

# 2014 Fall NABC

## Appeals Casebook



American Contract  
Bridge League

# Foreward

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

A total of eight (8) cases were heard.

Six (6) cases were from unrestricted (by masterpoints) North American Bridge Championship Events. The names of the players involved are included.

Two (2) cases were from all other events. The names of the players involved are included when the event from which the appeal came was a Flight A/X event or was the top bracket of a bracketed knockout event. When the names of the players are not used, the player's masterpoint total is included.

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

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

ACBL Headquarters  
Horn Lake, MS

## Abbreviations used in this casebook:

AI	Authorized Information
AWMW	Appeal Without Merit Warning
BIT	Break in Tempo
CoC	Conditions of Contest
LA	Logical Alternative
MI	Misinformation
NOS	Non-Offending Side
OS	Offending Side
PP	Procedural Penalty
TD	Tournament Director
UI	Unauthorized Information

## **Expert Panel**

**Jeff Goldsmith** is an American bridge player originally from Schenectady, NY, currently residing in California. He graduated from Rensselaer Polytechnic Institute and Caltech and works as a software engineer, focusing on computer graphics and animation and internet programming, all with a heavy mathematical perspective. He created computer animation for JPL for several years including the movie about Voyager's encountering Neptune. He ice dances and plays many other games, particularly German board games. Goldsmith is an ACBL Platinum Life Master and serves on the ACBL Competitions & Conventions Committee.

**Rui Marques** was born and grew up in Portugal. He is Chemical Engineer, with a M.Sc. in Applied Mathematics and a Ph.D. in Chemometrics. Married to Connie Goldberg, he currently splits his time between Philadelphia (U.S.A.) and Cascais (Portugal). Having started as a Tournament Director in 1989, he directed his first international championship in 1992. He has been the Assistant Chief TD for the WBF since 2011, Chief TD for the EBL since 2015, Sports Personality of the Year in Portugal in 2016. He also is a Lecturer and Group Leader in the EBL International Tournament Directors Courses. He joined the ACBL Tournament Director Staff in 2017.

**Jeanne van den Meiracker** became a Director in 1988 because her club in Amsterdam with more than 200 members needed more directors and she loved the job immediately. She took the International Tournament Directors course in Amsterdam in 1993, along with seventy-six other TDs from all over Europe, including Rui Marques. They both passed the exams, and she started working in the EBL as a TD. In 1996, she started directing for the WBF and was promoted to Chief Tournament Director in 2004. She also served on the WBF Laws commission from 2004 to 2010. In 2012, she and her husband Huub Bertens moved to the USA, and she joined the ACBL Tournament Director Staff. She enjoys the ACBL work, but it is completely different from working in the EBL and WBF.

**Adam Wildavsky** was born in Ohio and grew up in Berkeley and Oakland, CA and London, England. A graduate of MIT, he is a retired software engineer and now spends winters in Keystone, CO and much of the rest of the year in New York City. Mr. Wildavsky has won numerous national championships including the Blue Ribbon Pairs twice, the Reisinger BAM Teams once, and the USBF Team Trials twice. He won a bronze medal in the 2003 Bermuda Bowl in Monaco. Mr. Wildavsky is vice-chair of the National Laws Commission, a member of the WBF Laws Committee, and a former chairman of the National Appeals Committee. His interest in the laws is informed by his study of Objectivism, the philosophy of Ayn Rand.

**Kit Woolsey** is a world-class bridge and backgammon player, analyst, and writer, born in Washington, DC. He graduated from Oberlin College and earned a master's degree in mathematics from the University of Illinois at Urbana-Champaign. He is a three-time World Champion, and holds more than a dozen NABC titles. His most recent major victory was winning the Cavendish Invitational Pairs in 2011. He was elected to the ACBL Hall of Fame in 2005 and lives in Kensington, CA. He has been one of the panelists on *The Bridge World* Master Solvers Club since 1984. He also serves on the ACBL Competitions & Convention Committee and the Bridge Integrity Task Force.

<b>Subject of Appeal:</b>	Misinformation	<b>Case:</b>	N1
---------------------------	----------------	--------------	----

<b>Event</b>	Smith Women's LM Pairs	<b>Event DIC</b>	Brian Russell
<b>Date</b>	11/28/2014	<b>Session</b>	Second Qualifying

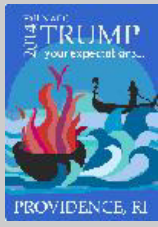
### Auction

West	North	East	South
	Pass	1NT <sup>1</sup>	2♣ <sup>2</sup>
Dbl <sup>3</sup>	3♦ <sup>4</sup>	Pass	Pass
Dbl	3♥	Pass	Pass
3♠	Pass	3NT	Pass
Pass	Pass		

### Explanation of Special Calls and Points of Contention

1: 14-16 HCP
2: 3+ ♣ & 5 card Major
3: Stayman
4: Intended as "Pick a Major"

### Hand Record

Board	9	N	Cheri Bjerkan
<b>Dealer</b>	<b>N</b>	♠ J1043	
		♥ AQ92	
<b>Vul</b>	<b>E/W</b>	♦ 9842	
		♣ 9	
<b>W</b>	Judi Radin		
♠	AQ86		
♥	8		
♦	A7653		
♣	QJ8		
		<b>S</b>	Rozanne Pollack
		♠	752
		♥	K10763
		♦	(void)
		♣	K6532
		<b>E</b>	Stacey Jacobs
		♠	K9
		♥	J54
		♦	KQJ10
		♣	A1074

Final Contract	Result of Play	Score	Opening Lead
3NT by E	Down 1	N/S +100	♥ 6

### Facts Determined at the Table

The Director was summoned at the conclusion of play of the hand. North explained that she had intended her 3♦ call as "Pick a Major" which had not been Alerted. South said that the partnership did have that agreement, but that she did not think it applied over a Double of her 2♣ call. East, when asked about her action if there had been an Alert, stated that she would have Doubled instead of passing. With this change in the auction, following the 3♥ bid by North, West would have bid 5♦, ending the auction.

