

**2012 Fall NABC  
Appeals Casebook**



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<b>APPEAL</b>	<b>NABC+ ONE</b>
Subject	Break in Tempo
DIC	Bernie Gorkin
Event	Life Master Pairs
Session	2 <sup>nd</sup> Qualifying
Date	November 23 <sup>rd</sup> , 2012

BD#	<b>14</b>
VUL	<b>None</b>
DLR	<b>E</b>

<b>Anton Tsyarkin</b>	
♠	T4
♥	JT
♦	A98652
♣	AQ2

<b>John Gilbert</b>		<b>Fall 2012 San Francisco, California</b>	<b>P. Drew Cannell</b>	
♠	A98763		♠	QJ52
♥	--		♥	9754
♦	KQJ7		♦	T3
♣	753		♣	986

<b>Walter Lee</b>	
♠	K
♥	AKQ8632
♦	4
♣	KJT4

West	North	East	South
		E	1♥
1♠	2♦	3♠	4♥
4♠	X <sup>(1)</sup>	P	5♥
P	P	P	

Final Contract	<b>5♥ by South</b>
Opening Lead	♦K
Table Result	<b>Making 7, N/S +510</b>
Director Ruling	<b>4♠X by West, Down 1, N/S +100</b>
Committee Ruling	<b>5♥ by South, Making 7, N/S +510</b>

<b>(1)</b>	<b>BIT</b>
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**The Facts:** The Director was summoned during the auction and again after the play was over. East/West alleged that there was a hesitation of 20-25 seconds before North's double of 4♠. South said the break in tempo was closer to 10 seconds.

East/West felt that the BIT before North's double led to South's pull to 5♥. South disagreed with the length of the alleged hesitation and said that if was clear from the auction that his partner's double was value-showing, as opposed to purely penalty.

Five players were polled and two passed 4♠X establishing that pass was a L.A. to bidding on.

**The Ruling:** Law 16.B.1a states that after unauthorized information is made available, one is no longer entitled to choose from among logical alternatives one that was demonstrably suggested by the U.I. Accordingly, the result was adjusted to 4♠X by West, down 1, N/S +100.

**The Appeal:** North/South appealed the Director's ruling. North and South attended the hearing. North's 2♦ bid was a one round force with a minimum of approximately 9 HCP. South's 4♥ bid could have been a competitive bid and did not set up a forcing situation (had North passed West's 4♠ bid, it would not have been forcing).

North's double of 4♠ was a "card showing" double. It showed extra values over the minimum shown by North's previous bid without any implication of defensive trump strength. South thought it was clear to bid 5♥. His hand includes a powerful heart suit with more length than previously promised. The values shown by North's call would make the success of 5♥ highly probable. On the other hand, South's heart suit would be much less valuable on defense and obtaining the six defensive tricks needed to compensate for the value of the heart game could be problematic. North/South supported their agreement of North's double of 4♠ as being card showing by presenting a deal from the same session where North made a double of 4♥ with a singleton heart.

**The Decision:** Although in high-level auctions the same hand that makes a card-showing double might also make a penalty double, there is a distinct difference in their definitions. A "penalty double" asks partner to pass because the bidder wants to defend. A "card-showing double" shows extra-values, but asks partner to use their judgment. A hesitation prior to a penalty double significantly waters down the penalty meaning. A hesitation prior to a card showing double is less revealing.

The Appeal Committee judged that South's long, strong heart suit and extra shape, combined with the strength shown by North's calls made bidding 5♥ a clear action. Thus the table result was allowed to stand.

Although the poll taken by the directors suggested that pass was a L.A. to bidding 5♥, the A.C. did not know whether the polled players were told that a pass by North over 4♠ would have been non-forcing and the double was card-showing.

The AC did not reach a conclusion on whether a BIT prior to a card-showing double on this auction reached the level of "demonstrably suggesting" that partner not pass. Therefore, the table result was restored to 5♥ by South, making 7, N/S +510.

**The Committee:** Douglas Doub (Chair), Dick Budd, E.J. Kales, Hendrik Sharples and Jim Thurtell

<b>APPEAL</b>	<b>NABC+ TWO</b>
Subject	Break in Tempo
DIC	Bernie Gorkin
Event	Life Master Pairs
Session	2 <sup>nd</sup> Qualifying
Date	November 23 <sup>rd</sup> , 2012

BD#	<b>15</b>
VUL	<b>N/S</b>
DLR	<b>S</b>

<b>John Onstott</b>	
♠	QJT764
♥	AT5
♦	5
♣	T85

<b>Elaine Chan</b>		<b>Fall 2012 San Francisco, California</b>	<b>Michael Mezin</b>	
♠	AK3		♠	98
♥	942		♥	K763
♦	Q9864		♦	JT32
♣	AQ		♣	J64
		<b>Chris Compton</b>		
		♠	52	
		♥	QJ8	
		♦	AK7	
		♣	K9732	

West	North	East	South
			1♣
1N <sup>(1)</sup>	2♣ <sup>(2)</sup>	P	2♦ <sup>(3)</sup>
P	2♠	P <sup>(4)</sup>	P
3♦	P	P	P

Final Contract	<b>3♦ by West</b>
Opening Lead	♠Q
Table Result	<b>Making 3, N/S -110</b>
Director Ruling	<b>2♠ by North, Making 2, N/S +110</b>
Committee Ruling	<b>2♠ by North, Making 2, N/S +110</b>

(1)	<b>15-17 HCP</b>
(2)	<b>One-suited hand</b>
(3)	<b>Ask</b>
(4)	<b>BIT</b>

**The Facts:** The Director was summoned to the table after West's 3♦ bid. When the Director questioned East/West about the hesitation, West denied any tempo variation and East stated that he considered his cards for approximately 10 seconds before passing, as compared to a minute as alleged by North/South.

**The Ruling:** The Director conducted a poll of players and found that none of them bid with West's hand over North's 2♠ bid. Accordingly, pass was found to be a logical alternative and the contract was changed to 2♠ by North, making 2, N/S +110.

**The Appeal:** East/West appealed the Director's ruling. North, East and West attended the hearing. West maintained that he did not notice a hesitation and East adjusted his previous statement to say that the pause was less than ten seconds.

**The Decision:** The committee found there to be an unmistakable hesitation. East's testimony established that there was a break in tempo, whether it was for 10 seconds in length (his original statement) or somewhat less (his statement in the hearing). The hesitation demonstrably suggested a willingness to compete, blocking West from bidding 3♦ unless there was no logical alternative. Since the player poll and the fact that West hadn't doubled 2♦ established that pass was a logical alternative, the Director's ruling adjusting the score to +110 for North/South was upheld. The appeal was found to have merit, in part because of the disagreement over whether there was a hesitation.

However, whether West noticed a hesitation or would "always" have bid 3♦ are not relevant in determining score adjustment once unauthorized information has been found to exist.

**Dissent by Bruce Reeve:**

"The only person who did not believe there was a BIT was West, who was busy making self-serving statements. The directors polled players, none of whom bid; this was screened and the Director informed them of the applicable Law. They persisted and none of the panel members believed that bidding was warranted. We will not stop bidding on hands like this if there is no penalty for action and returning the pair to the contract they would have achieved without a BIT is the result. "

**The Committee:** Ron Gerard (Chair), Gail Greenberg, Ellen Kent, Richard Popper and Bruce Reeve

<b>APPEAL</b>	<b>NABC+ THREE</b>
Subject	Misinformation
DIC	Bernie Gorkin
Event	Life Master Pairs
Session	2nd Qualifying
Date	November 23, 2012

BD#	<b>2</b>
VUL	<b>N/S</b>
DLR	<b>E</b>

<b>Irina Levitina</b>	
♠	8643
♥	Q
♦	KQJT9
♣	KQT

<b>Skip Carson</b>		<b>Fall 2012 San Francisco, California</b>	<b>Richard Friedman</b>	
♠	AKQJ97		♠	2
♥	T2		♥	AKJ874
♦	762		♦	843
♣	74		♣	932

<b>Ilya Levitin</b>	
♠	T5
♥	9653
♦	A5
♣	AJ865

<b>West</b>	<b>North</b>	<b>East</b>	<b>South</b>
		<b>2♥</b>	<b>P</b>
<b>2♠</b>	<b>P</b>	<b>P</b>	<b>P</b>

Final Contract	<b>2♠ by West</b>
Opening Lead	
Table Result	<b>Making 2, N/S -110</b>
Director Ruling	<b>2♠ by West , Making 2, N/S -110</b>
Committee Ruling	<b>2♠ by West , Making 2, N/S -110</b>

**The Facts:** The Director was summoned after the hand had been played and scored. Neither E/W convention card was marked in the weak two section regarding non-forcing responses. N/S wanted their interests protected insofar as their right to compete in the auction had they known that the 2♠ bid was non-forcing. West said that he meant the 2♠ bid to be forcing and East said that 2♠ “should be forcing”.

