

# 2015 Spring NABC Appeals Casebook



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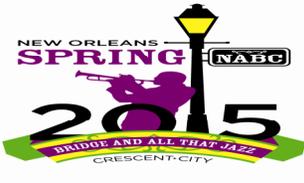
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<b>APPEAL</b>	<b>NABC+ ONE</b>
Subject	Unauthorized Information
DIC	Nancy Boyd
Event	Lebhar IMP Pairs
Session	2 <sup>nd</sup> Final
Date	March 14, 2015

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

<b>Nicolas L'Ecuyer</b>	
♠	K6
♥	K52
♦	K10642
♣	K96

<b>Fred Gitelman</b>	
♠	AQJ3
♥	J10976
♦	J8
♣	75

	
<b>Paul Street</b>	
♠	1052
♥	AQ83
♦	AQ9
♣	Q82

<b>Sheri Winestock</b>	
♠	9874
♥	4
♦	753
♣	AJ1043

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

Final Contract	<b>4NT by North</b>
Opening Lead	<b>♣10</b>
Table Result	<b>Made 5, N/S +460</b>
Director Ruling	<b>4NT by N, Made 5, N/S +460</b>
Comm. Decision	<b>6NT by N, Down 3, N/S -150</b>

(1)	Shows an artificial balanced invitation, not alerted
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**The Facts:** The Director was summoned at the end of the auction. West stated that North had taken advantage of his partner's failure to alert. North maintained that his partner's 3♥ call exposed the problem since it was contrary to their partnership agreement.

**The Ruling:** N/S provided their system notes upon request. While it is true that the 3♥ bid is not listed as a possible rebid the notes did not say that 3♥ could not be bid. North asserted that with a good unbalanced hand, South would rebid 2♠ which is a relay. The auction exposed the problem so there was no basis for an adjustment as per Law 16, accordingly the table results stands, 4NT by North, making 5, N/S +460

**The Appeal:** E/W appealed. All four players attended.

### Statements Made by the Appealing Side:

E/W claimed that most other auctions would be revealing enough that East would not lead a club, and that North's 4♠ deterred East from leading a spade. They stated that in their opinion, North had taken flagrant advantage of the failure to alert.

### Statements Made by the Non-Appealing Side:

North claimed that 3♥ was asystemic, and that information alone told him that the auction was "off the rails". He claimed that South never did anything unusual in the auction, so he had no need of UI to tell him what was going on. He stated, though the pair's system notes do not fully confirm, that after 1 of a minor-2♥, their methods are:

2♠:	Relays to 2NT. Most unbalanced hands start with 2♠. New suits after the 2NT relay are shortness.
2NT:	natural, non-forcing
3♣, 3♦:	natural, non-forcing
3♥, 3♠:	undefined
3NT:	to play
4♥, 4♠:	good 6-5, non-forcing

With minimum 6-5 hands, they open the major. They were not asked if that was true with spades and clubs precisely. With very good 6-5 hands, too strong for Four of a major, he thought they'd bid Four of a minor. The system notes did not mention bidding a major or bidding past 3NT.

N/S were asked if 2♥ could contain a 4-card major and answered, "very rarely, but it is possible." This was mentioned at the table.

North claimed that 2♥ promised 3-3 or better in the minors, so at IMPs, they never will play a major. This was not revealed during the explanation of 2♥ at the table, nor is it mentioned in their system notes. When asked if he could hold 3=3=5=2, North said, "You know me. I can have anything. He just assumes I have three clubs."

North stated that he bid 4♠, because he thought 4NT would be Blackwood, and that if he bid 4♠, South would bid Blackwood, and that he could then pass.

**The Decision:** Even if South's 3♥ duplicated some of the Unauthorized Information (UI) from the failure to alert, it did not duplicate all of it. Perhaps North knew from Authorized Information (AI) that the auction was off the rails, but he did not know from AI that his partner thought he had hearts and substantially more strength than he actually held. He knew that from UI. He knew his partner was therefore likely to bid too much, so finding a way to stop in 4NT was clearly suggested over other Logical Alternatives (LA) by the UI, and is therefore not allowed. The Appeals Committee (AC) thought that bidding 5NT was a LA to 4♠. That would get 6♥, and North would convert to 6NT. East has an obvious spade lead against 6NT, which will then go down three.

