dissent by Doug Doub on the procedural penalty:

“Procedural penalties are designed to push players to comply with mechanical issues that are normally well within everyone's control. They include arriving on time, playing at a reasonable pace, keeping discussions down so that others do not overhear, avoiding comparing scores with another contestant during a session, and so on.

“Players do not try to seek an advantage by forgetting their methods, or by not taking enough time to discuss as many situations as possible. Most of the time, when a player forgets his methods, he gets a poor score. It is the "rub of the green" when once in a while a forgetful player gets a better result, and it is inappropriate for us to punish that player when it happens.”

The Committee: Doug Doub (Chair), Gail Greenberg, Chris Moll, Richard Popper and Marc Rabinowitz

APPEAL	NABC+ FOURTEEN
Subject	Misinformation
DIC	Gary Zeiger
Event	Open Swiss
Session	1 st Final
Date	July 22 nd , 2012

BD#	10
VUL	Both
DLR	East

William Ge	
♠	AKJT3
♥	Q8752
♦	53
♣	7

Jacek Jerzy Kalita		Summer 2012 Philadelphia, Pennsylvania	Jessica Piafsky	
♠	74		♠	Q9
♥	4		♥	K963
♦	AJT8742		♦	K9
♣	A53	♣	KQJT2	

Kai Zhou	
♠	8652
♥	AJT
♦	Q6
♣	9864

West	North	East	South
		1N	P
2N ¹	X ²	P	P
P			

Final Contract	2NX by East
Opening Lead	♠2
Table Result	Down 5, N/S +1400
Director Ruling	Down 5, N/S +1400
Committee Ruling	Down 2, N/S +500

(1)	Transfer to Diamonds
(2)	Asked and explained as penalty

The Facts: The director was summoned at the end of the hand. It was determined that North/South had no clear agreement as to the meaning of the double in this auction. South presumed the double was penalty oriented based upon the fact that partner could wait until the transfer was completed to make a takeout double for the majors.

The Ruling: The Director determined that the standard set by Law 40.B.4 had not been met. Any misinformation that may have existed was unrelated to the damage given the East/West decision to pass the double. Accordingly, the table result stands, 2NTX by East, down 5, N/S +1400.

The Appeal: East/West appealed the Director's ruling. Their position was that if they had known that this double was intended for the majors, they would have bid 3♦ and made at least ten tricks. They also contended that if they had known that the double was for the majors, East might very well have played the hand more effectively by not pitching down to the doubleton ♥K.

The Decision: It was clear from the facts presented by the Director and confirmed by the East/West pair that North/South did not have an agreement about the meaning of the double. North intended it as being for the majors while South interpreted it as penalty. The directors examined the North/South convention card and found nothing that would enlighten them on this issue. Therefore, the finding of misinformation was entirely correct.

The issue concerning the auction was whether the bad result for the East/West pair was a "consequence" (Law 40.B.4) of the MI. The Appeals Committee considered the West hand's problem and thought that West had ample evidence to believe that 2N was likely to fail since the North hand could easily contain the Q♦ and a running major. It could also contain the A♥. The AC decided that the decision to play 2NX was a decision of such risk that it was not entitled to be insulated from a bad result when the MI was discovered. The MI did not suggest significantly more success in 2N than an explanation that the double was for the majors would have.

As to the play of the hand, however, the AC decided that the MI did influence East, as declarer, to reasonably bare down to the Kx of Hearts. From Declarer's point of view, North virtually must have the ♥A, given the explanation of the double, but if the explanation had comported with the North hand, East might well have decided to protect the ♥K. (The AC did not think it was likely that North would have continued with the ♥Q.) Believing that pitching down to the ♥Kxx would have been the reasonable play to make, given the correct explanation of North's double, the AC decided to adjust the results to 2NX by East, down 2, +500 N/S.

The Committee: Michael Huston (Chair), Craig Allen and Nicolas L'Ecuyer

APPEAL	Non-NABC+ ONE
Subject	Break in Tempo
DIC	Matt Smith
Event	GNT Flight A
Session	Quarter Finals
Date	July 23 rd , 2012

BD#	7
VUL	Both
DLR	S

3,500 Masterpoints	
♠	KJT5
♥	AK863
♦	AT2
♣	9

3,900 Masterpoints		Summer 2012 Philadelphia, Pennsylvania	4,675 Masterpoints	
♠	74		♠	Q862
♥	QJ754		♥	T92
♦	--		♦	954
♣	AKJ543		♣	QT7

5,000 Masterpoints	
♠	A93
♥	--
♦	KQJ8763
♣	862

West	North	East	South
			1♦
2N	X	3♣	3♦
P	4♣	P	4♥
P	5♦ ¹	P	6♦
P	P	P	

Final Contract	6♦ by South
Opening Lead	♣A
Table Result	Making 6, N/S +1370
Director Ruling	5♦ by South, Making 6, N/S +620
Committee Ruling	5♦ by South, Making 6, N/S +620

(1) B.I.T.