**The Ruling:** The table Director did not appear at the hearing and the directing staff was represented by the screening Director. The table Director wrote on the appeal form:

“Result stands. Neither opponent protected themselves in pass-out position or [as] opening leader. Players who, by experience or expertise, recognize that their opponents have neglected to alert a special agreement will be expected to protect



themselves...Note also that an opponent who actually knows of, or suspects, what is happening, even though not properly informed, may not be entitled to redress.”

The screening Director said that it was his understanding that the table Director discussed with the E/W pair the issue of whether the 2♠ bid was forcing and was convinced that both of them thought that such was their partnership agreement. Both of their actions might appear a bit strange, but there was little else to suggest that they had an agreement that they were playing (alertable) non-forcing responses to weak two bids. Therefore, the Director ruled that although their bidding was strange, they had not violated their legal obligation to alert since they were not, by agreement, playing an alertable convention. Without an infraction, there can be no adjustment.

**The Appeal:** North/South appealed the ruling and North attended the hearing. North contended that if East thought that 2♠ was non-forcing then he was obligated to alert. His failure to bid in response to the 2♠ bid is clear evidence that that he thought it was non-forcing and that, therefore, he owed an alert to his opponents. Furthermore, West’s hand does not comport with what most people would consider a forcing bid. This all suggests that 2♠ in this partnership is non-forcing and that the convention cards were mistakenly filled out.

**The Decision:** This case comes down to determining whether East/West had an agreement about whether a new suit over a weak two bid was forcing and, if they did, what that agreement was. If they had no agreement at all, or had an agreement that it was forcing, then there was no obligation to alert the bid. If they had an agreement that it was non-forcing, then an alert was due, and any North/South damage which may have resulted from it could be regained through a score adjustment. The evidence that 2♠ was non-forcing was (a) East passed the bid and (b) West’s hand is more consistent with an agreement of non-forcing than it would be with an agreement of forcing. The evidence that it was forcing was (a) E/W’s convention cards did not have “New suits NF” checked, (b) West stated that 2♠ was forcing, and (c) East admitted that West’s bid “should be forcing”.

Law 75C says that one should presume mistaken explanation without evidence to the contrary. It does not state how much evidence is necessary to accept mistaken (or contrary to agreement) calls. Here, the evidence to support either conclusion is substantial. Normally, Committees would choose to conclude mistaken explanation (failure to alert); however, the table Director heard and evaluated East-West’s discussion of the meaning of the 2♠ bid. Since this was likely to be an enlightening interchange, the Committee thought that deference to the table Director’s judgment was appropriate. It seems likely that the table Director’s judgment that 2♠ was forcing and that East’s pass was a lucky system violation was correct. Without access to the table Director or to either East or West, the Committee has some reservations about this conclusion, particularly since the table Director did not expressly state it in his write-up. The presenting Director said that this was implicit in the table Director’s writing, though, so the Committee used it to decide. The table Director’s ruling stands, E/W in 2♠ making, N/S -110. The appeal had substantial merit.

**The Committee:** Jeff Goldsmith (Chair), Mark Rabinowitz, Bob White, Ed Lazarus and Fred King

<b>APPEAL</b>	<b>NABC+ FOUR</b>
Subject	Break in Tempo
DIC	Steve Bates
Event	Open B-A-M
Session	1 <sup>st</sup> Qualifier
Date	November 25 <sup>th</sup> , 2012

BD#	<b>11</b>
VUL	<b>None</b>
DLR	<b>S</b>

<b>Fulvio Fantoni</b>	
♠	9752
♥	J
♦	8632
♣	AK73

<b>Poon Hna</b>		<b>Fall 2012 San Francisco, California</b>	<b>Kelvin Ng</b>	
♠	Q8		♠	AJT6
♥	AQ9		♥	876542
♦	A75		♦	--
♣	QJT65		♣	982
		<b>Claudio Nunes</b>		
		♠	K43	
		♥	KT3	
		♦	KQJT94	
		♣	4	

West	North	East	South
			2♦ <sup>(1)</sup>
2N	3♦	3♥	4♦
P <sup>(2)</sup>	P	4♥	P
P	X	P	P
P			

Final Contract	<b>4♥X by West</b>
Opening Lead	<b>♣4</b>
Table Result	<b>Making 4, N/S -590</b>
Director Ruling	<b>4♦ by South, Making 4, N/S +130</b>
Committee Ruling	<b>4♦ by South, Making 4, N/S +130</b>

(1)	<b>10-13 HCP, 5+ Diamonds / 5 diamonds with a higher suit or 6 diamonds</b>
(2)	<b>BIT</b>

**The Facts:** The Director was summoned to the table after East bid 4♥. North/South stated that there was a 10-15 second pause before West passed the 4♦ bid. West claimed the hesitation was closer to 2 seconds.

The East/West agreement is that over a weak 2♦, 2NT would be a natural, strong NT. East/West has no agreement concerning other 2♦ openings. There was no discussion/agreement regarding the 3♥ call. After the event, East/West said that over strong 2NT overcall, 3♥ would be forcing.

**The Ruling:** Since East already had had the opportunity to commit his side to game in hearts and had not done it, the Director's had some doubts about the firmness of the E-W agreement concerning the forcing nature of the 3♥ call. This means that it was possible for the BIT to suggest further bidding, as opposed to passing. Accordingly, as per Law 16B.1, the result was adjusted to 4♦ by South, making four, N/S +130.

**The Appeal:** East/West appealed the Director's decision and all four players attended the hearing. East/West stated that they had no express agreements over an intermediate 2♦ opening bid, but that both assumed that the defense to a weak 2♦ opener would apply. Those agreements are that after (2♦)-2NT-(3♦) double shows both majors, 3♥/3♠ is natural and forcing and 4♦ is a transfer. Therefore, because 3♥ was forcing East could not pass 4♦. West passed 4♦, planning to pull a double to 4♥ to show a weaker hand than bidding 4♥ directly would show.

North/South contended that East didn't have the values for a game-forcing bid of 3♥, so he might well have meant 3♥ to be competitive. If East wanted to force to game, he had had the opportunity to bid 4♥ (or 4♦) initially.

There was a disagreement about when the director was called. East/West claimed it was at the end of the auction. North/South claimed it was immediately after 4♥ was bid. East/West had no notes about their methods available.

**The Decision:** The BIT was agreed to by both sides. The question facing the AC was whether the unauthorized information from the BIT demonstrably suggested bidding over other logical alternatives. East has a diamond void, so from his perspective it is possible that his partner was thinking about doubling and decided against it. However, in previous cases partner was thinking about bidding, so the AC thinks the UI demonstrably suggests bidding over passing.

Is passing a L.A.? Half of the AC felt that it isn't, that 3♥ is a game force, and that even if it were not, passing 4♦ at B-A-M when partner failed to double is unthinkable. The other half felt that partner was limited, East had a 5-count, and so he might just pass hoping that no contract makes at the 4-level. One piece of evidence in their favor is that the screening director polled three players with about 6000 MPs. None were willing to bid 3♥ (two chose 4♦ and one doubled), but once they were forced to (one was okay with the 3♥ bid), all three passed 4♦. Finally, the tie was broken by the argument that if West could pass 4♦, so could East. Since those actions seemed about equally poor, and since East and West appeared to be peers, we decided that for this East, passing was a L.A. Therefore, the Director's ruling was upheld. The AC felt that this was an extremely close decision and wished they could "split the baby" with Law 12C.1.C. For different players, this decision could easily go the other way.

**The Committee:** Jeff Goldsmith (Chair), E.J. Kales, Jim Thurtell, Chris Moll, Danny Sprung

<b>APPEAL</b>	<b>NABC+ FIVE</b>
Subject	Unauthorized Information
DIC	Steve Bates
Event	Open B-A-M
Session	2 <sup>nd</sup> Qualifying
Date	November 25 <sup>th</sup> , 2012

BD#	<b>20</b>
VUL	<b>Both</b>
DLR	<b>W</b>

<b>Wayne Eggers</b>	
♠	AKJ
♥	A97
♦	KQT
♣	T832

<b>Lee De Simone</b>		<b>Fall 2012 San Francisco, California</b>	<b>Marshall Lewis</b>	
♠	8		♠	96542
♥	T652		♥	QJ843
♦	AJ7642		♦	--
♣	64		♣	A97

<b>William McFall</b>	
♠	QT73
♥	K
♦	9853
♣	KQJ5

West	North	East	South
2♦	2N	P	3♣
P	3♦ <sup>(1)</sup>	P	3♥
P	3N	P	P
P			

Final Contract	<b>3NT by North</b>
Opening Lead	<b>♠6</b>
Table Result	<b>Making 5, N/S +660</b>
Director Ruling	<b>4♠ by North, Down 1, N/S -100</b>
Committee Ruling	<b>4♠ by North, Down 1, N/S -100</b>

**(1) Alerted and explained as one or both 4 card majors**

**The Facts:** The director was summoned at the end of the hand. East/West were initially concerned about the impact of the misinformation on the opening lead against 3NT. North/South play puppet over no trump at the two-level (example, opening 2NT or 2C-2D-2NT). N/S play Smolen over 1NT (example, opening 1NT or overcalling 1NT). North thought that 3♣ was regular Stayman

**The Ruling:** North thought that 3♣ was regular Stayman and bid 3D accordingly while South thought that it was Puppet Stayman. Thus had there been no alert, North would have expected South to be 5/4 in the majors. With length and strength in both of South's majors, it would be normal to bid game in the suit that South had shown five. The UI that North possessed

demonstrably suggested 3NT rather than the alternative of 4♠. Accordingly, citing Law 16B.1.a and Law 12C.1.e, the Director adjusted the result to 4♠ by North, down one, N/S -100.