### Additional Factors Determined Away from the Table

Three players were polled concerning the decision to pass with the East hand over 3♦ without an Alert. All thought Pass was a poor choice, but not an egregious action. Three additional players were polled as to the likely lead from the North hand against a 5♦ contract, based upon the postulated auction if an Alert had been given. The majority choice would have allowed the contract to make.

### Director Ruling

Per Law 75C, Directors are instructed to assume a mistaken explanation and misinformation rather than a mistaken call, barring evidence to the contrary, in cases where the non-offending side fails to receive proper information about conventional calls. There was a failure to Alert, and based upon polling, it was deemed that damage did occur that was a direct result of the failure. Accordingly, per Laws 21B3, 12C1e, and 40B4, the result was changed to 5♦ by West, making 5, E/W +600.

<b>Director's Ruling</b>	<b>5♦ by W, Made 5, E/W +600</b>
--------------------------	----------------------------------

## The Appeal

The North/South players appealed the Director's ruling and were the only ones to attend the Committee. In their methods, 3♦ in response to 2♣, without an intervening Double, would ask partner to bid their major. North believed that it should apply over a Double as well; South judged that it did not. The pair had not discussed whether the artificial meaning of 3♦ would apply following a Double. They did have the agreement that, following a Double, 2♦ would be natural. They felt that the result at the table was due to two poor bids by East: her failure to Double 3♦ and her decision to bid 3NT.

## Committee Findings

When players adopt a convention, it is not at all uncommon for them to fail to discuss the meaning of their bids when the opponents intervene. Players then have to use judgment as to what a bid should mean and how their partner will interpret it. On this hand, North and South judged differently. They did not fail to Alert East/West of a confirmed partnership agreement, and thus were not guilty of misinformation. Therefore, the table result was restored.

<b>Committee Decision</b>	<b>3NT by E, Down 1, N/S +100</b>
---------------------------	-----------------------------------

## Committee Members

<b>Chair</b>	Douglas Doub
<b>Member</b>	Lou Reich
<b>Member</b>	Fred King
<b>Member</b>	Patty Tucker
<b>Member</b>	David Stevenson

## Commentary

**Goldsmith:** While it feels funny, this looks technically right. It is apparent that N/S don't have an agreement about 3D. If there's no agreement, there's no requirement to Alert, so there's no MI.

**Marques:** There is a lot of judgment involved in applying the guidance for Directors that requires them to assume a mistaken explanation rather than the mistaken call. Especially in situations of "no agreement," a written proof in the system notes will be rare. The Director at the table probably found the same facts about N/S system as the Committee did. The initial decision seems to have resulted from a very strict interpretation of the guidance by the TD. I think the Committee got this one right

**Meiracker:** The TD polled players about doubling 3♦, it was a poor choice, but not egregious. I think not doubling 3♦ with this East hand is ridiculous, partner has Doubled 2♣ as Stayman voluntary, so West has values and after bidding 3♣, East should know that South has Clubs and Hearts, so bidding 3NT with Jxx is not a really good bid.

The AC restored to table result, which was a good decision, but for the wrong reasons. There is definitely a failure to Alert the 3♦ bid, so I would suggest to poll more players about doubling 3♦ and bidding 3NT.

**Wildavsky:** Double seems a standout over 3♦, regardless of its meaning. Two proper questions to poll with the East hand would have been "What call would you make over a natural 3♦?" and "What call would you make over an artificial 3♦?"

But that is putting the cart before the horse. I would like better guidance on whether calls like this 3♦ are Alertable. As I understand things, South should Alert only if the pair has a clear agreement. They did not, so an Alert would have been out of order. I don't understand why the TD ruled that an Alert was required.

If there was no infraction there is no basis to adjust the score. The AC got this one right

**Woolsey:** Let's look at the flip side. Suppose North had a long diamond suit for the 3♦ call. South Alerts the bid as pass or correct, and East Doubles on a hand which would never have Doubled had East known the 3♦ call was natural. It goes all pass, and E/W get a bad result. Are they entitled to redress? Of course they are, as they had MI and would have acted differently had there been no MI. This would be true whether or not N/S had a clear agreement about the 3♦ call. Everybody would agree with this.

The actual situation is identical. A non-Alert of an artificial call is just as much MI as an Alert of a natural call, even if there is no clear agreement, since the assumption from the non-Alert is that the call is natural. Since East would have been more likely to Double 3♦ had it been known to be artificial, and that likely would have led to a better result, E/W are entitled to redress. The Director understood this. The Committee did not.

The proper thing for South to have done was to Alert and explain that without the Double of 2♣ the call asked for the major, but the meaning was undiscussed in competition. Now E/W would know what the real agreements are, and there would not have been an issue.

<b>Subject of Appeal:</b>	Tempo/Unauthorized Information	<b>Case:</b>	N2
---------------------------	--------------------------------	--------------	----

<b>Event</b>	Baze Senior Knockouts	<b>Event DIC</b>	
<b>Date</b>	11/28/2014	<b>Session</b>	Round of 32

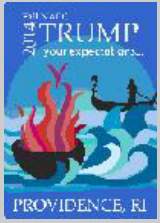
### Auction

West	North	East	South
	Pass	1♥	1♠
Dbl	2♠ <sup>1</sup>	3♥ <sup>2</sup>	3♠ <sup>3</sup>
4♥	Pass	Pass	Dbl <sup>4</sup>
Pass	4♠	Pass	Pass
Dbl	Pass	Pass	Pass

### Explanation of Special Calls and Points of Contention

1: Not Constructive
2: Invitational
3: Alerted as Not Invitational
4: Break in Tempo

### Hand Record

Board	13	N	Ron Aschbacher		
<b>Dealer</b>	<b>N</b>	♠	Q84		
		♥	5		
<b>Vul</b>	<b>All</b>	♦	Q10982		
		♣	10983		
<b>W</b>	Barry Rigal			<b>E</b>	Jeff Aker
♠	1073			♠	K
♥	43			♥	KQJ98762
♦	AKJ9			♦	53
♣	Q752			♣	KJ
		<b>S</b>	John Grantham		
		♠	AJ9652		
		♥	A10		
		♦	64		
		♣	A64		

Final Contract	Result of Play	Score	Opening Lead
4♠X by S	Down 1	N/S -200	♦ A

### Facts Determined at the Table

The Director was summoned during the auction. There was a noticeable hesitation prior to the Double of 4♥ by South, and North suggested that E/W might wish to call the Director. North estimated this break in tempo was approximately 20 seconds, while East estimated that it was between 20 and 30 seconds. After the ruling was made, South stated that 2♠ was not a constructive bid.