The Facts: All players agree that there was a hesitation of 20-30 seconds before North's 5♦ bid and was out of tempo compared to North's other calls during the auction. The Director was summoned after the BIT and again after the hand had been played.

The Director polled three players. One passed, one bid on to 6♦ and one was on the fence. All three players polled thought pass was a strong consideration. All thought 20-30 seconds suggested not passing and that a 20-30 second hesitation was significant in the auction.

The Ruling: The results of the poll demonstrated that pass was a L.A. to bidding on. Accordingly, the Director adjusted the results to 5♦ by South making 6, N/S +620, since pass by South was found to be a logical alternative to the 6♦ bid chosen (16b1).

The Appeal: All four players attended the review. N/S stated that the BIT was not the cause of the 6♦ bid and South stated he was always bidding six. The panel gave the hand to 2 additional players, both of whom when given the auction without a hesitation, would have passed.

The Decision: The table director's ruling was upheld, 5♦ making 6, N/S +620. The panel found the appeal to have merit.

The Panel: Anita Goldman (reviewer), Terry Lavender, Charlie MacCracken

APPEAL	Non-NABC+ TWO
Subject	Unauthorized Information, Break In Tempo
DIC	Henry Cukoff
Event	A/B Open Pairs
Session	Second
Date	July 16 th , 2012

BD#	23
VUL	Both
DLR	S

2807 Masterpoints	
♠	J2
♥	J73
♦	AKQJ53
♣	J6

8660 Masterpoints		Summer 2012 Philadelphia, Pennsylvania	14,350 Masterpoints	
♠	K543		♠	A7
♥	T98		♥	A642
♦	842		♦	7
♣	953		♣	AK8742

2510 Masterpoints	
♠	QT986
♥	KQ5
♦	T96
♣	QT

West	North	East	South
			P
P	1♦	2♣	2♠
P	3♣⁽¹⁾	3♥	X
4♣	P	P	X⁽²⁾
P	4♦	P	4♠
P	P	P	

Final Contract	4♠ by South
Opening Lead	♥10
Table Result	Down 2, N/S -200
Director Ruling	4♣ X by East, Making 4, N/S - 710
Committee Ruling	4♣ X by East, Making 4, N/S - 710

(1)	Mechanical Error, Noticed by North before South bid, but he did not know he could call the Director and correct to 3♦
(2)	Break in Tempo of 8-10 seconds

The Facts: 4♠ went down two, EW +200. The opening lead was the ♥10. The auction proceeded as above. When North noticed his error, having intended to bid 3♦, he did not say anything. The Director was called at the end of the auction and advised of the BIT. He was called again at the end of play, as EW objected to the 4♦ bid.

The Ruling: The agreed BIT gave North UI which demonstrably suggested removing the double (Law 16B1). While South had the wrong picture of North's hand due to the inadvertent 3♣ bid, pass by North was still considered a logical alternative, not suggested

by the UI. As per Law 12C1(e), the Director adjusted the result to 4♣ doubled by East, making 4, +710 for EW

The Appeal: This hand was the last board of the event. While the NS appeal was timely, EW had left the playing area and couldn't be notified of the appeal. The Reviewer proceeded with the appeal, resolving to find EW the next day if their testimony was needed, or if the result might go against them. NS agreed that the BIT had occurred. South stated his double of 3♥ was not penalty, but a maximal double game try. He said North could have passed a 3♠ bid by South. North said that after his unintended 3♣ call, he would never allow EW to play 4♣ doubled as South was bidding under a completely false impression of North's hand, and North had negative defense. North said he would have pulled any double by South. N/S each have 2500-2800 masterpoints.

The Decision: Two players with 2500+ points were given the North hand to bid. Both players opened 1♦ and rebid 3♦. After the 3♦ rebid, they were informed of the 3♥ call by East, and of the mechanical error which had occurred. They were not told of the subsequent BIT. Each player passed the double of 4♣. They knew they didn't have the hand pictured by partner, but were equally certain that 4♠ would not make. Since partner had doubled 3♥ and 4♣, they thought the best chance was to defend. Two experts were also polled. Each bid 4♦. One acknowledged that 4♠ was probably a better bid, but either call would seem like a slam try.