North has lots of other LAs, but most will lead to something down three, so the AC judged that that was both the best result likely for the Non-Offending Side and the

worst result at all probable for the Offending Side (OS). East/West would not double if they did not know that there was a misunderstanding, so each side gets +/-150.

Even though the actual opening lead was a pretty clear error (North was very likely to have three or more clubs, and South opened 1♣), the OS's irregularity prevented E/W from having any chance to get the score they would have absent the irregularity, so E/W get +150.

The Committee disagreed on whether to award a Procedural Penalty (PP) for flagrant misuse of UI. Most felt that the apparent AI's duplicating most of the UI was sufficient that a player of North's caliber was not expected to figure out that he had unduplicated UI, so no PP was given.

**The Committee:** Jeff Goldsmith (Chair/Scribe), Fred King, Mitch Dunitz, Ray Miller, Josh Parker

### **Commentary:**

**Woolsey** – North is permitted to deduce that something is wrong when South makes an impossible bid. That is AI. But he may not use the UI to deduce what went wrong. If they were playing with screens North wouldn't know whether South had forgotten the meaning of 2♥ or South had chosen to make an impossible call, perhaps forgetting the follow-ups to 2♥. The failure to alert tells North what happened. North's 4♠ call (instead of 4NT) was suggested by the UI, as the UI made it clear that South would think 4NT is RKC for hearts. Thus, North is not permitted to bid 4♠ with the hope that South will bid 4NT. The committee ruling looks fine to me.

I would not give a PP. Even though North should have known better than to bid 4♠ if he had thought through the ramifications, one cannot expect players to be perfect in this sort of situation since the issue isn't completely obvious. The score adjustment is quite sufficient.

N/S should be getting an appeal without merit warning for this appeal. But we can't give them one, since the wrong side is appealing. This was a horrible ruling by the director, and is an illustration that we do need committees when it comes to bridge issues. The director simply didn't have the bridge knowledge to understand what had happened.

**Wildavsky** – I like the AC decision. The alert procedure can lead to UI, and we must take care that pairs do not accidentally benefit from it. We do not know where N/S would have ended up in a hypothetical world with no alerts. The AC judged that there was a significant possibility of an accident, and I agree.

**Martel** – Committee got it just right regarding the auction, ruling did not. Result of play might have been less generous to E/W, but reasonable. This would be a better hand for a weighted ruling.

**Marques** – This case kept me thinking about it for some time. The main argument of the AC is that the unauthorized information that North has does not replicate the authorized information available to the same player. I'm actually not sure about that.

The UI deriving from the lack of alert and the next two bids by South is that South thinks that North has hearts and a good hand. With enough evidence that 3♥ is an impossible bid, the AI from it is that South has bid out of the system. North is allowed to ask himself why. Excluding a mechanical error that an experienced South would point out, it's hard to see a reason for that other than South having forgotten the system.

If this is the case, the 3♥ bid shows that South thinks that North has hearts. Then, 4♦ shows that South thinks that North has a strong hand. Therefore, it seems to me that South's bidding shows the same thing as the lack of alert. If screens were in use, wouldn't North have taken the same inferences from the auction? Therefore, I'm not so sure that the score should be adjusted. It seems to me that the UI was in fact replicated by the AI.

**Kooijman** – I do not follow this cleverish reasoning by the AC. If we accept that North was able to figure out legally that there was a misunderstanding we have to be brave and allow North to end in 4NT. This decision sets us back twenty years, when a misunderstanding even in my country was penalized by an 'automatic' -1400. I had some hope that the Bobby Wolff school had been abandoned by now. And for sure, East's first lead was not a serious error, giving a minuscule plus to the committee.

Am I right in understanding that the TD involved wants players to write down which calls are not part of the systemic agreements?

**Goldsmith** – I think this was pretty much right, though a PP for blatant abuse of UI is appropriate. The idea of AI's duplicating some but not all of the UI is a little unusual.