**The Appeal:** N/S appealed the ruling and North, South and East attended the hearing. North thought that 3NT was obvious. South added that there might be a diamond ruff against 4S and that it was not possible for the opponents to run the club suit. East responded by stating that if the opponents could get a diamond ruff than his partner would have only one club and they might easily have the club suit against them.

**The Decision:** North possessed UI that demonstrably suggested 3NT over the logical alternative of 3♠ (or 4♥, depending on whether or not North though Smolen applied). Therefore, the contract was adjusted by the table Director to 4♠, down 1.

North/South and their team captain should have recognized that 3♠ was a logical alternative to the bid suggested by the UI, 3NT, and they should not have appealed the ruling. Accordingly, the Appeals Committee assigned them an Appeal Without Merit Warning. The committee considered assigning a procedural penalty for the blatant use of UI, but decided that the AWMW was sufficient.

**The Committee:** Doug Doub (Chair), Fred King and Marc Rabinowitz

<b>APPEAL</b>	<b>NABC+ SIX</b>
Subject	Unauthorized Information
DIC	Steve Bates
Event	Open B-A-M
Session	2 <sup>nd</sup> Qualifying
Date	November 25 <sup>th</sup> , 2012

BD#	<b>14</b>
VUL	<b>None</b>
DLR	<b>E</b>

<b>Mark Lair</b>	
♠	KJ84
♥	Q9752
♦	652
♣	4

<b>Jack Zhao</b>		<b>Fall 2012 San Francisco, California</b>	<b>Nicolas L'Ecuyer</b>	
♠	9		♠	AQ62
♥	AT863		♥	J4
♦	JT		♦	A93
♣	J8653		♣	AK97

<b>Mary Ann Berg</b>	
♠	T753
♥	K
♦	KQ874
♣	QT2

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

Final Contract	<b>2♣ by East</b>
Opening Lead	♦K
Table Result	<b>Making 4, N/S -130</b>
Director Ruling	<b>3NT by East, making 3, N/S -400</b>
Committee Ruling	<b>2♣ by East, making 4, N/S -130</b>

(1)	<b>16+ HCP, any shape</b>
(2)	<b>0-7 HCP</b>
(3)	<b>Intended as majors, not alerted</b>
(4)	<b>16-18 Balanced</b>

**The Facts:** The Director was summoned at the end of the hand. East/West advised that the double of 1♦ was not alerted as showing the majors and that this misinformation contributed to their reaching an inferior contract.

**The Ruling:** The Director adjusted the result to 3NT by East making 3, North/South -400.

**The Appeal:** North/South appealed the ruling. North and East attended the hearing. North advised that at the beginning of the round he had reminded South that over a forcing and artificial 1♣ they played double for the majors and NT for the minors. East did not notice this statement. North had never played and rarely seen anyone playing a double of a 1♦ response as showing diamonds. North stated that both East and West had bid conservatively, West making only corrective bids with 5/5 distribution and a maximum 1♦ respond and East not raising clubs with his maximum hand, good controls and a good club fit. North contended that it was the East/West conservative bidding that resulted in the missed game, not the failure to alert.

**The Decision:** East/West offered no explanation of how they would have bid differently if South had alerted the double. East would likely still pass over the double to show his balanced 16-18 HCP. West might try 1♥, or he might bid 2♣. Over 1♥, East would bid 1NT. There are several possible continuations from there, leading to contracts of 1NT, 2♣, 3♣, 3NT and 5♣ with 3NT perhaps the least likely. A positive feature of the accurate information is that East would more highly value his ♠Q. On the negative side, West's heart suit would be weaker with a known heart suit sitting behind him, and the clubs would be less likely to break with North showing both majors.

Since neither of the E/W players nor the E/W hands offers attractive evidence that E/W would have reached game had South alerted that double, the committee did not adjust the contract from 2♣.

Declarer could have made another trick in 2♣ by winning the ♦K lead, cashing one or two top clubs and then crossing to the ♥A to take the spade finesse. With the lead of the ♦K and North's discouraging signal, the expert East should have been aware that North's double did not show diamonds and protected himself in the play by asking at that point. Thus, the committee did not adjust the number of tricks taken by East in 2♣. The table result was restored, 2♣ by East, making 4, North/South -130.

**The Committee:** Doug Doub (Chair), Marc Rabinowitz and Fred King

<b>APPEAL</b>	<b>NABC+ SEVEN</b>
Subject	Unauthorized Information
DIC	Candy Kuschner
Event	Blue Ribbon Pairs
Session	2 <sup>nd</sup> Qualifying
Date	November 27, 2012

BD#	<b>8</b>
VUL	<b>None</b>
DLR	<b>W</b>

<b>Martin Fleisher</b>	
♠	K9874
♥	85
♦	6
♣	KT754

<b>Sheng Li</b>		<b>Fall 2012 San Francisco, California</b>	<b>Julie Zhu</b>	
♠	QJ632		♠	A
♥	K94		♥	AQJT76
♦	T5		♦	QJ982
♣	J93		♣	Q
		<b>Mike Kamil</b>		
		♠	T5	
		♥	53	
		♦	AK743	
		♣	A862	

West	North	East	South
P	2♠	3♠ <sup>(1)</sup>	P
3N	P	4♥	P
P	P		

Final Contract	<b>4♥ by East</b>
Opening Lead	<b>♦K</b>
Table Result	<b>Making 4, N/S -420</b>
Director Ruling	<b>4♥ by East , Making 4, N/S -420</b>
Committee Ruling	<b>4♥ by East , Making 4, N/S -420</b>

<b>(1) Alerted and explained as asking for a spade stopper</b>
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**The Facts:** East's 3♠ bid was alerted and explained as asking for a spade stopper. Prior to the opening lead East corrected the explanation and advised that her bid showed hearts and a minor. The Director was summoned by North/South.

**The Ruling:** Law 16 1(a) states that a player may use information in the auction derived from the legal calls of the current boards. East's hand itself is suggestive of the 4♥ bid because of the solid heart suit, the strong diamonds and the weak clubs. Accordingly, the table result stands, 4♥ by East, making 4, North/South -420.

**The Appeal:** North/South appealed the ruling and all four players attended the hearing. N/S contended that the unauthorized information from the alert procedure caused East to bid 4♥ over



West's 3NT, which they claimed would be down three. Alternatively, North might have bid 4♣ over 3NT if given the correct explanation leading to a possible result of 5♣X by North, down two for -300.

East/West reported that they were a new partnership who met at the partnership desk before the game. East told West that this auction should show hearts and a minor, but West forgot or disagreed that had been said. East said pass is not a logical alternative to bidding 4♥, that the 4♥ bid is "automatic".

**The Decision:** The Committee determined that there was unauthorized information from the explanation of 3NT and that either E/W had no agreement or their agreement was hearts and a minor. However, the explanation did not demonstrably suggest any particular action and even if it did suggest bidding, there was no logical alternative to bidding 4♥.

The Committee did not hear enough evidence that the misinformation affected North's bidding. The Director did not ask North what he would have bid with the correct information before the hand was played, but felt that 4♣ was no more likely to be bid with the correct information as the incorrect information. Accordingly, the Committee did not consider auctions which might result in N/S playing in 5♣X.

The case was complex enough that the appeal had merit. The Committee ruled that the table result stood, 4♥ by West making 4, N/S -420.

**The Committee:** Richard Popper (Chair), Marc Rabinowitz, Ellen Kent, Bruce Reeve and Gene Kales

<b>APPEAL</b>	<b>NABC+ EIGHT</b>
Subject	Break in Tempo
DIC	Candy Kuschner
Event	Blue Ribbon Pairs
Session	1 <sup>st</sup> Qualifying
Date	November 27, 2012

BD#	<b>15</b>
VUL	<b>N/S</b>
DLR	<b>S</b>

<b>Elliot Grubman</b>	
♠	J9
♥	KJT876
♦	94
♣	QT4

<b>Richard Coren</b>		<b>Fall 2012 San Francisco, California</b>	<b>Bobby Levin</b>	
♠	Q3		♠	A8754
♥	32		♥	95
♦	A75		♦	63
♣	A97532		♣	KJ86
		<b>Ava Grubman</b>		
		♠	KT62	
		♥	AQ4	
		♦	KQJT82	
		♣	--	

West	North	East	South
			1♦
2♣	P	2♦	3♦
P	3♥	3♠	4♥
P <sup>(1)</sup>	P	5♣	P
P	P		

Final Contract	<b>5♣ by West</b>
Opening Lead	
Table Result	<b>Down 2, N/S +100</b>
Director Ruling	<b>4♥ by North, making 4, N/S +620</b>
Committee Ruling	<b>5♣ by West, Down 2, N/S +100</b>

<b>(1) BIT of 7-8 seconds</b>
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**The Facts:** All agreed that West pass of 4♥ was slower than his pass of 3♦. North/South summoned the Director after East's 5♣ bid. East noted that he could see almost no chance of beating 4♥ in part because he expected West to have six clubs on the auction with a very distributional hand and that taking the sacrifice was nearly automatic. East further contended that the only possible suggestion of the BIT was to double 4♥.