The Panel decided the BIT had given North UI which demonstrably suggested doubt by South that double was the correct action. Law 16B1 says "... partner may not choose from among logical alternatives one that could demonstrably have been suggested over another by the extraneous information." Since the peer poll had established pass as a LA, the Panel assigned a result of 4♣ Doubled by East, making 4, +710 EW according to Law 12C1(e).

Due to the expert input clearly showing 4♦ to be a reasonable call, under these unusual circumstances, an AWMW was not considered.

The Panel: Gary Zeiger (reviewer), Ken Van Cleve, Chris Patrias

APPEAL	Non-NABC+ THREE
Subject	Claim
DIC	Terry Lavender
Event	Mini Spingold II
Session	Round of 24, 1 st
Date	July 17 th , 2012

BD#	25
VUL	EW
DLR	N

1492 Masterpoints	
♠	AK7
♥	AKQ875
♦	KT9
♣	3

696 Masterpoints		Summer 2012 Philadelphia, Pennsylvania	491 Masterpoints	
♠	84		♠	QJT9532
♥	92		♥	
♦	8763		♦	J4
♣	AK954		♣	Q876

845 Masterpoints	
♠	6
♥	JT643
♦	AQ52
♣	JT2

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

Final Contract	6♥ by North
Opening Lead	♣6
Table Result	N/A
Director Ruling	6♥by North, Down 1, EW +50
Committee Ruling	6♥by North, Down 1, EW +50

The Facts: The lead was a club to the Ace. The Club King was then led, declarer ruffing with the Ace. Declarer then put her hand face up, indicating that she was leading the Heart King. She said words to the effect that there was only one trump outstanding. West then said he needed to call a director, declarer then said there were two trumps outstanding.

The Ruling: Per Law 70 C. "When a trump remains in one of the opponents' hands, the Director shall award a trick or tricks to the opponents if:

1. Claimer made no statement about that trump, and
2. It is at all likely that claimer at the time of his claim was unaware that a trump remained in an opponents' hand, and
3. A trick could be lost to that trump by any normal* play.

* For the purposes of this Law ‘normal’ includes play that would be careless or inferior for the class of player involved.”

The statement that “one trump is out” fulfills 1 & 2 regarding the ♥ 9. #3 is fulfilled by the ability of West to over-ruff dummy on a spade lead. It may be inferior to ruff a spade instead of playing diamonds, but it is still “normal play”.

The Appeal: North, the declarer, felt that she should not be forced to ruff the third round of Spades low and be over ruffed by the ♥ 9.

Appealing Side: Agreed with the facts as presented.

Non-Appealing Side: Agreed with the facts as presented.

The Decision: As the declarer believed that there were no trumps outstanding; there would be no reason for her not to play the Ace, King and ruff the third round of spades low. Therefore the panel upheld the director's ruling according to Law 70C.

The appeal was found to be without merit, therefore, an appeal without merit warning was given.

The Panel: Brian Russell (Reviewer), Matt Koltnow, Matt Smith

APPEAL	Non-NABC+ FOUR
Subject	Tempo
DIC	Su Doe
Event	A/B Pairs
Session	1st
Date	July 19, 2012

BD#	22
VUL	EW
DLR	E

♠	KQ874
♥	K7
♦	A842
♣	K8

		Summer 2012 Philadelphia, Pennsylvania		
♠	92		♠	A
♥	AJ9853		♥	42
♦	T9		♦	KQJ75
♣	A74		♣	QT953

♠	J1T653
♥	QT6
♦	63
♣	J62

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

Final Contract	4♣ East
Opening Lead	Spade J
Table Result	Made 4, -130 N/S
Director Ruling	3S N making 3 +140 NS
Panel Ruling	3S N making 3 +140 NS

(1)	To play.
(2)	Alleged BIT, beyond 10 seconds.

The Facts: The director was called at the time of the 4♣ bid, and again after the hand. NS alleged a BIT well beyond 10 seconds, by West, after the 3♠ bid. EW said South put the skip bid card out, and left it there for around 10 seconds, before actually making a call. The actual BIT, after the 3S call was made was 8-10 seconds.

The Ruling: Based on the players' statements, and the actual West hand, the Director ruled there might well have been a BIT beyond 10 seconds. The BIT gave UI which demonstrably suggested 4♣ over pass, by East (Law 16.B.1). Pass was deemed a logical alternative. Per Law 12.C.1.e, the result was adjusted to 3♠, By North, making 3, +140 NS.