<b>APPEAL</b>	<b>NABC+ TWO</b>
Subject	Claim
DIC	Nancy Boyd
Event	IMP Pairs
Session	2 <sup>nd</sup> Final
Date	March 14, 2015

BD#	<b>3</b>
VUL	<b>E-W</b>
DLR	<b>S</b>

<b>Cheri Bjerkan</b>	
♠	A10752
♥	874
♦	Q92
♣	AK

<b>Dennis Kasle</b>	
♠	KJ8
♥	Q63
♦	KJ63
♣	952

<b>Pam Wittes</b>	
♠	Q4
♥	AK10
♦	854
♣	QJ1084

<b>Roger Bates</b>	
♠	963
♥	J952
♦	A107
♣	763



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

Final Contract	<b>3NT by South</b>
Opening Lead	<b>♦3</b>
Table Result	<b>Down 1, N/S -50</b>
Director Ruling	<b>3NT by S, Down 2, N/S -100</b>
Screening Ruling	<b>3NT by S, Down 3, N/S -150</b>
Comm. Decision	<b>3NT by S, Down 1, N/S -50</b>

(1)   New minor forcing; not alerted
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**The Facts:** East called the Director to question South's claim before Board 4 started. The play had proceeded with four rounds of diamonds. On the fourth diamond there was a heart pitch from the North hand, a club by East and a spade by South. West switched to a club. Declarer played a heart toward the ten and then claimed when West won the queen.

**The Ruling:** Given that declarer failed to unblock the clubs, caused the blockage with the heart pitch from the North hand and did not mention the club blockage in her claim, she was not given credit for pitching the ♣K on the ♥K. The play was projected that after West wins, he would lead a heart to the ace, followed by a club to the K after which the declarer would 'wake up'. A low spade from the North hand (the

♠A followed by another was deemed too unlikely), would result in the E/W getting a spade trick. The result was adjusted to 3N by South, down 2, N/S -100.

**The Appeal:** Initially, E/W appealed the ruling of down two, presenting an argument for down three. Though the appeal was made in a timely manner, N/S had already left the tournament site. The screening director, after considering E/W's argument, changed the result to down 3, alleviating the immediate need for a committee. The following day, N/S were informed of the decision. N/S chose to appeal the later ruling of down 3.

South, East and West appeared at the hearing.

#### Statements made by the Appealing Side:

This was the first board of the session. When interviewed later in the session, South said she would have made the unblocking ♣K discard on the third heart. Because of the ambiguity in the original claim, she reluctantly accepted the initial ruling of down 2, but she rejected the hypothetical play of ♠A and another spade as being farfetched. She said that she pitched a heart from dummy (rather than a safer spade) to try to deflect the defense from a more damaging spade shift.

#### Statements made by the Non-Appealing Side:

East asked South to state a line. She did not elaborate, so he asked her specifically what she would do on a heart return. Instead of answering, someone (South or East – disputed) called the Director. Later, East said that on the hypothetical line on which South fails to find the unblocking discard and instead leads a second club to dummy, ace and a spade is a valid alternative, which he asserted was mathematically superior to the posited line of a low spade to the queen. Moreover, East contended that a player who had played poorly enough to reach that position should not be given the benefit of finding the winning play at the end.

**The Decision:** The Committee rejected the premise of the initial ruling. They thought that declarer, faced with the club blockage after a heart return would surely find the unblocking discard. Furthermore, they judged that the heart return itself was extremely unlikely. West had already played a club instead of a more obvious high spade, so he would not be returning the suit that Declarer was playing herself. Accordingly, the result was changed back to the original claim of 3NT by South, Down 1, N/S -50.

The debate between down 2 and down 3 was no longer relevant. However, the AC determined that a low spade (as in the original ruling) is the superior percentage play versus ace and another spade (as in the amended ruling) by a ratio of 5 to 2.

**The Committee:** Ron Gerard (Chair), Bart Bramley (Scribe), Aaron Silverstein, Jan Jansma and Ish Delmonte

#### **Commentary:**

**Wildavsky** – The AC decision is well reasoned. While I can understand the contrary point of view I believe the AC made the right decision here. This was a controversial case, in part because it was believed at the time that it could change the winner of the event. This turned out to not be the case.