**The Ruling:** The Director ruled that East's bid of 5♣ was demonstrably suggested by the BIT and that pass was a logical alternative to bidding 5♣. Citing Law 73C and 16B.1(a), the Director changed the result to 4♥ by North, and the Screening Director determined the outcome as making four for a North/South score of +620.

**The Appeal:** East/West appealed the ruling and attended the hearing. E/W asserted that when West passed over 3♦, he denied anything special beyond opening values and a likely six card club suit. At his next turn to call, West would have raised spades with support. Lacking spade support, West would normally pass or double, depending upon his defensive strength. With two aces and a plus value in spades, West said that he briefly considered doubling. East thought that 5♣ was strongly indicated. West certainly would have doubled 4♥ with three likely tricks, so 4♥ rated to make. Since West would not have spade support, 5♣ would not go down more than the value of the opponent's game. Further, at East's turn to bid over 2♣, 2♠ would have been invitational, 3♠ forcing. 2♦ was a catch-all force, not necessarily showing club support.

**The Decision:** Although a hesitation prior to passing often suggests that a player was thinking about bidding, it is not always so. A non-vulnerable West opposite a partner who bid 3♠ without any expectations of support would be highly likely to raise to 4♠ with support. Since West did not rebid his clubs at his previous turn, he could not have been thinking of bidding 5♣ now. Thus, West's BIT did not demonstrably suggest East's 5♣ bid. East was free to exercise his judgment in bidding 5♣. The table result was restored, 5♣ by West, down two, N/S +100.

**The Committee:** Doug Doub (Chair), Chris Moll, Adam Wildavsky, Michael Huston and Jeff Aker

<b>APPEAL</b>	<b>NABC+ NINE</b>
Subject	Break in Tempo
DIC	Candy Kuschner
Event	Blue Ribbon Pairs
Session	1 <sup>st</sup> Semi-Final
Date	November 28, 2012

BD#	<b>2</b>
VUL	<b>N/S</b>
DLR	<b>E</b>

<b>Peter Bertheau</b>	
♠	K6532
♥	JT742
♦	Q7
♣	2

<b>Mike Cappelletti, Jr.</b>		<b>Fall 2012 San Francisco, California</b>	<b>Steve Apodaca</b>	
♠	QT4		♠	AJ8
♥	963		♥	K8
♦	AT53		♦	64
♣	KT4		♣	AJ9873
		<b>Thomas Bessis</b>		
		♠	97	
		♥	AQ5	
		♦	KJ982	
		♣	Q65	

West	North	East	South
		1♣	1♦
1N	X	2♣	2♥
3♣	3♥	P <sup>(1)</sup>	P
X	P	P	P

Final Contract	<b>3♥X by South</b>
Opening Lead	<b>♣K</b>
Table Result	<b>Down 1, N/S -200</b>
Director Ruling	<b>3♥ by South, Down 1, N/S -100</b>
Committee Ruling	<b>3♥X by South, Down 1, N/S -200</b>

<b>(1)</b>	<b>BIT</b>
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**The Facts:** North/South summoned the Director during the next round. At the end of the session, when the Director spoke to West about the alleged hesitation, he responded that there may have been a BIT but that it didn't matter with his hand. At the beginning of the next session when the ruling was delivered East/West disputed that there was a BIT.

**The Ruling:** The Director determined that pass was a logical alternative to double and the result was changed to 3♥ by South, down 1, N/S -100.

**The Appeal:** East/West appealed the ruling. South, East and West attended the hearing. East's break in tempo was due to the auction's beginning very fast. When it came to East's third turn, no one had passed, and the auction had gone so quickly that East needed a second or two to

assimilate what was going on. East/West contended that West's double is automatic, because their partnership style is that East's opening bids are sound.

South advised that the reason for the late director call was that they were short on time, and South could not figure out a way to call the director without appearing to be rude. South maintained that the BIT suggested West's double over passing, and since pass is a logical alternative, it is required.

**The Decision:** The Committee judged that the BIT was due to East's not paying attention. If East were actually thinking about a bidding decision, everyone at the table would be certain that was what was happening. If there was any doubt, and there was, knowledge of East's mannerisms suggest that he was not thinking about the hand, so there was no BIT. This was confirmed by East's hand. If he were thinking, he would have been thinking about bidding on, and his hand has no reason to consider doing that. Some players might think about doubling (and many would do it), but the AC felt certain that it would never have occurred to this particular East.

Since there was no clear BIT, the table result was restored to 3♥X by South, down one, North/South -200. In addition, South was given some explanation about the best time and form for calling the director in unauthorized information situations, including help in avoiding possible rudeness issues.

**The Committee:** Jeff Goldsmith (Chair), Fred King, Ed Lazarus, Bruce Reeve and Hendrik Sharples

<b>APPEAL</b>	<b>NABC+ TEN</b>
Subject	Break in Tempo
DIC	Brian Russell
Event	NABC Mixed Pairs
Session	2 <sup>nd</sup> Qualifying
Date	November 28, 2012

BD#	<b>24</b>
VUL	<b>None</b>
DLR	<b>W</b>

<b>Ellen Kent</b>	
♠	A8642
♥	A52
♦	52
♣	AT6

<b>Ricki Rogers</b>		<b>Fall 2012 San Francisco, California</b>	<b>Joe Murray</b>	
♠	K		♠	QT9753
♥	QT9764		♥	K
♦	J3		♦	A98
♣	QJ97		♣	854

<b>Robert Kent</b>	
♠	J
♥	J83
♦	KQT764
♣	K32

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

Final Contract	<b>4♦ by South</b>
Opening Lead	<b>♣Q</b>
Table Result	<b>Down 1, N/S -50</b>
Director Ruling	<b>4♦ by South , Down 1, N/S -50</b>
Committee Ruling	<b>4♦ by South , Down 1, N/S -50</b>

**The Facts:** North/South summoned the Director after the East/West pair left the table. During the play, Declarer led a small diamond from dummy toward his hand. South alleged that East hesitated before playing the 8. South inserted the ten and lost to West's Jack.

**The Ruling:** Although there may have been a slight hesitation or slow play, the Declarer took inference at his own peril according to Law 16A. He may have concluded that East had the Ace, but he could not have surmised whether he had the Jack. Accordingly, there was no adjustment made, the table result stands, 4♦ by South, down 1, North/South -50.

**The Appeal:** North/South appealed the ruling. South (Declarer) noted a "slight hitch" by West before playing the ♠K on the jack. He thought that West might be 2=6=1=4 or 3=6=1=3, in which case he needed to play the ♦10 to make his contract. Declarer thought that East was

“showing” the ♦A so that declarer would play the queen and, as a result, declarer was misled by East’s “deceptive” tempo.

East stated that on the second round of diamonds he was debating whether to play small or take his ace. It was noted that East is a casual bridge player who was playing that day because the weather was too inclement for golf.

**The Decision:**

The Laws state that it is desirable, though not required, to play in as even a tempo as possible. Players may draw inference from variations in tempo at their own risk. However, if a player is deceived by the variation in tempo of a player who had no legitimate bridge reason for the BIT and could have reasonably known that the BIT might deceive his opponent, an adjusted score can be assigned.

East was deciding whether he should take his diamond ace. It was possible that declarer’s diamonds were KQTx and West could over-ruff a spade return. Regardless of East’s reasoning, when a player is deciding whether to win a trick or play small, there is a bridge reason for his deliberation.

As the Director stated, “He (declarer) may have derived that he (East) had the ace, but he could not surmise that he had the jack.” Declarer drew the inference about East’s holding the ♦J at his own risk. The committee ruled that the table result of 4♦, down 1, would stand.

North/South should have heeded the Director’s ruling and statement of drawing inference at your own risk. They should not have tried to gain a trick from the committee that they had misjudged in the play. Accordingly the AC assigned N/S an AWMW.

**The Committee:** Doug Doub (Chair), Marc Rabinowitz and Michael Huston

<b>APPEAL</b>	<b>NABC+ ELEVEN</b>
Subject	Illegal Bid
DIC	Steve Bates
Event	Reisinger B-A-M
Session	First Semi-Final
Date	December 1, 2012

BD#	<b>2</b>
VUL	<b>N/S</b>
DLR	<b>E</b>

<b>Kevin Bathurst</b>	
♠	853
♥	A74
♦	A54
♣	T984

<b>Geir Helgemo</b>		<b>Fall 2012 San Francisco, California</b>	<b>Tor Helness</b>	
♠	KJ96		♠	T742
♥	86		♥	QJ32
♦	Q87		♦	6
♣	AK65		♣	QJ32
		<b>Dan Zagorin</b>		
		♠	AQ	
		♥	KT95	
		♦	KJT932	
		♣	7	

<b>West</b>	<b>North</b>	<b>East</b>	<b>South</b>
		2♦ <sup>(1)</sup>	3♦
3♠	4♦	P	5♦
X	P	P	P

Final Contract	<b>5♦X by South</b>
Opening Lead	<b>♣A</b>
Table Result	<b>Down 2, N/S -500</b>
Director Ruling	<b>3♦ by South, making 3, N/S +110</b>
Committee Ruling	<b>N/S AVE +; E/W AVE -</b>

**(1) Alerted and explained as both majors (4-4 or better), 2-9 HCP**

**The Facts:** North/South summoned the Director during the 1<sup>st</sup> round of bidding because the 2♦ opener by East/West is not authorized for mid-chart events. The Director allowed the auction to continue so that a bridge result could be obtained.