### Additional Factors Determined Away from the Table

Eight players were polled on what they would do with the North hand. Two bid 4♠ after the Double by South. The remaining six passed, although several felt it to be a close decision.

### Director Ruling

Per Law 16B, North chose an action demonstrably suggested by the unauthorized information (UI), and the opponents were damaged. Accordingly, the result was changed to 4♥ Doubled by East, making four, E/W +790.

<b>Director's Ruling</b>	<b>4♥X by E, Made 4, E/W +790</b>
--------------------------	-----------------------------------

### The Appeal

N/S appealed the ruling. North and West appeared at the hearing. N/S play transfer advances. North stated that 2♥ would have been a stronger spade raise than 2♠ but not a limit raise and, in fact, might be made with a hand with as little as 6 HCP. North could not explain what bid he would make with a limit raise. North further stated that he was

prepared to defend 4♥, but not 4♥ Doubled which is why he did not bid 4♠ over 4♥ directly. 3♠ had been Alerted as not invitational to 4♠. North said he would always pull the Double of 4♥.

The West player felt that Pass was a logical alternative. North had already shown a weak hand with 2♠ so he had a typical hand for the auction. West did not raise hearts immediately, so it is likely he had just two and that East might have held only six Hearts, instead of eight. South might have held ♥KJxx for his Double.

## Committee Findings

There was UI stipulated by the players. The break in tempo demonstrably suggested that bidding 4♠ would be more successful than pass. The Director's poll proved pass was a logical alternative even though the director who polled was not aware that North had shown a bad hand by bidding 2♠. Under Law 16, the contract must be adjusted to the 4♥ Doubled, which clearly will always make 10 tricks.

The Director's ruling was upheld: 4♥ Doubled by East, making four, E/W +790. The Appeals Committee assigned an Appeal without Merit Warning (AWMW) to N/S.

<b>Committee Decision</b>	<b>4♥X by E, Made 4, E/W +790</b>
---------------------------	-----------------------------------

## Committee Members

<b>Chair</b>	Richard Popper
<b>Member</b>	Chris Moll
<b>Member</b>	Scott Stearns
<b>Member</b>	Michael Huston
<b>Member</b>	Ed Lazarus

## Commentary

**Goldsmith:** Good job, including the AWMW. It's reasonable to assign N/S a 1/4 board PP for abuse of UI. I suspect the vote to pass would have been unanimous had the Director stated that 2♠ showed 0-6 HCP.

**Marques:** It's strange that North apparently does not have a limit raise available in this situation, and also that the information about the specific meaning of 2♠ didn't come to light until after the TD's decision, but I don't think that it would significantly affect the results of the poll. A well deserved AWMW.

**Meiracker:** Good decision by TD and AC and the first AWMW.

**Wildavsky:** Well-deserved AWMW. N/S were lucky to escape an additional procedural penalty.

**Woolsey:** Obviously correct ruling, including the AWMW. This isn't remotely close.

<b>Subject of Appeal:</b>	Mistaken Claim	<b>Case:</b>	N3
---------------------------	----------------	--------------	----

<b>Event</b>	Mitchell Open BAM Teams	<b>Event DIC</b>	Candace Kuschner
<b>Date</b>	12/01/2014	<b>Session</b>	First Final Session

**Auction**

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

**Explanation of Special Calls and Points of Contention**

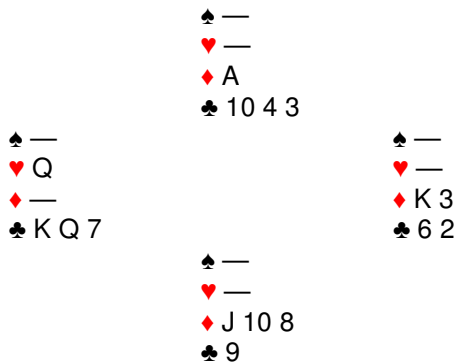

**Hand Record**

<b>Board</b>	<b>22</b>	N	Boris Baran		
<b>Dealer</b>	<b>E</b>	♠	8753		
		♥	A73		
<b>Vul</b>	<b>E/W</b>	♦	A4		
		♣	10843		
W	Steven McConnell			E	Rich Reitman
♠	J2			♠	AKQ64
♥	KQ62			♥	(void)
♦	Q65			♦	K9732
♣	KQ75			♣	J62
		S	Dan Jacob		
		♠	109		
		♥	J109854		
		♦	J108		
		♣	A9		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
3NT by W	Made 4	E/W +630	♥ 3

**Facts Determined at the Table**

The play went low heart to the 8 and king; low club to the jack and ace; ♥J, ducked all around; ♥T, ducked to the ace. North returned a spade and declarer cashed five rounds of Spades, throwing three diamonds from his hand. South pitched three hearts while North discarded a diamond. Declarer now led a club from dummy in this four-card end position:



In this end position, South conceded the remaining tricks. Hands were folded up so that North did not see all of the cards. He did not object to the concession until the score was entered and the opponents had left the room. The Director was summoned at the end of the round.



## Director Ruling

Law 71 states that a concession may be cancelled if a player has conceded a trick that could not be lost by any normal play of the remaining cards. "Normal" includes play that would be careless or inferior for the class of player involved. North's delay in objecting to the concession led the Director to consider that if South had the ♣9, North may not have made the right pitch when declarer cashed the ♥Q. Therefore, the table result was allowed to stand: 3NT by West, making four, E/W +630.