**Martel** – I don't think the committee's considering the likelihood of W leading a heart is relevant (or at any rate, only relevant knowing S hand).

**Marques** – This case is very different from the typical bad claim. South didn't state all possible lines of play, but this doesn't mean that she has gone astray to the point of forgetting to unblock the club King if needed. Even with the benefit of the doubt to the opponents, the sequence of events seems to indicate that South was operating in a normal frame of mind when she claimed. Good decision by the AC.

**Kooijman** – I think it to be enough to decide that declarer will unblock the ♣K in case of a heart return, leading to one off. That is the vital issue. No need, nor recommended, to expose the superior bridge knowledge of the committee.

**Goldsmith** – Contested claims are hard. This time, the AC gave declarer too much credit. She didn't foresee the club blockage problem before she claimed, and she didn't mention the unblocking play in her claim statement, so for a player who had played the hand as she did, failing to unblock is a careless play, not an irrational one. East even gave declarer a chance to say, "if you return a heart, I can pitch the ♣K on the high heart," but she didn't. Yes, this declarer is good enough to see the unblocking play when she's playing normally; when she's playing carelessly, however, which is how claimers must, then she might not.

The laws say to resolve any doubtful points against the claimer, and whether declarer would take six or seven tricks after a heart return and a club continuation is definitely doubtful. Down three.

**Woolsey** – This is a difficult case. The problem is that it is clear that declarer didn't see the entry problem, since if she had she certainly would have discarded a spade rather than a heart on the fourth diamond. On her line of play she could have gone down 2 with 8 top tricks if the clubs had been 5-1. Of course she should see the unblocking discard after West returns a heart, but she might not. She did not state the unblock in her claim.

On the other hand, how likely is it that West would find a heart return? He has already attacked clubs, he has seen declarer attack hearts, and he failed to make an obvious spade shift earlier. Yes, in theory he could work out declarer's exact hand at this point, but in practice that just wasn't going to happen. It is proper to make the adjustment on the assumption of what is likely to happen, not on an extremely unlikely defense. For this reason, I agree with the committee's decision.

I'm concerned about the statement that E/W filed the appeal in a timely manner but N/S had already left the playing site. What is a timely manner? If a pair is permitted to file an appeal after the session is complete, that allows them to wait until the opponents have left the site so the opponents will not know about the appeal and be able

to present their side. If the appeal was filed before the session was over, as should be required, why weren't N/S told during the session?

At any rate, E/W got what they deserved. They had already received a favorable ruling because the director was not a good enough bridge player to realize that West would never be returning a heart. They tried for more on a ridiculous technicality, and got less. Sometimes there is justice.

<b>APPEAL</b>	<b>NABC+ THREE</b>
Subject	Misinformation
DIC	Matt Smith
Event	Vanderbilt
Session	Round of 32
Date	March 18, 2015

BD#	<b>18</b>
VUL	<b>N-S</b>
DLR	<b>E</b>

<b>Bruce Ferguson</b>	
♠	AJ1062
♥	1096
♦	KJ
♣	J105

<b>Roy Welland</b>	
♠	K84
♥	J2
♦	7643
♣	9743

	
<b>John Onstott</b>	
♠	3
♥	Q753
♦	Q952
♣	A862

<b>Sabine Auken</b>	
♠	Q975
♥	AK84
♦	A108
♣	KQ

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

Final Contract	<b>1NT by East</b>
Opening Lead	<b>♠3</b>
Table Result	<b>Made 2, N/S -120</b>
Director Ruling	<b>1NT by E, Made 2, N/S -120</b>
Comm. Decision	<b>N/S -120, E/W -100</b>

(1)   Alerted as a Transfer to Spades
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**The Facts:** The opening bid showed clubs or a balanced hand, not a forcing opening bid. North detached the 1♠ card from his bid box at approximately the same time as East alerted 1♥ as a transfer to spades. Although North had not placed the 1♠ card on the table, he felt obligated to continue bidding 1♠ since his intent to do so was visible to all at the table. After the conclusion of play (E-W taking 8 tricks in 1NT for +120), North called the director to determine whether 1♥ as a transfer to spades required a pre-Alert.