**The Ruling:** Citing Law 12C.1(a), the Director adjusted the result to 3♦ by South, making 3, North/South +110.

**The Appeal:** North/South appealed the ruling and attended the hearing. The director was called after the tray was passed after East's first turn. East passed the tray, alerted 2♦, and gave North a written explanation. North knew that this was an illegal convention and immediately summoned



the director. North did not know how far along the auction had progressed on the other side of the screen, and South did not remember.

N/S contended that if they had defense notes available, North would have doubled 3♠, but since he didn't know how that would have been treated without extensive discussion, he felt that it was too unsafe to try. If he had doubled, South would have bid 3NT and guessed diamonds to go +600. North/South asked that the Committee grant them the result they would have had, had 2♦ been a legal convention.

Furthermore, the result of 9 tricks in 5♦X was the result of "heroic measures" being taken to try to make 11 tricks, since -200 rated to be a lost board. In 3♦, after their actual auction, 10 tricks would surely have been taken.

**The Decision:** There was an infraction: 2♦ was an illegal convention. It damaged the NOS; nothing ridiculous was done in the auction, and 5♦X was a terrible result for North/South.

The difference between -200 and -500 is not important, so the board was lost in the auction, primarily due to the success of the 2♦ opening. Therefore, the score must be adjusted.

Law 12C.1(e) instructs the director/AC to find the results which are likely or at all probable, then to award the least favorable result at all probable to the OS, and the most favorable result likely to the NOS. The Committee assumed South would open 1♦ after East's pass, and West may or may not overcall 1♠. It was guessed that a 1♠ overcall would occur between 20% and 30% of the time. The AC disagreed on this number; that result is an average, and the actual estimates had a very high variance. North/South making +110 in 3♦ was clearly likely, +50 in 3♠ was maybe likely, maybe at all probable. Meanwhile, +100 in 3♠ doubled, and +600 in 3NT were possibly likely or at all possible, and it was very hard to tell if they were or not. The AC then obtained a full set of results on the board (via a member's smart phone). There were about a dozen different results. This convinced the AC that they could not list all the likely and at all probable results, or at least that the possibilities were "numerous or not obvious." Law 12C.1(d) instructs that if this is the case, we should award an artificial adjusted score. Therefore, the AC awarded Average Plus to N/S and Average Minus to E/W.

**Comment by Jeff Goldsmith:**

“The Chair believes that getting a full set of results was an error. This is based on analysis of many deals. Very few deals do not have numerous results; the number of different outcomes on a deal is far larger than most players would guess. I believe that if an AC were to be given the full set of results each time they had to consider all the ‘at all probable’ results on a deal, they would rule that the results are numerous or not obvious over 95% of the time that an infraction occurred early in the deal.

Since I believe it is not the intent of Law 12C.1(d) to give an artificial adjusted score that often, I believe the process ought not include the AC's being given frequency charts.”

**The Committee:** Jeff Goldsmith (Chair), David Caprera, Gail Greenberg, Fred King and Ed Lazarus

<b>APPEAL</b>	<b>Non-NABC+ ONE</b>
Subject	Break in Tempo
DIC	Ken Van Cleve
Event	A/X Pairs
Session	2 <sup>nd</sup> Session
Date	November 24, 2012

BD#	<b>5</b>
VUL	<b>N/S</b>
DLR	<b>N</b>

<b>8,450 Masterpoints</b>	
♠	K9
♥	QT2
♦	J9743
♣	T65
<b>3,000 Eligibility Points</b>	
♠	AQJ2
♥	AJ754
♦	KT5
♣	A
<b>5,500 Masterpoints</b>	
♠	87653
♥	K983
♦	86
♣	J8

<b>3,000 Eligibility Points</b>		<b>Fall 2012 San Francisco, California</b>	<b>3,000 Eligibility Points</b>	
♠	AQJ2		♠	T4
♥	AJ754		♥	6
♦	KT5		♦	AQ2
♣	A		♣	KQ97432

West	North	East	South
		1♣	P
1♥	P	2♣	P
2♦ <sup>(1)</sup>	P	3♣	P
4♣	P	4♦	P
4N	P	5♠ <sup>(2)</sup>	P
5N	P	6♣ <sup>(3)</sup>	P
6N <sup>(4)</sup>	P	7♣	P
P	P		

Final Contract	<b>7♣ by East</b>
Opening Lead	<b>♥3</b>
Table Result	<b>Making 7, N/S -1440</b>
Director Ruling	<b>7♣ by East, Making 7, N/S -1440</b>
Committee Ruling	<b>7♣ by East, Making 7, N/S -1440</b>

(1)	<b>New Minor Forcing</b>
(2)	<b>RKC – shows two keycards with the queen of trump</b>
(3)	<b>Zero Kings</b>
(4)	<b>BIT</b>

**The Facts:** The table result was 7♣ making 7, East/West +1440. The opening lead was the ♥3. The director was called at the end of the round after the next board was completed. North/South thought the hesitation before the 6NT bid should bar East from bidding 7♣.

**The Ruling:** The Director ruled that the table result stood since a slow 6NT did not “demonstrably suggest” bidding on (Law 16). The hesitation could just have easily been based on deciding whether to pass or bid 6NT as on deciding whether to bid the small or grand slam.

**The Appeal:** North/South appealed the Director's ruling. The reviewer met with only North and South. They stated that the only break in tempo in the auction was over 6♣ and that they believed it suggested the 7♣ call.

**The Decision:** The panel decided that there was an “unmistakable hesitation” (Law 16) and polled two peers on East's action over 6NT. Both said they would have bid 7♣ directly over 5NT. Both also said they thought it was clear to bid 7♣ over 6NT in the given auction and that East's actions were consistent with someone looking for extra values for 7NT. The panel decided that the hesitation did not demonstrably suggest the 7♣ bid and pass was not a logical alternative, so Law 16 was not violated. The table result was allowed to stand.

The appeal was found to have merit.

**The Panel:** Terry Lavendar (reviewer), Henry Falk and Bernie Gorkin

<b>APPEAL</b>	<b>Non-NABC+ TWO</b>
Subject	Break in Tempo
DIC	Aleen Harvey
Event	Stratified Open Pairs
Session	1st Session
Date	November 28, 2012

BD#	<b>1</b>
VUL	<b>None</b>
DLR	<b>N</b>

<b>3,000 Masterpoints</b>	
♠	A
♥	A743
♦	J987
♣	QT72
<b>3,000 Masterpoints</b>	
♠	KJ98
♥	J62
♦	AQT
♣	864

<b>1,000 Masterpoints</b>		<b>Fall 2012 San Francisco, California</b>	<b>900 Masterpoints</b>	
♠	QT76542		♠	3
♥	Q5		♥	KT98
♦	K2		♦	6543
♣	A9		♣	KJ53

West	North	East	South
	<b>1♣<sup>(1)</sup></b>	<b>P</b>	<b>1♠</b>
<b>P<sup>(2)</sup></b>	<b>1N</b>	<b>X</b>	<b>XX</b>
<b>2♠</b>	<b>P</b>	<b>P</b>	<b>X</b>
<b>P</b>	<b>P</b>	<b>P</b>	

Final Contract	<b>2♠X by West</b>
Opening Lead	<b>♠A</b>
Table Result	<b>Making 2, N/S -470</b>
Director Ruling	<b>2♠ by West, Making 2, N/S -110</b>
Committee Ruling	<b>1NT by North, Down 1, N/S -50</b>

(1)	<b>Announced as “could be short”</b>
(2)	<b>BIT</b>

**The Facts:** The table result was 2♠ doubled making two, North/South -470. The opening lead was the ace of spades. The director was called at the end of the hand. North reviewed the auction for the director and included a statement about a brief tempo break. All parties agreed with North's review. In a subsequent discussion West questioned the determination of a “short” break and East commented that looking at the West hand some thought would be required.

**The Ruling:** The Director ruled that Law 16 was violated in that there was an unmistakable hesitation; it demonstrably suggested East's double; pass by East was a logical alternative; and damage occurred as a result (Law 16, Law 12). The Director projected an auction after 1NT of P-P-2♠ all pass making two as both the “most favorable result that was likely” (for the non-

offending side) and the “most unfavorable result that was at all probable” (for the offending side) according to Law 12C1(e). The score was therefore changed for both sides to North/South-110.