<b>Director's Ruling</b>	<b>3NT by W, Made 4, E/W +630</b>
--------------------------	-----------------------------------

## The Appeal

N/S appealed the ruling and attended the hearing. South testified that his opponents seemed anxious to leave the table (because of time pressure), and that he felt similarly. Declarer made some motions which South interpreted to mean that declarer had the rest of the tricks. South folded up his hand in what he believed was an acceptance of declarer's claim.

South agreed that he had been mistaken to act as he had, and that his action could have been, and in fact was, interpreted as a unilateral concession.

North testified that he objected as soon as heard the score as 10 tricks for E/W. By this time, E/W had just left the table.

## Committee Findings

The Committee agreed with the Director that South's actions constituted a concession of the remainder of the tricks. The Committee also agreed with the Director that North's objection was not made immediately in the sense intended by Law 68B2, which says, in part, "if a defender attempts to concede one or more tricks and his partner immediately objects, no concession has occurred."

The decision then hinged on Law 71. The Committee judged that for North to discard a club on the ♥Q would be beyond careless or inferior. Not only had West bid clubs, he had failed to support diamonds twice. His shape was almost certain to be as it was. The Committee judged it overwhelmingly likely that, had play continued, the defense would have taken one more trick. Accordingly, it assigned the result of 3NT by West, making three, to both sides.

<b>Committee Decision</b>	<b>3NT by W, Made 3, E/W +600</b>
---------------------------	-----------------------------------

## Committee Members

<b>Chair</b>	Aaron Silverstein
<b>Member</b>	Craig Allen
<b>Member</b>	Adam Wildavsky
<b>Member</b>	Eugene Kales
<b>Member</b>	Ed Lazarus

## Commentary

**Goldsmith:** OK. But South ought not be able to prevent his partner's having a problem; this time, the problem is so easy that North would always get it right. That's pretty rare. Most of the time, careless or inferior means that even pretty easy problems will not be solved.

**Marques:** South agrees that he was to blame for conceding all the tricks. N/S are thus bound to careless or inferior lines. It is careless not to count the hand properly or to miss one of declarer's discards. North could well discard a club, which would mean that the AC got the case wrong.

**Meiracker:** South thought probably that E/W had an eight-card fit in clubs, with West holding five. If this is the case, declarer has the rest of the tricks, but North will never throw a club on the ♥Q. I agree with the AC decision.

**Wildavsky:** I served on this Committee. Kit's argument has convinced me that we ought to have ruled as the TD did. The trick is to see the case as if it were a defensive claim of one more trick. Defensive claims must be judged rigorously. As Kit points out, there are a number of reasons North could go wrong. We've all seen it and all done it. When South suggests that play be curtailed, even though he did so accidentally, we cannot grant his side any benefit of the doubt.

I do think Kit's "one of the worst Committee decisions I have ever seen" is an overbid. The ruling was a judgment call. The AC may well have gone wrong, but the judgment was its to make.

**Woolsey:** Saying that North discards a club when the queen of hearts is cashed is beyond careless or inferior is absurd. That says that North has counted the hand accurately, inferred that West started with four clubs from the 2♣ call (which isn't a lock, as it is not uncommon holding three good clubs to respond 2♣ while holding longer but weaker diamonds), and was carefully watching the discards to see that declarer discarded three diamonds. The fact that North accepted the concession is further proof that North wasn't fully into the hand, since if he were he would have objected to the concession immediately. Declarer should get the rest of the tricks. The Director's ruling was 100% correct. This is one of the worst Committee decisions I have ever seen.

<b>Subject of Appeal:</b>	Tempo/Unauthorized Information	<b>Case:</b>	N4
---------------------------	--------------------------------	--------------	----

<b>Event</b>	Blue Ribbon Pairs	<b>Event DIC</b>	Douglas Grove
<b>Date</b>	12/02/2014	<b>Session</b>	Evening, 1 <sup>st</sup> Qualifying Round

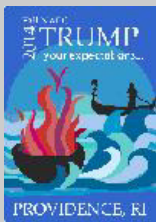
### Auction

West	North	East	South
Pass	Pass	Pass	1NT <sup>1</sup>
2♣ <sup>2</sup>	Pass <sup>3</sup>	Pass	Dbl
Pass	Pass	Pass	Pass

### Explanation of Special Calls and Points of Contention

1: 15-17 HCP
2: Clubs & and a Major
3: Break in Tempo

### Hand Record

Board	8	N	Stephen Mackay
<b>Dealer</b>	<b>W</b>	♠	Q54
		♥	J102
<b>Vul</b>	<b>None</b>	♦	Q852
		♣	AQ9
W	Jonathan Fleischmann		
♠	J10632		
♥	K54		
♦	A		
♣	J765	E	Morrie Kleinplatz
		♠	K8
		♥	9873
		♦	J1063
		♣	1042
		S	Ray Jotcham
		♠	A97
		♥	AQ6
		♦	K974
		♣	K83

Final Contract	Result of Play	Score	Opening Lead
2♣X by W	Down 3	N/S +500	♦ 5

### Facts Determined at the Table

East summoned the Director to the table after North's third pass. He said that North had paused for 10-15 seconds before passing 2♣. N/S agreed there was a hesitation but did not agree on the length of time.

N/S said they played systems "on" in this sequence; a Double of 2♣ would have forced 2♦ by South. The pass was non-forcing; South's Double was for takeout.

### Additional Factors Determined Away from the Table

Four players were polled on what they would do with the South hand over 2♣. Three passed with the South hand and one bid, saying he couldn't sell out at matchpoints. The poll demonstrated that pass was a logical alternative.

### Director Ruling

The break in tempo suggested action with the South hand. Based on Laws 16 and 12C1, pass was imposed on South. The result was changed to 2♣ by West, down three, N/S plus 150.

<b>Director's Ruling</b>	<b>2♣ by W, Down 3, N/S +150</b>
--------------------------	----------------------------------

### The Appeal

N/S appealed the ruling and North, South and West attended the hearing. N/S had detailed agreements about bidding over 1NT-2♣. North was taking a shot hoping for a reopening Double. N/S play Negative Doubles at the two level,

but opener is not required to reopen. South thought E-W had an eight-card club fit and that N/S must have an eight-card fit as well, so he balanced with a Double. South said North is known to bid slowly and that South is an aggressive player.