The Appeal: All four players attended the review. EW stated that the BIT seemed longer than it actually was due to the unusual action by South in leaving out the stop card for some time, before actually making a call. EW did not think the actual break by West was beyond 10 seconds. As to East's subsequent action, he said he would always bid 4♣ because he is "very aggressive" but he readily conceded that others might pass. NS stated that East should be forced to pass because the BIT clearly suggested undisclosed values, making bidding more attractive.

The Decision: Despite South's incorrect usage of the stop card, about which he was subsequently educated, the panel thought it likely a BIT beyond 10 seconds did occur. The BIT conveyed UI which demonstrably suggested East not pass. While passing seemed an obvious LA, one peer was consulted, and not told about the BIT. The peer quickly passed.

The panel assigned a contract of 3♠ by North, making 3, +140 NS (Laws 16.B.1 and 12.C.1.e). Due to South's unusual, and improper action with the stop card, the panel felt there was enough question about the BIT to make EW's appeal reasonable, so no AWMW was issued.

The Panel: Matt Koltnow (Reviewer), Matt Smith, Gary Zeiger (Scribe)

APPEAL	Non-NABC+ FIVE
Subject	Misinformation
DIC	Bill Michael
Event	Thu Gold Rush Pairs
Session	1 st
Date	7/19/2012

BD#	3
VUL	EW
DLR	South

211 Masterpoints	
♠	QJ
♥	KJ862
♦	QJ852
♣	4

293 Masterpoints		Summer 2012 Philadelphia, Pennsylvania	394 Masterpoints	
♠	K852		♠	T76
♥	AQ		♥	95
♦	A97		♦	K643
♣	QT92		♣	AK65

318 Masterpoints	
♠	A943
♥	T743
♦	T
♣	J873

West	North	East	South
			P
1NT⁽¹⁾	2♣⁽²⁾	3NT	P
P	P		

Final Contract	3NT by West
Opening Lead	♥6
Table Result	3NT by West, Down 2, N/S +200
Director Ruling	3NT by West, Down 1, N/S +100
Panel Ruling	3NT by West, Made 3, N/S -600

(1)	15-17 HCP
(2)	Alerted and explained as clubs and a higher suit.

The Facts: The play proceeded: heart to the Queen, followed by a club to the Ace and back to the Queen, North pitching a diamond. When North showed out, having promised clubs, the Director was called. Play continued. West ducked a diamond. North cleared the heart suit. West played minor suit winners, ending in dummy. Declarer then played a spade to the eight, resulting in down 2.

The Ruling: Since neither North nor South had a convention card, mistaken explanation was presumed, thus MI existed. See Law 75C. West might have guessed clubs correctly if not told North had promised clubs. Since West was unable to articulate that she might play a spade to the King after guessing clubs correctly, the assigned result, per Law 12C1e, was 3NT by West, down 1 +100 NS.

The Appeal: North, South, and West attended the review. The facts were agreed to, as above, with all three players pointing out that the Director initially ruled down 1, then changed the ruling to making 3, before ultimately reverting to down one.

West claimed she would have played a spade to the King, but became confused when North showed out in clubs. NS said West had never said anything about playing a spade to the King, after the play had ended.

The Decision: In the absence of any convention card, the Director was correct in ruling that MI existed. West was entitled to know that North was trying to show a two suiter, but was unclear about how to do so.

None of the four players was a life master, so declarer was not held to a high standard regarding her inability to adequately state why she would have played a spade to the King, rather than the eight, after guessing clubs.

When assigning an adjusted score, Law 12C1e states that, for the offending side, the assigned score “is the most unfavorable result that was at all probable had the irregularity not occurred.” The Panel decided that 3NT by West, making 3, N/S -600 met this standard.

For the non-offending side, 12C1e says “the most favorable result that was likely had the irregularity not occurred.” While this is a more stringent standard, the Panel decided that making 3 met this requirement as well. E/W were assigned a result of 3NT making 3, N/S -600.

The Panel: Gary Zeiger-Reviewer, Matt Koltnow, and Matt Smith

APPEAL	Non-NABC+ SIX
Subject	UI
DIC	Geoff Greene
Event	A/X Side Swiss
Session	Friday Afternoon
Date	07/20/12

BD#	16
VUL	EW
DLR	West

9730 Masterpoints	
♠	5
♥	85
♦	A876
♣	QT8742

16,467 Masterpoints		Summer 2012 Philadelphia, Pennsylvania	6582 Masterpoints	
♠	K98763		♠	Q104
♥	106		♥	A9743
♦	K43		♦	QJ102
♣	KJ		♣	5

7979 Masterpoints	
♠	AJ2
♥	KQJ2
♦	95
♣	A963

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

Final Contract	4♣ by North
Opening Lead	♦ Q
Table Result	4♣ by North, Made 4, N/S +130
Director Ruling	4♣ by North, Made 4, N/S +130
Panel Ruling	4♣ by North, Made 4, N/S +130

(1)	To play
(2)	When asked South said "I presume it is natural."