**The Appeal:** East/West appealed the Director's ruling. The reviewer met with all four players and explained the legal basis for the table ruling.

North and South both said they thought West paused between five and ten seconds over 1♠. East and West said there was no hesitation at all. East said he agreed to the review in front of the director but he did not think he was agreeing at the time to a break in tempo.

The play to 2♠ doubled was described by North to the reviewer as spade ace; diamond shift to South's ace; diamond by South to West's king; club nine to dummy's jack; diamond ruffed back to West's hand; club ace cashed; heart queen to North's ace; diamond return by North ruffed by declarer; heart to dummy's king; club king from dummy. South was eventually forced to lead spades so the defense took three spades, the heart ace and the diamond ace.

East told the reviewer that she competes aggressively and thought a double by her at her second turn was normal due to her distribution. West allowed that he might not have doubled with her hand. When asked what he might have done if East had passed over 1NT and South had passed West said he would have passed.

**The Decision:** The panel decided that an “unmistakable hesitation” had occurred based on the testimony of North and South, the evidence from West's hand, and East's statement to the table director. The reviewer gave East's hand to two players with approximately the same number of masterpoints as East. Both passed and could not even consider another call. The panel therefore determined that pass was a “logical alternative”. Those two players were then asked whether they thought that a hesitation by partner made not passing more attractive and both believed strongly that it did. For that reason the panel decided that the hesitation “demonstrably suggested” East's double of 1NT. While the reviewer did poll peers regarding West's possible actions if the auction had gone 1NT – Pass - Pass (most wanted to bid 2♠), and if he did bid 2♠ what would South likely do if that came back around to him (most doubled, one bid 2NT, and two who were asked thought it easier to double 2♠ in that auction than in the one that actually occurred), those questions became moot once West said he would pass out 1NT since that would lead to a worse score for his side than if he bid. The panel consulted an expert player on the play to 1NT and he estimated that 1NT would go down the vast majority of the time on a heart lead by East. So the panel decided that damage had occurred and according to Law 12C1(e) to adjust the score for both sides to 1NT by North down one, North/South -50. The panel decided that the deterrent to East/West of leaving with less after the appeal than it had before made an Appeal Without Merit Warning unnecessary.

**The Panel:** Matt Smith (reviewer), Nancy Watkins, Charlie MacCracken

Players polled: Two on East's call over 1NT; four on West's possible call over 1NT-P-P; five on South's possible call over that auction followed by West bidding 2♠ followed by two passes; one expert on the play to 1NT.

<b>APPEAL</b>	<b>Non-NABC+ THREE</b>
Subject	Unauthorized Information
DIC	Doug Grove
Event	0-5000 Blue Ribbon
Session	1st Semi-Final Session
Date	November 28, 2012

BD#	<b>16</b>
VUL	<b>E/W</b>
DLR	<b>W</b>

<b>3050 Masterpoints</b>	
♠	AKJ2
♥	J32
♦	Q93
♣	QJ5

<b>475 Masterpoints</b>		<b>Fall 2012 San Francisco, California</b>	<b>260 Masterpoints</b>	
♠	Q4		♠	T973
♥	Q98		♥	K6
♦	KJ754		♦	A82
♣	K86		♣	9732

<b>4400 Masterpoints</b>	
♠	865
♥	AT754
♦	T6
♣	AT4

<b>West</b>	<b>North</b>	<b>East</b>	<b>South</b>
INT <sup>(1)</sup>	X <sup>(2)</sup>	2♣ <sup>(3)</sup>	2♥ <sup>(4)</sup>
P	2♠	P	3♥
P	P	P	

Final Contract	<b>3♥ by South</b>
Opening Lead	<b>♣6</b>
Table Result	<b>Making 3, N/S +140</b>
Director Ruling	<b>4♠ by North, Down 2, N/S - 100</b>
Committee Ruling	<b>4♠ by North, Down 2, N/S - 100</b>

(1)	<b>Announced as "11-14 HCP"</b>
(2)	<b>Equal or better hand</b>
(3)	<b>Clubs and a major</b>
(4)	<b>Announced as a transfer</b>

**The Facts:** The table result was 3♥ making three, North/South +140. The opening lead was the club six. The Director was called at the end of the auction. South said he bid 3♥ since he knew East's major must be spades.

**The Ruling:** The Director determined that the unauthorized information South possessed from North's announcement of a transfer suggested the 3♥ bid. The Director conducted a poll and found that all but one peer bid either 3♠ or 4♠ with the South hand at their second turn in an auction without an announcement. The Director decided that even if 3♠ were bid that would

result in North bidding 4♠ as an acceptance of South's game try in spades in a transfer auction. The Director adjusted the score to 4♠ by North down two, North/South -100 (Law 16, Law 12).

**The Appeal:** North/South appealed the Director's ruling. The reviewer met with all four players. South told the reviewer that by the logic of the auction and his partnership methods he knew his partner could not have five spades and that East's major must be spades.

North and South said that a double of a weak 1NT showed the upper range of the 1NT bid or better, usually 13-15 HCP. Furthermore, doubles in the 13-15 HCP range are always balanced without a five card major since hands in that range that included a five card major are started with 2♣ showing a one-suited hand. Hands with more than 15 HCP may also start with a double but, assuming 1NT doubled is not the final contract, the doubler follows up at his next bid with either a cue bid or a no trump bid to show extra values.

When the reviewer gave them a hand with a strong five card spade suit and a good 17 HCP and asked them how they would bid it, they said that if a double was chosen first the next bid in the given auction would have been a 3♣ cue bid, not 2♠. They said that the doubler never rebids a major after doubling, so North's 2♠ bid was impossible in their methods.

The NS convention cards were identical and showed that 2♣ showed a one-suited hand, 2♦ was for the majors, 2♥ and 2♠ showed that suit and a minor, and 2NT showed both minors. There was no notation regarding their specific agreement about a double being balanced and denying a 5+ card major. There was also no mention of whether transfers applied over the double but since misinformation was not a factor in the ruling the reviewer did not pursue that aspect of the case. There were no applicable system notes available.

**The Decision:** The reviewer gave the South hand over partner's 2♠ bid to three players without mention of the announcement of transfer. Two bid 4♠ and one bid 3♠. The two consulted players who were then asked what they thought of the stated North/South methods were very skeptical and did not think those methods were likely or very practical. While the panel did not doubt the sincerity of the arguments offered by North/South, their methods did not appear common and were not documented in any way. Law 16B1(a) states: "After a player makes available to his partner extraneous information that **may** suggest a call or play, . . . the partner may not choose from among logical alternatives one that could demonstrably have been suggested over another by the extraneous information." (emphasis added) The panel decided that the announcement "may" have suggested the 3♥ bid (whether it actually did or not), so the Director's adjustment to 4♠ by North down two was upheld. The appeal was found to have merit.

**The Panel:** Matt Smith (reviewer), Nancy Boyd, Gary Zeiger

Players polled: Three players on South's action after partner's 2♠ bid



<b>APPEAL</b>	<b>Non-NABC+ FOUR</b>
Subject	Unauthorized Information, Break in Tempo
DIC	Doug Grove
Event	Mini Blue Ribbon
Session	1 <sup>st</sup> Final
Date	November 29, 2012

BD#	<b>2</b>
VUL	<b>N/S</b>
DLR	<b>E</b>

<b>1950 Masterpoints</b>	
♠	42
♥	JT762
♦	654
♣	JT9

<b>2085 Masterpoints</b>		<b>Fall 2012 San Francisco, California</b>	<b>4810 Masterpoints</b>	
♠	A3		♠	KJ865
♥	AQ54		♥	K93
♦	A		♦	KQJ9
♣	AKQ863		♣	2
<b>4280 Masterpoints</b>				
♠	QT97			
♥	8			
♦	T8732			
♣	754			

West	North	East	South
P	P	1♠	P
2♣	P	2♦	P
2♠	P	2N	P
4N	P	5♣ <sup>(1)</sup>	P
5♦ <sup>(2)</sup>	P	5♠ <sup>(3)</sup>	P
6N <sup>(4)</sup>	P	7N	P
P	P		

Final Contract	<b>7NT by East</b>
Opening Lead	<b>♣7</b>
Table Result	<b>Making 7, N/S -1520</b>
Director Ruling	<b>6NT by East, Making 7, N/S -1020</b>
Committee Ruling	<b>6NT by East, Making 7, N/S -1020</b>

(1)	<b>One key card</b>
(2)	<b>Asking for ♠Q</b>
(3)	<b>5♠ denies spade queen</b>
(4)	<b>BIT</b>

**The Facts:** The table result was 7NT by East, making 7, N/S -1520. The opening lead was the ♣7. All agreed to the break in tempo and West admitted to saying something to the effect of, "Oh well," or "What the heck?" thereby expressing doubt.

**The Ruling:** The Director ruled that UI existed (Law 16b1a) and that passing 6NT was a logical alternative to bidding on (Law 16b1b). Accordingly (Law 12c1e) the contract was adjusted to 6NT by East, making 7, North/South -1020.