The West player believed that Pass was a logical alternative for South. N/S did not ask about lengths of suits for the 2♣ bid, but this holding was within E/W's systemic agreements, even 4-4 in the two suits is allowed.

## Committee Findings

Unauthorized information (UI) was stipulated at the table by all four players. The hesitation demonstrably suggested that bidding was more likely to be successful than passing. Based upon the poll and the Committee's judgment, pass was a logical alternative and therefore South must pass. After the UI, it does not matter that South is an aggressive player and would not defend 2♣ undoubled on this auction.

Accordingly, the ruling at the table was upheld: 2♣ by West, down three, N/S plus 150. The Committee assigned N/S an Appeal without Merit Warning.

<b>Committee Decision</b>	<b>2♣ by W, Down 3, N/S +150</b>
---------------------------	----------------------------------

## Committee Members

<b>Chair</b>	Richard Popper
<b>Member</b>	David Caprera
<b>Member</b>	Eugene Kales
<b>Member</b>	Patty Tucker
<b>Member</b>	Craig Allen

## Commentary

**Goldsmith:** The AWMW is clearly deserved. I'd give South a 1/4 board PP for doubling. He knows that pass is a LA and that the BIT strongly suggests bidding. The ruling was correct, except that the AC needed to award an AWMW and a 1/2 board PP for blatant abuse of UI.

**Marques:** N/S were killed by their own methods in this hand. Apparently during the appeal North confessed that he was taking a shot hoping for a reopening Double. If one wants to take a shot in this situation, one should better do it in tempo. Another very well deserved AWMW.

**Meiracker:** South was telling fairytales about knowing that E/W had an eight-card club fit and assuming that than N/S will have an eight-card fit also, making this the reason to Double with a 3-3-5-3 and 16 HCP.

Good decision and the second AWMW.

**Wildavsky:** Another richly deserved AWMW. Again N/S were lucky to escape an additional procedural penalty.

**Woolsey:** Another trivial case, and another well-deserved AWMW. South clearly cannot act with that hand. My only question is whether or not South should have been given a procedural penalty for intentionally taking advantage of the BIT. That would have been the proper punishment for N/S bringing this appeal.

<b>Subject of Appeal:</b>	Contested Claim	<b>Case:</b>	N5
---------------------------	-----------------	--------------	----

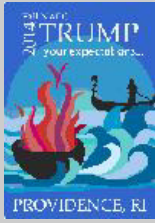
<b>Event</b>	Senior Mixed Pairs	<b>Event DIC</b>	Susan Doe
<b>Date</b>	12/03/2014	<b>Session</b>	First Qualifying

**Auction**

West	North	East	South
	1♦	Pass	1♥
Pass	1♠	Pass	2♠
Pass	4♠	Pass	Pass
Pass			

**Explanation of Special Calls and Points of Contention**


**Hand Record**

<b>Board</b>	9	N	Ernest Napier		
<b>Dealer</b>	N	♠ A1095			
		♥ K87			
<b>Vul</b>	E/W	♦ AQ652			
		♣ K			
<b>W</b>	Marie Sengopta			<b>E</b>	Joe Handler
♠	J7			♠	842
♥	AJ9			♥	1062
♦	K109843			♦	J7
♣	54			♣	AQ872
		S	Toni Bales		
		♠	KQ63		
		♥	Q543		
		♦	(void)		
		♣	J10963		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
4♠ by N			♠ 2

**Facts Determined at the Table**

The Director was summoned after the seventh trick. Declarer had won trick seven in hand. He then claimed stating that he was playing a spade, overtaking in dummy, and that the dummy was good:

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

**Director Ruling**

When the declarer is in dummy and takes the top three tricks (pitching three low diamonds), he is left with a crossruff. The third club in dummy is not good. However, when he plays the top two clubs and West shows out, he is allowed to figure out that the last club is not good and ruff it. The result was adjusted to 4♠ by N, making four, N/S + 620.

<b>Director's Ruling</b>	4♠ by N, Made 4, N/S +620
--------------------------	---------------------------

## The Appeal

East/West appealed the ruling and all four players attended the hearing. E/W stated that the declarer never mentioned ruffing.

North stated that he knew there were good tricks in dummy. North further stated that he had not been allowed to finish his claim statement before the Director was called.

### Committee Findings

The Committee determined that the play had proceeded with the lead of a low trump, and at trick two: ♣K, ♣A, ♣3, ♣4. This was followed by another spade lead at trick three and then declarer led the ♣J losing to the ♣Q. East then led the ♥10 to West's ace. Trick six was a diamond to the ace in declarer's hand, and at trick seven, declarer cashed the ♥K and claimed.

Declarer, when left with three clubs and RHO showing out, was extremely unlikely to play the last club without ruffing. The Committee did not feel that the probability rose to the standard of "doubtful." The table ruling was sustained: 4♠ by North, making four, N-S plus 620.

<b>Committee Decision</b>	<b>4♠ by N, Made 4, N/S +620</b>
---------------------------	----------------------------------

### Committee Members

<b>Chair</b>	Aaron Silverstein
<b>Member</b>	Chris Moll
<b>Member</b>	Mitch Dunitz
<b>Member</b>	Patty Tucker
<b>Member</b>	Abby Heitner

### Commentary

**Goldsmith:** Declarer loses a trick. He thinks the ♠6 is good, so why would he ruff it? This isn't an issue of careless or inferior; it'd be weird to ruff a winner. This decision isn't close.

North claimed that he was not allowed to finish his claim statement. That ought to have been pursued. If he was about to say, "...except for the last club, which I'm ruffing," then he gets all the tricks. I suspect that would have come up if it were the case.

**Marques:** Good analysis and decision by the TD and the Committee. Nothing to add.

**Meiracker:** As a TD, I am not very lenient towards a player who makes a bad claim, but in this case I can understand the reasoning why the TD and AC gave ten tricks to the declarer.

**Wildavsky:** This seems strange: "North further stated that he had not been allowed to finish his claim statement before the Director was called." Per Law 70B1, the Director requires claimer to repeat the clarification statement he made at the time of his claim.