The Facts: The director was called after the auction and again at the end of the hand. N-S had no agreement about the 2NT bid. North intended it as Lebensohl, which asks partner to bid 3♣. E-W felt North should pass after hearing South's explanation.

The Ruling: South's explanation of 2NT should have been "We have not discussed this auction." E-W did not claim damage from misinformation under Law 21, so no adjustment was considered for that. However, North had the unauthorized information (UI) from the explanation that South was not correctly understanding his bid, so Law 16 was studied. North is allowed to use all information from the auction under Law 16A1(a). If South had enough high cards to give N-S a play for game he would surely

have acted differently in the previous auction. Therefore, North is allowed to bid 4♣ and the table result stands.

The Appeal: All players attended the review. E/W felt that North acted on the UI from South's explanation of 2NT. E/W felt South's trap pass could have far more values than a normal balancing 1NT – up to a full opening bid – and that North should not be allowed to pull to 4♣.

South did not want E/W to buy the contract for 1S, so he balanced with 1NT. North was sure his minimal values and poor suit was not good enough to give South any kind of a play for game after he had passed the 1♥ opening. N/S said this is not an auction they have had before.

The Decision: The Panel polled six players as to what they would do over 3NT with North's hand without any mention made of UI. All bid 4♣. Thus pass was ruled not a logical alternative and the provisions of Law 16 B1(a) were not violated. The Panel upheld the director's ruling.

The Panel: Anita Goldman (Reviewer), Terry Lavender, Matt Smith

APPEAL	NON-NABC+ SEVEN
Subject	Unauthorized Information, Break in Tempo
DIC	Tom Marsh
Event	2 nd Saturday open pairs
Session	10 am
Date	7/21/2012

BD#	18
VUL	N-S
DLR	E

2166 points	
♠	8
♥	K2
♦	AKQJT4
♣	AQT8

2104 points		Summer 2012 Philadelphia, Pennsylvania	2135 points	
♠	AKJ652		♠	3
♥	9874		♥	AQJT653
♦	--		♦	3
♣	532		♣	KJ76

236 points	
♠	QT974
♥	--
♦	987652
♣	94

West	North	East	South
		1♥	P
1♠	X	4♥	5♦
6♥	P⁽¹⁾	P	7♦
P	P	X	P
P	P		

Final Contract	7♦ X By South
Opening Lead	♠ A
Table Result	Down 2, N/S -500
Director Ruling	7♦ X By South Down 2, N/S -500
Panel Ruling	7♦ X By South Down 2, N/S -500

(1) E-W contended a slow pass of 20-30 seconds. N-S believed more like 10-15 seconds.

The Facts: E-W felt that North's hesitation suggested a strong diamond holding and made a 7♦ bid more attractive. South felt that North's double showed support for both minors and that South had no defensive help but might be able to hold it to down three.

The Ruling: A hesitation in this auction would not demonstrably suggest bidding 7♦ over passing, therefore, even if a hesitation did occur, Law 16 was not violated.

The Appeal: All four players attended the hearing.

Appealing Side: No one would bid 7♦ on this vulnerability. The BIT suggested bidding on. When asked the question "What action does the slow pass suggest?" they did not

answer, but both repeated their opinion that no one would bid 7♦. It was pointed out to them twice that the Law requires the BIT suggest one call over another and that the call suggested was the one chosen for there to be an adjustment.

Non-Appealing Side: Agreed with the facts stated above.

The Decision: Nine players with 200 – 300 MPs were consulted. None of them bid 7♦. All of them believed that North was thinking of doubling, not bidding.

Law 16 B 1(a) states: “After a player makes available to his partner extraneous information that may suggest a call or play, as for example, ... unmistakable hesitation, ... the partner may not choose from among logical alternatives one that could demonstrably have been suggested over another by the extraneous information.”

The table result of 7♦ doubled down two was allowed to stand because the 7♦ bid was not demonstrably suggested by the unauthorized information.

The Panel awarded an AWMW because the E-W pair was experienced enough to understand the Law and should have known the pursuit of the appeal would be fruitless.

The Panel: Charles MacCracken (Reviewer), Terry Lavender, Bernie Gorkin