**The Appeal:** East/West appealed the ruling. All four players attended the hearing. East felt that West must have her own source of tricks and believed the break in tempo and the muttering showing doubt did not influence his bid. He stated he “was always bidding seven”. West said she broke tempo and muttered something, but that her partner had no idea of what she was thinking. North/South agreed with the facts and felt the BIT and verbiage at the table strongly suggested bidding 7NT.

**The Decision:** The panel took a poll of five players with between 2000 and 5000 masterpoints. None of them bid 7NT. All of them believed that West's BIT and UI suggested bidding 7NT. Three Grand Life Masters were also consulted and all felt the BIT and UI strongly suggested bidding 7NT.

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 director’s ruling was upheld.

**The Panel:** Anita Goldman (reviewer); Gary Zeiger; Brian Russell

Players Consulted: 5 peers, 3 others

<b>APPEAL</b>	<b>Non-NABC+ FIVE</b>
Subject	Misinformation
DIC	Matt Smith
Event	Thu.-Fri. K.O.
Session	2 <sup>nd</sup> Session
Date	November 29, 2012

BD#	<b>4</b>
VUL	<b>Both</b>
DLR	<b>W</b>

<b>1,245 Masterpoints</b>	
♠	872
♥	2
♦	JT74
♣	AKQ54

<b>975 Masterpoints</b>		<b>Fall 2012 San Francisco, California</b>	<b>1,215 Masterpoints</b>	
♠	AT6		♠	4
♥	AKT65		♥	QJ843
♦	K986		♦	Q52
♣	7		♣	J863

<b>785 Masterpoints</b>	
♠	KQJ953
♥	97
♦	A3
♣	T92

West	North	East	South
1♥	P	4♥ <sup>(1)</sup>	P
P	P		

Final Contract	<b>4♥ by West</b>
Opening Lead	<b>♣A</b>
Table Result	<b>Making 4, N/S -620</b>
Director Ruling	<b>4♥ by West, Making 4, N/S -620</b>
Committee Ruling	<b>N/S +200, E/W +620</b>

(1)	<b>Alerted and initially explained as “Bergen” which was defined by West as 0-6 points and 4 or 5 spades</b>
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**The Facts:** The table result was 4♥ by West making 4, North/South -620. The opening lead was the ace of clubs. South asked about the alert immediately after the 4♥ bid. West first said 4♥ was a Bergen raise. That was amended to 0-6 points and four or five spades. Meanwhile, East did not say anything but tapped the 4♥ bid and covered her face. After South passed, West asked ““Isn't that right, partner?” and the Director was called. The Director took West away from the table and determined that in her confusion she had said spades when she meant to say hearts. The Director informed the table what the agreement about 4♥ was and instructed the bidding to continue. N/S approached the Director after the comparison with their teammates and stated that South would have bid 4♠ over 4♥ if she had been given the chance to change her bid following the change in explanation.

**The Ruling:** The Director ruled that the table result stood. He decided that NS was not “damaged as a consequence of its opponents' failure to provide disclosure of the meaning of a call” (Law 40B4) since it was obvious that the explanation of the meaning of the 4♥ bid was erroneous due to her hand and her experience, and since South said nothing when the explanation was corrected in his presence.

**The Appeal:** North/South appealed and all four players attended the hearing. South said that the 4♥ bid was alerted and when she asked, West first simply said, “Bergen”. When South asked what that was she was told, “Zero to six points and four to five spades.” According to South, she then requested further information and West said, “Hearts and spades.” South passed thinking there were spades on her right. East had her head in her hands and was tapping the 4♥ bid. After South passed, West then said, “Isn’t that right, partner?” at which point the Director was summoned. After taking West away from the table he instructed them to continued to play. He did not give South the opportunity to change her pass. South said she would have bid 4♠ at that point had she been allowed to do so.

East/West agreed with the facts as presented by North/South with the exception that West claimed that she did not say, “Hearts and spades.” West did say that she had said, “Spades” when she meant to say, “Hearts”. She said it was a slip of the tongue.

**The Decision:** The panel decided that the Director had erred when he did not offer South a chance to change her call over 4♥ after it became clear that East did not promise spades. Law 21B1(a) states: “Until the end of the auction period and provided that his partner has not subsequently called, a player may change a call without other rectification for his side when the Director judges that the decision to make the call could well have been influenced by misinformation given to the player by an opponent.” Law 82C states: “If a ruling has been given that the Director subsequently determines to be incorrect, and if no rectification will allow the board to be scored normally, he shall award an adjusted score, treating both sides as non-offending for that purpose.” So both sides deserved the “most favorable result that was likely” (Law 12C1[e]) had the misinformation and the erroneous ruling not occurred. The panel decided that for NS that result was 5♥ by West doubled down one, North/South +200 (the result at the other table), while for EW that result was judged to be the actual table result of 4♥ by West making four, East/West +620. So the panel assigned a split score and since the ruling occurred in a knockout match according to Law 88B the two different scores were IMPed and the average was assigned to each side.

A procedural penalty was considered for the East player for her improper behavior (tapping her 4♥ bidding card when her partner mistakenly explained their agreement); however, because of the level of expertise of these players, the panel felt that education was more appropriate.

**The Panel:** Jean Molnar (reviewer), Bill Michael and Brian Russell

<b>APPEAL</b>	<b>Non-NABC+ SIX</b>
Subject	Unauthorized Information
DIC	Ken Van Cleve
Event	Open Pairs
Session	1 <sup>st</sup> Session
Date	November 24, 2012

BD#	<b>5</b>
VUL	<b>N/S</b>
DLR	<b>N</b>

<b>1,245 Masterpoints</b>	
♠	QT72
♥	8742
♦	965
♣	A9

<b>2,050 Masterpoints</b>		<b>Fall 2012 San Francisco, California</b>	<b>2,080 Masterpoints</b>	
♠	AK9854		♠	63
♥	QT3		♥	KJ5
♦	83		♦	KQT72
♣	64		♣	853

<b>785 Masterpoints</b>	
♠	J
♥	A96
♦	AJ4
♣	KQJT72

West	North	East	South
	<b>P</b>	<b>P</b>	<b>1♣<sup>(1)</sup></b>
<b>2♠</b>	<b>P<sup>(2)</sup></b>	<b>P</b>	<b>3♣</b>
<b>P</b>	<b>3N</b>	<b>P</b>	<b>P</b>
<b>P</b>			

Final Contract	<b>3N by North</b>
Opening Lead	<b>♠6</b>
Table Result	<b>Making 3, N/S +600</b>
Director Ruling	<b>3♣ by South, Making 3, N/S +110</b>
Committee Ruling	<b>3N by North, Making 3, N/S +600</b>

(1)	<b>Strong artificial club</b>
(2)	<b>Announced as "0-4 HCP"</b>

**The Facts:** The table result was 3NT by North making 3, NS +600. The opening lead was the ♠6. The Director was called by East/West at the end of the hand. The actual North/South agreement about the pass over 2♠ is that it shows fewer than 6 HCP, not fewer than 5 HCP. East/West believed that with extra values beyond what partner expected North should have to pass 3♣.

**The Ruling:** South's announcement was a violation of correct procedure since announcements are not appropriate in this situation. That announcement gave North unauthorized information that suggested bidding rather than passing, and passing was a logical alternative. The score was changed to 3♣ by South making 3, NS +110 according to Laws 16 and 12.

**The Appeal:** North/South appealed the Director's ruling. The reviewer met with all four players. The reviewer confirmed that the actual NS agreement is 0-5 HCP despite North having 6 HCP. East/West reaffirmed their belief that North should not be allowed to bid 3NT after hearing that partner expected her to have less than she did. North told the reviewer that she considered 3NT automatic with two spade stoppers and the ace of partner's suit. North believed that 6 HCP was in range for the partnership's agreement about the pass over 2♠.

**The Decision:** The panel gave the North hand to many players of varying levels of skill and experience (several of them peers of North) with the premise that the pass over 2♠ was in the expected range of the partnership agreement. All bid 3NT, and some were surprised to be asked the question at all since it seemed so automatic to them to bid 3NT. For that reason the panel found that there was no violation of Law 16B1(a) since there was no logical alternative to the 3NT bid selected by North. The table result was restored of 3NT by North making 3, North/South +600.