I'd have liked to ask the TD at the table what happened. I am not convinced that the TD and AC made the best ruling here. A North player who thought his clubs were good would have made the same claim.

**Woolsey:** We don't know exactly what the wording declarer used in the claim was. But in any event, his line of play makes it clear that he knew what he was doing, and that he was mentally cashing dummy's winners and crossruffing the last two tricks. If he had put his hand down without saying anything, the defense would have conceded. While his wording might not have been perfect, this was clearly a valid claim. Good ruling.

<b>Subject of Appeal:</b>	Tempo/Unauthorized Information	<b>Case:</b>	N6
---------------------------	--------------------------------	--------------	----

<b>Event</b>	Blue Ribbon Pairs	<b>Event DIC</b>	Douglas Grove
<b>Date</b>	12/04/2014	<b>Session</b>	Evening, Final Round

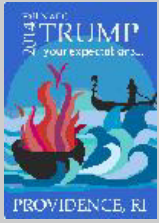
### Auction

West	North	East	South
1♠	Pass	1NT <sup>1</sup>	4♦
Pass	Pass	DbJ <sup>2</sup>	Pass
4♥	Pass	Pass	Pass

### Explanation of Special Calls and Points of Contention

1: Forcing
2: Break in Tempo (screens)

### Hand Record

Board	8	N	Cedric Lorenzini	
<b>Dealer</b>	<b>W</b>	♠ K10732		
		♥ Q962		
<b>Vul</b>	<b>None</b>	♦ K		
		♣ 1086		
W	Michael Polowan		E	Jared Lilienstein
♠	AQ984		♠	J5
♥	K107		♥	AJ854
♦	4		♦	7652
♣	KJ42		♣	A7
		S	Thomas Bessis	
		♠	6	
		♥	3	
		♦	AQJ10983	
		♣	Q953	

Final Contract	Result of Play	Score	Opening Lead
4♥ by W	Made 4	E/W +420	♦ K

### Facts Determined at the Table

The Director was summoned at the end of play. Screens were in use, and during the auction, the bidding tray remained on the North/East side for about one minute prior to being returned with North's Pass and East's Double of the 4♦ bid. All players agreed to the duration. The North/South pair felt that the pull of the Double was based upon the tempo break in passing the tray.

West indicated that, according to their system notes, all Doubles of part-score contracts are take-out, not penalty. Examination of the notes proved inconclusive in the eyes of the Director with regard to this assertion concerning this particular auction.

### Additional Factors Determined Away from the Table

Seven players were polled on what they would do with the West hand following the Double. All seven passed, demonstrating that pass was a logical alternative. The players also agreed that although Deep Finesse indicates that 4♦ will go down three tricks, that particular defense was highly unlikely to be found.

### Director Ruling

Based upon the inconclusive nature of the system notes and the results of polling, the Director found that West made use of Unauthorized Information from the break in tempo. Per Laws 16B1a and 12C1e, the result on the board was changed to 4♦X by South, down two, E/W +300.

<b>Director's Ruling</b>	<b>4♦X by S, Down 2, E/W +300</b>
--------------------------	-----------------------------------

## The Appeal

The East/West pair appealed the ruling, and West attended the Committee meeting. He brought Ron Smith as a witness to their partnership agreements, as well as more extensive system notes, supporting the takeout nature of East's Double. He also contended that the slow Double made passing more likely to be successful, and bidding less likely, than if done in tempo.

The Committee also determined that the players polled had not been asked if their bid would change if the Double was systemically for takeout.

## Committee Findings

The Committee determined that this was a case arising under Law 16B, which provides the guidelines for constraining a player whose partner has made available to him extraneous information that might suggest a call or play. It was clear to the Committee that there was an unmistakable hesitation.

Accordingly, the Committee considered whether the BIT suggested a line of action. In pursuing this issue, careful attention was paid to the appellant's claim that the Double was for takeout (prototypically with a 2-5-1-5 distribution hand). Although the system notes were unclear on the Double in this particular situation, they were quite clear that many otherwise penalty doubles would be takeout doubles for this partnership. To provide additional clarity on this issue, the testimony of Ron Smith concerning his knowledge of the system fortified the takeout nature of the Double and was convincing to the Committee. This meant the putative information of the BIT was more ambivalent than the Directors had previously believed. While the BIT certainly suggested something about the Double, it did not suggest a particular course of action in the eyes of the Committee. This meant West could use his bidding judgment freely.

The Committee was aware that the player poll was unanimous in passing the Double. Since the players polled were not asked what they would do if the Double was takeout, the Committee felt the results might have been different with that additional information. Therefore, the Committee used its own judgment as to whether Pass was a logical alternative. It ultimately decided that while Pass was a logical alternative, it was not demonstrably suggested by the BIT. Therefore, the result at the table was restored: 4♥ by West, making 4, E/W +420

<b>Committee Decision</b>	<b>4♥ by W, Made 4, E/W +420</b>
---------------------------	----------------------------------

## Committee Members

<b>Chair</b>	Chris Moll
<b>Member</b>	Ed Lazarus
<b>Member</b>	Lou Reich
<b>Member</b>	David Stevenson
<b>Member</b>	Craig Allen

## Commentary

**Goldsmith:** The write-up didn't emphasize it, but it includes this line, "he brought...more extensive system notes, supporting the takeout nature of East's Double." That helps E/W's case a lot. And it does look as if East has a more difficult problem if Double is takeout than if it's penalty, which supports his claim. That is, if Double had been penalty, East probably would have Doubled in tempo. That it's takeout and he's very off-shape for it suggests a problem; he was probably considering bidding 4♥ or 4♠ instead.

If Double is takeout, does the BIT suggest bidding or passing? West knows from the BIT that the Double is off shape. He could have a flatter hand with defense, say 2434 with the same high cards. So, the BIT actually suggests passing not bidding, just as E/W contend.