**The Ruling:** Transfer responses to a natural, non-forcing 1♣ opener must be pre-Alerted. However, North was not damaged by the failure to pre-Alert because had he called the director he would have been informed that he could legally Pass and any information resulting from his detaching the 1♠ card would be unauthorized to E/W.

Therefore, he was responsible for his 1♠ bid and the table result that followed from it was allowed to stand.

**The Appeal:** N/S appealed the ruling and North, East and West attended the hearing.

Statements made by the Appealing Side:

Had he been pre-Alerted to transfer responses, North would not have considered bidding 1♠ and would have passed without thought. East would then have bid 3♠ (as if rebidding over a natural 1♠ response), which would have become the contract.

Statements made by the Non-Appealing Side:

East said that she could rebid either 3♠ or 1NT (17-19) had North passed, but that their partnership tendency was to favor 1NT with this distribution and club holding. E-W also said that N-S knew that 1♠ was natural so they were not damaged by any lack of an agreement that might have come to light had there been a pre-Alert.

**The Decision:** E-W committed an irregularity of Law 40A.1(b) by failing to pre-Alert, which was also an irregularity ("a deviation from correct procedure"). Law 40B.4 provides for an adjusted score when a side is damaged "as a consequence" of its opponents' failure to provide disclosure of the meaning of a call or play in accordance with the Laws. The Committee judged that North's consideration of bidding 1♠ and ultimate follow through was "a" consequence of the failure to pre-Alert, although not necessarily the consequence only of such failure. Therefore, the Committee judged that there had been damage and that an adjusted score was appropriate.

Under Law 12C.1.(e)(ii), the score assigned to E-W is the most unfavorable result that was at all probable had the irregularity not occurred. It was decided that without any indication of spade interest by North, East might bid 3♠ often enough that it was at all probable that 3♠ would become the final contract. After a diamond lead, more unfavorable to E-W than a heart, East could make 8 tricks by playing clubs before hearts, but there was a sufficient probability of taking only 7 tricks that E-W were assigned a score of -100.

Under Law 12C.1.(e)(i), the score assigned to N-S is the most favorable result that was likely had the irregularity not occurred. Although this was ostensibly down 2 for +100, North had contributed to his own damage by failing to call the director to ascertain his rights with respect to his intended 1♠ bid on the auction that did take place. This was judged to be a serious error unrelated to the irregularity that forfeited his right to an adjustment for the self-inflicted part of the damage [Law 40C.1(b)]. Because North could have avoided a result of -120 had he not been contributorily negligent, all of his damage was self-inflicted and no adjustment was made to N-S's table result.

In accordance with Law 86B, the results were IMPed separately against the other table score and the average score was assigned to each side. For N-S, the actual score comparison produced a result of -5 IMPs. For E-W, the adjusted score comparison produced a result -2 IMPs. The average result was +1.5 IMPs (E-W), -1.5 IMPs (N-S), causing a net gain (N-S)/loss (E-W) of ±3.5 IMPs from the table comparison.

**The Committee:** Ron Gerard (Chair), Chris Moll, Mark Bartusek, Mitch Dunitz, and Ed Lazarus

**Commentary:**

**Martel** – Did N bid too fast or was E too slow in alerting? That seems important to me (if bid too fast then most of the blame goes to N/S, otherwise more to E/W).

**Marques** – Very good decision by the AC, on a board that decided the match in question by half an IMP. My only remark would be the slightly confusing way that the adjusted score was explained, although the final calculation is, of course, correct.

**Kooijman** – The committee seems to struggle with “damage” here. We do not need consequent damage to adjust the score for the offending side. Read Law 12C1b: “The offending side should be awarded the score that it would have been allotted as the consequence of its infraction only”.

I agree with the conclusion that N/S created the damage for themselves.

**Goldsmith** – I like the split ruling.

I am very concerned, however, about the E/W agreements. East said that they sometimes do not raise the transfer to spades with four-card support. And West has only three spades. This looks to me as if they are catering to a special partnership understanding that the transfer to spades need not have four spades. If so, I very much hope that they alert and explain 1♥ as “three or more spades” (or whatever is appropriate) and alert and explain that 1NT may have four spades.