**The Panel:** Terry Lavendar (reviewer), John Ashton and Matt Smith

<b>APPEAL</b>	<b>Non-NABC+ SEVEN</b>
Subject	Unauthorized Information, Break in Tempo
DIC	Bill Michael
Event	2 <sup>nd</sup> Fri-Sat KO
Session	Semi
Date	December 1, 2012

BD#	<b>27</b>
VUL	<b>None</b>
DLR	<b>S</b>

<b>150 Masterpoints</b>	
♠	J42
♥	74
♦	AK84
♣	T765

<b>640 Masterpoints</b>		<b>Fall 2012 San Francisco, California</b>	<b>570 Masterpoints</b>	
♠	Q97653		♠	KT
♥	JT82		♥	AK63
♦	QJ5		♦	9632
♣	--		♣	J43
<b>130 Masterpoints</b>				
♠	A8			
♥	Q95			
♦	T7			
♣	AKQ982			

West	North	East	South
			<b>1♣</b>
<b>2♠<sup>(1)</sup></b>	<b>P<sup>(2)</sup></b>	<b>P</b>	<b>3♣</b>
<b>P</b>	<b>P<sup>(3)</sup></b>	<b>3♠</b>	<b>3NT</b>
<b>P</b>	<b>P</b>	<b>P</b>	

Final Contract	<b>3NT by South</b>
Opening Lead	<b>♠6</b>
Table Result	<b>Making 3, N/S +400</b>
Director Ruling	<b>4♣ by South, Making 4, N/S +130</b>
Panel Ruling	<b>4♣ by South, Making, 4 N/S +130</b>

<b>(1)</b>	<b>Preemptive, no stop card used</b>
<b>(2)</b>	<b>Alleged BIT</b>
<b>(3)</b>	<b>Alleged BIT</b>

**The Facts:** The result at the table was 3NT by South, making 3, N/S +400. North disagreed with the allegation of either BIT. North did say he took less than 10 seconds for either bid. East/West both said the hesitations were similar in length, about 8-10 seconds. South said he left his hearing aid at home and could not hear much of the conversation.

**The Ruling:** The Director determined that there was a BIT by North, in part due to North's hand presenting several issues to consider. Following South's bid of only 3♣ at his second opportunity, the subsequent 3NT bid seems to have been predicated on additional information.

The BIT demonstrably suggested 3NT, so Law 16 requires the cancellation of that call. Upon South's pass, it seems likely that North would come to life with a 4♣ bid, so Law 12C1(a) was applied. Accordingly, 4♣ by South, Making 4, N/S +130 was deemed to be the most unfavorable result likely.

**The Appeal:** All four players attended the hearing. The facts were reviewed and the difference between the N/S and E/W testimony was noted. The reasoning for the ruling and the appropriate Laws were explained. N/S were asked if they still wanted to continue with the appeal and they did. (In the hearing North agreed that he thought for several seconds). N/S disputed the second BIT, claiming the Pass was in tempo.

South said he knew 3NT was risky, but he was willing to take that chance. He also said he had left his hearing aid at home, so he did not track much of what went on at the table. He was asked what new information he received after his 3♣ bid to reevaluate his hand so favorably. He said 'none' and repeated his comment about being risky. North, after he was told regulations require the next hand to pause about 10 seconds after the bidding has skipped a level, agreed he thought for less than 10 seconds the first time. He firmly maintained that he had called within about two seconds at his second turn. In defending his partner's bid he pointed out that West had made a weak bid and East made no move toward game. It was pointed out that, from South's point of view, E/W could have more than half the deck. N/S said this was the only time in the match that EW called the Director.

E/W maintained that it seemed unusual to bid only 3♣ if you felt your hand was worth 3NT.

**The Decision:** Three players with 100-300 MPs were polled. Two bid 4♣ and one passed. None considered 3NT. All agreed that a slow pass by North would show values.

Three questions have to be answered 'yes' before an adjustment can be made. Was there an irregularity, was there damage and was the damage a direct result of the irregularity?

The Panel found: 1) an unmistakable hesitation had occurred, 2) E-W was damaged (-400, not -130) and 3) the damage was as a direct result of the BIT.

Law 16B1(a) prohibits a player from selecting from among logical alternative actions one that could demonstrably have been suggested over another by the extraneous information (the BIT). Under Law 12B1, the objective of an adjustment is to redress damage to the non-offenders and take away any advantage gained by an offending side through its infraction. Law 12C1(e) requires the non-offending side receive the most favorable result likely without the irregularity and the offending side the most unfavorable result that was at all probable without the irregularity.

The Panel ruled that N-S +130 and E-W -130 met the above criteria.

An appeal without merit warning was issued.

**The Panel:** Charlie MacCracken (Reviewer), Terry Lavender, Matt Smith



<b>APPEAL</b>	<b>Non-NABC+ EIGHT</b>
Subject	Cancelled Concession, Unauthorized Information
DIC	Anita Goldman
Event	A/X Pairs
Session	
Date	November 30, 2012

BD#	<b>2</b>
VUL	<b>N/S</b>
DLR	<b>E</b>

<b>1150 Masterpoints</b>	
♠	JT3
♥	5
♦	AK984
♣	Q973

<b>550 Masterpoints</b>		<b>Fall 2012 San Francisco, California</b>	<b>550 Masterpoints</b>	
♠	2		♠	AK965
♥	KQJ982		♥	T4
♦	72		♦	QJ3
♣	J542		♣	KT8

<b>1130 Masterpoints</b>	
♠	Q874
♥	A763
♦	T65
♣	A6

West	North	East	South
		N/A	

Final Contract	<b>3♥ by East</b>
Opening Lead	<b>Low ♦</b>
Table Result	<b>Down 2, N/S +100</b>
Director Ruling	<b>3♥ by East, Down 1, N/S +50</b>
Committee Ruling	<b>3♥ by East, Down 1, N/S +50</b>

**The Facts:** At trick 10, North (having won a diamond) looked at dummy, and said “board’s up.” South objected and the director was called. The concession was correctly cancelled (Law 68.B.2) after which North led a club and South ruffed (the only time a claim or concession does not result in play ceasing is when a defender’s partner immediately objects). The play had proceeded:

- Trick 1 - Diamond lead to North's king
- Trick 2 - Club to South's ace
- Trick 3 - Club to declarer's ten
- Trick 4 - Spade ace all follow
- Trick 5 - Spade king pitching a club from dummy
- Trick 6 - Spade ruffed in dummy with the eight
- Trick 7 - Heart low to declarer's ten South ducking

Trick 8 - Heart to South's ace as North pitched a diamond

Trick 9 - Diamond to North's ace

The four card ending was:

	<u>North</u>	
	--	
	--	
	98	
	Q9	
<u>West</u>		<u>East</u>
--		96
KQJ		--
--		Q
J		K
	<u>South</u>	
	Q	
	76	
	T	
	--	

**The Ruling:** The table director ruled that North believed his lead at trick 10 would not matter until South, correctly, objected to the concession. (Law 68.B.2: “If a defender attempts to concede one or more tricks and his partner immediately objects, no concession has occurred.”) Had North believed his lead mattered he would have indeed made such lead rather than conceding. South’s objection brought to light Unauthorized Information (clearly North now knew his partner held a trump and was void in clubs.), and according to Laws 16.B.1, 16.B.3, and 70.A (“The director adjudicates the result of the board as equitably as possible to both sides, but any doubtful point as to a claim shall be resolved against the claimer.”) the result was adjusted to 3 ♥ by West, down 1, N/S +50

**The Appeal:** N/S appealed the director's ruling. The reviewer talked with both the E/W pair and the N/S pair to determine the facts as stated above were true. North added at this screening that he knew East had the top club and top diamond in his hand so only a club lead had merit. As this was a self-serving statement quite likely revealed only after play continued and not supported by the actual actions at the table it was given little weight in the appeal.

**The Decision:** As this case did not merit player polling, the reviewer discussed the situation with several other directors who have served as Reviewers and Appeals Screeners, giving them two separate hypothetical dummies to look at. In each case a defender was on lead and made the statement “board’s up.” In hypothetical case one, with spades as trump the dummy held:

AKQ  
A  
A  
A

In this situation, all of the directors agreed that an objection by the leader's partner would clearly suggest that his partner still held a trump and by reviewing the play of the hand the leader might work out which of the side suits partner was most likely to be void in. At the time of making his lead, the player believed both he and his partner held nothing but irrelevant cards. If the leader held nothing but six clubs in his hand and partner was void in clubs and could trump that lead, the trick would still be correctly awarded. However, if the leader held 1 diamond and five clubs and only a club lead would get partner the ruff, a lead of a club would not be allowed.

In hypothetical case two, again with spades as trump the dummy held:

AKQ

A

--

--

In this situation a couple of the directors at first argued that only a heart lead would be successful (the argument that N/S were making in the appeal) and that the leader should be allowed to find it, even after partner objected. Further discussion, however, led the panel to the following conclusion based upon the relevant laws:

**At the time of making his lead and by making a verbal concession, the player believed both he and his partner held nothing but irrelevant cards, and with four losing cards in each hand then any card can be played. It is only the UI that alerts him to the possibility that partner may indeed have a card that is relevant.**

Two further points were made during discussion of this case:

One director consulted raised another hypothetical situation concerning the above hand: If hearts were trump and partner objected to a concession, the player on lead might work out that a lead of a diamond or club might force dummy to ruff and thereby promote partner's trump (which he most likely has forgotten about). Clearly the law would not allow such a lead.

While it is true that Unauthorized Information exists every time a defender objects to partner's concession, the existence of UI does not require a defender to subsequently make a losing play when there is no alternative to the correct one. For example, the director should not force a player at trick twelve to hold on to the thirteenth card in a suit and pitch a possible useful one in another suit.

The panel upheld the director's ruling, 4 to 1. The appeal was found to have substantial merit.

**The Panel:** Dan Plato (reviewer), Matt Smith, Gary Zeiger, Olin Hubert, Matt Koltnow