Looks like the Committee got this one right. Too bad the Directors didn't take a poll about what to do after a takeout Double

**Marques:** An incomplete poll by the TD. In BIT cases, the poll needs to have a question for the pollees about what does the BIT suggest. And in UI cases, the poll needs to have a question about the choice of action with and without the UI. Both of these questions were missing in the initial poll. Maybe the Committee should have tried to conduct their own poll, but the final decision seems reasonable (assuming that the Double is for takeout).

**Meiracker:** If the Double was proven to be takeout than it doesn't matter if it takes 2 seconds or one minute to Double, West can use his own judgement. In this case he bids 4♥, probably assuming his partner has a 2-5-1-5 hand, which proves the agreement.

I agree with the AC for restoring the table result.



**Wildavsky:** The AC seems to have done a more thorough job than the TD. I'd have liked to see the actual wording of the E/W agreement, though. That said, I don't know that it's appropriate to bring in a third party to testify regarding system. A pair wanting to defend themselves on such grounds should produce system notes, and most would be able to, as this pair were.

**Woolsey:** The cards speak. West claims that a prototype hand for the Double is 2-5-1-5 shape, but East's actual hand says this isn't true. If that is the prototype hand East would never have Doubled for fear that West might be bidding 5♣. No, East's Double was exactly what it looks like - penalty oriented, but since it was made slowly East wasn't so sure about defending. The BIT definitely suggests pulling the Double, and passing is clearly a LA. The Committee allowed themselves to be bamboozled by West's self-serving statements.

<b>Subject of Appeal:</b>	Tempo/Unauthorized Information	<b>Case:</b>	R1
---------------------------	--------------------------------	--------------	----

<b>Event</b>	Wednesday AM Side Game	<b>Event DIC</b>	Jean Molnar
<b>Date</b>	12/03/2014	<b>Session</b>	

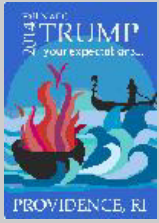
### Auction

West	North	East	South
Pass	1♣	Pass	1♥
Pass	2NT	Pass	3NT <sup>1</sup>
Pass	4♣ <sup>2</sup>	Pass	4NT <sup>3</sup>
Pass	6♥	Pass	Pass
Pass			

### Explanation of Special Calls and Points of Contention

1: Break in Tempo
2: Intended as Gerber
3: RKC for Clubs - two w/o Q

### Hand Record

Board	4	N	470 MP		
<b>Dealer</b>	<b>W</b>	♠ AQ9			
		♥ AK8			
<b>Vul</b>	<b>Both</b>	♦ A104			
		♣ Q965			
W	5800 MP			E	3030 MP
♠	K85			♠	J10742
♥	J742			♥	95
♦	J953			♦	Q76
♣	82			♣	J103
		S	430 MP		
		♠	63		
		♥	Q1063		
		♦	K82		
		♣	AK74		

Final Contract	Result of Play	Score	Opening Lead
6♥ by S	Made 6	N/S +1430	♦ 3

### Facts Determined at the Table

All parties agreed that South paused for about 20-30 seconds before bidding 3NT. North then asked for aces and drove to slam. The Director was called after North's 4♣ bid. North told the Director he was always going to bid a slam. When the Director asked why North didn't just bid the slam if he was always going to bid it, he responded "I had to find out what he had."

### Director Ruling

The Director ruled South's break in tempo showed extra values. The BIT therefore could demonstrably have suggested that going on past 3NT was more likely to be successful than pass, which was deemed a logical alternative to North's 4♣. Therefore, per Law 16B1a and Law 12, the score was adjusted to 3NT by North making 6 for +690 N/S.

<b>Director's Ruling</b>	<b>3NT by N, Made 6, N/S +690</b>
--------------------------	-----------------------------------

### The Appeal

North/South appealed the ruling and all four players attended the hearing. North said that they were a pickup partnership and had only played together once previously. North said that his partner's tempo was erratic and that he had not taken any inference from the BIT. North felt that he had enough extra from his previous bidding to go to slam if partner had the missing ace which he felt was confirmed by the fact that all the North/South pairs in the section scored 12 tricks. South concurred, stating that his partner's values were all prime.

East-West felt that North had stated the full value of his hand with his 2NT rebid and that the break in tempo had shown extras and influenced North to bid on.

## Panel Findings

Eight players between 50 and 1100 masterpoints were polled as to what they would bid with the North hand after the 3NT call. All passed. Although three of the players were not sure if South's break in tempo before his 3NT bid suggested anything, the others felt strongly that South's BIT indicated he was considering bidding more than 3NT and that the BIT made a decision to go on more likely to be successful. None of the polled players agreed with the N/S assessment that North had extra values that had not been shown by his previous bidding.

The Panel agreed with the Director's assessment and allowed the ruling to stand, 3NT by North, making 6, N/S +690. Because the Panel felt that N/S had not provided a strong argument in their defense, the pair were issued an Appeal without Merit Warning (AWMW).

<b>Panel Decision</b>	<b>3NT by N, Made 6, N/S +690</b>
-----------------------	-----------------------------------

## Panel Members

<b>Chair</b>	Eric Bell
<b>Member</b>	Charlie MacCracken
<b>Member</b>	Kenneth Van Cleve

## Commentary

**Goldsmith:** AWMW clearly deserved. Plus a 1/2 or even full board PP for blatant abuse of UI. If the TDs are not willing to give a PP on this hand, they never will give one.

**Marques:** A waste of the Appeal Committee's time, properly rewarded with an AWMW.

**Meiracker:** No comment, the third AWMW and this was the clearest one.

**Wildavsky:** Once again, N/S were lucky to escape an additional procedural penalty. This is especially risible:

"North felt that he had enough extra from his previous bidding to go to slam if partner had the missing ace which he felt was confirmed by the fact that all the North/South pairs in the section scored 12 tricks."

North had shown 18-19 HCP. What were his extras? That perfect NT shape? His "confirming evidence" is the icing on the cake.

**Woolsey:** Of course, North isn't permitted to bid after the BIT. My only objection is the adjudication. Yes, Deep Finesse can make 12 tricks by shoving the 10 of hearts through West and smothering the 9x, but clearly that won't happen in real life. The only reason 6♥ made was the favorable diamond lead, and in 3NT North won't be getting a favorable lead. The Director and the Panel failed to do their homework. The proper adjudication is +660.

<b>Subject of Appeal:</b>	Tempo/Unauthorized Information	<b>Case:</b>	R2
---------------------------	--------------------------------	--------------	----

<b>Event</b>	2 <sup>nd</sup> Sunday A/X Swiss Teams	<b>Event DIC</b>	Eric Bell
<b>Date</b>	12/07/2014	<b>Session</b>	Afternoon

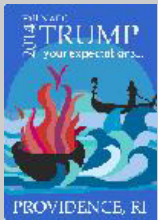
### Auction

West	North	East	South
	Pass	Pass	1♣
2♦ <sup>1</sup>	2♠ <sup>2</sup>	4♠	Pass
Pass	5♣	Pass	Pass
Dbl <sup>3</sup>	Pass	5♠	Pass
Pass	Dbl	Pass	Pass
Pass			

### Explanation of Special Calls and Points of Contention

1: Alerted - Michaels
2: Explained "No Agreement"
3: Break in Tempo

### Hand Record

<b>Board</b>	17	N	3280 MP		
<b>Dealer</b>	N	♠ A7	♥ 3		
<b>Vul</b>	None	♦ A10864	♣ Q6542		
W	5970 MP			E	3190 MP
♠ QJ853	♥ AK865			♠ K9642	♥ QJ7
♦ 75	♣ 3			♦ K92	♣ 108
				S	6700 MP
		♠ 10	♥ 10942		
		♦ QJ3	♣ AKJ97		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
5♣X by E	Down 1	N/S +100	♥ 10

### Facts Determined at the Table

Both sides agreed the Double of 5♣ came after a break in tempo. E/W said that 2♦ could show either a weak or a strong hand. East said she bid 5♠ because if partner had the ♠A, she felt she could make 5♠.

### Additional Factors Determined Away from the Table

Six players and one Director were polled without being told about the BIT. Five of the players said they would bid 5♠. Two of those felt pass was a logical alternative. When asked what a slow Double meant, both thought it expressed doubt and suggested pulling. The sixth player and the Director passed the Double. From this information, it was clear that Pass was a logical alternative.

### Director Ruling

Under Law 16, if a player has unauthorized information due to an unmistakable hesitation, and chooses an action demonstrably suggested by the UI when a logical alternative is available, then the Director shall assign an adjusted score if he considers that an infraction of law has resulted in an advantage for the offender. The result was therefore changed to 5♣X by South, making five, N/S +550, per Law 12C1e.

<b>Director's Ruling</b>	<b>5♣X by S, Made 5, N/S +550</b>
--------------------------	-----------------------------------

## The Appeal

E/W appealed and all four players were interviewed. West said that North told his whole story with his 2♣ cue-bid and he received unauthorized information when he heard South admit she did not know what the bid meant. Thus, he should not be allowed to bid 5♣. East said that her partner needed aces to beat 5♣. If he had the three aces he needed, 5♣ would make.

North/South believed that E/W should not gain an advantage using the tempo of their bidding to telegraph uncertainty.

### Panel Findings

Four experts (Glenn Eisenstein, Linda Perlman, Sylvia Moss and Lisa Berkowitz) were consulted concerning West's point about UI. All bid 5♣ and none thought any other action was realistic.

If East is correct about her partner needing three aces, then the defense should be able to take those three tricks, the ♦K, a diamond ruff and maybe a second heart if the king is in the box. That would result in either +500 or 800 versus E/W's non-vulnerable (and not 100%) game.

The polling clearly showed that pulling to 5♣ was demonstrably suggested by the slow Double and pulling was likely to be more advantageous to E/W than passing. The Panel's decision was to cancel the 5♣ bid under Law 16B3 and Law 12C1(e), and award N/S 5♣X making, for N-S +550.

West's point about UI gave this appeal enough merit to avoid an AWMW.

<b>Panel Decision</b>	<b>5♣X by S, Made 5, N/S +550</b>
-----------------------	-----------------------------------

### Panel Members

<b>Chair</b>	Charlie MacCracken
<b>Member</b>	Matt Smith
<b>Member</b>	Scott Campbell

### Commentary

**Goldsmith:** I'll buy all of it, including the reason not to award an AWMW. I had been wondering why that had not come up yet. But a 1/4 board PP for East seems deserved. If bidding 5♣ was so clear, why didn't he bid it on the previous round?

**Marques:** Even if bidding 5♣ is the majority decision, the poll clearly establishes that pass is a logical alternative. It also makes clear that pulling is the action suggested by the BIT. Players should understand the mechanics of law 16, regarding logical alternatives, and avoid appealing this type of situations. This said it looks from the report that NS raised an additional point about the 5♣ bid. The TD's and Committee's ruling is clear, but I'm not so sure about the AWMW.

**Meiracker:** I agree with the decision of the TD and Panel, but the result of the poll was not very convincing.

**Wildavsky:** The Panel missed an opportunity for another well deserved AWMW. West's contention that North improperly used UI was a smokescreen. Further, I agree with Jeff Goldsmith that if East judged 5♣ was right then he could have and should have bid it on the previous round. East deserved a PP for passing and then pulling a slow Double.

The polling process was defective. We poll players to ask what action they would take and which others they would seriously consider. We do not ask them which actions are LAs. That is the TD's responsibility, with his judgment informed by the poll results. Fortunately, the results of a proper poll would have been the same here. Charlie McCracken has written excellent polling guidelines for ACBL TDs. They are posted on the NABC Casebooks web page. I wish they were used more consistently.

**Woolsey:** I don't agree that the BIT suggests pulling. The Double, whether slow or fast, simply shows extra strength. On this information East wasn't running from 5♣ Doubled for fear 5♣ was making. East was bidding 5♣ to make, and it would have made if West had the extra ace he should have had for the Double. If anything, I think the slowness of the Double suggests passing, since it would indicate that West was a little light for the Double so maybe 5♣ isn't making. 5♣ definitely didn't figure to make in any event. Thus, I would let the table result stand.