**Woolsey** – While perhaps E/W should get a procedural penalty for failing to pre-alert, there should not be a score adjustment from that unless N/S were injured from that lack of pre-alert, i.e. they had a misunderstanding which they would have had a chance to clear up in advance with a pre-alert. That is not the case here.

I think the issue is the timeliness of the alert. Any pair playing transfer responses to 1♣ knows that partner is likely to make a natural-sounding call which isn't natural. The 1♣ bidder should be prepared to bang out that alert before fourth hand has a chance to do anything. If East failed to do that, then N/S are potentially damaged and the score adjustment against E/W is reasonable. On the other hand, if the 1♠ call was made so quickly on top of the 1♥ bid that East didn't have a chance to alert, then N/S have nothing coming to them in the form of an adjustment. The director should attempt to ascertain the timing of the alert and the 1♠ call.

N/S should have followed proper procedure and called the director when the irregularity occurred instead of trying to make their own ruling. By failing to do so, N/S lose their rights. North can't make a 1♠ bid and get to take it back if it turns out badly but keep it if it works.

Thus, it is likely that the committee came up with the right ruling, although perhaps not for the right reasons.

**Wildavsky** – A closely reasoned AC decision. I'd have liked to know N/S's agreements over transfer responses. The write-up implies that they had agreed that 1♠ would be natural here, but does not say so explicitly. That said, I prefer the AC's ruling to the TD's.

<b>APPEAL</b>	<b>NABC+ FOUR</b>
Subject	Misinformation
DIC	McKenzie Myers
Event	Mixed Pairs
Session	2 <sup>nd</sup> Final
Date	March 18, 2015

BD#	<b>23</b>
VUL	<b>Both</b>
DLR	<b>S</b>

<b>Bill Cook, Jr.</b>	
♠	A2
♥	AJ76
♦	1054
♣	AK54

<b>Allison Wilson</b>	
♠	63
♥	2
♦	AKJ86
♣	QJ1097

	
<b>Annette Lee McHann</b>	
♠	QJ1097
♥	109
♦	972
♣	862

<b>Kent Mignocchi</b>	
♠	K854
♥	KQ8543
♦	Q3
♣	3

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

Final Contract	<b>4♦X by West</b>
Opening Lead	<b>♦4</b>
Table Result	<b>Down 2, N/S +500</b>
Director Ruling	<b>3♥ by E, Down 1, N/S +100</b>
Comm. Decision	<b>3♥ by E, Down 1, N/S +100</b>

(1)	15-18 HCP
(2)	Transfer to Spades (Neither Alerted nor Announced)

**The Facts:** East called the Director after North's first pass. He explained that he had asked for the meaning of the 2♥ bid and was told that North was unsure. At the end of the hand, it was determined that the N/S card shows systems on over a double and systems on over 1NT overcall. West said that she considered 3♥ a cue-bid, not natural given the explanation of the 2♥ bid. North said he would have doubled 3♥, given the opportunity to do so.

**The Ruling:** The Director polled five players, three bid 4♣ over 3♥ with the West hand while two passed. The results of the poll found that passing was a LA and in accordance with Law 21.B.3 the result was adjusted to 3♥ by East, down 1, N/S +100.

**The Appeal:** North/South appealed the ruling and attended the hearing.

**The Decision:** It was clear that the failure to announce had given the offending pair an advantage and they should receive the result for 3♥ by East. The committee found North's statement that he would have doubled 3♥ to be sincere, but it had to be discounted as self-serving. Double, while possible, is not automatic.

The AC then turned its attention to whether E/W should have protected themselves by making a better effort to learn the actual agreement. Even experienced players seem not to know that they should call the director during the auction in these circumstances, and based on the guidance received from Staff it was judged that the non-offenders had done enough to also get the result in 3♥. However, the AC urges that there be ongoing education for cases such as this.

The AC judged that down one in 3♥ was both the most favorable result for E/W that was likely and the most unfavorable result that was at all probable for N/S. Accordingly the AC ruled as the TD had, 3♥ by East, down 1 for both sides.

Note that it was not relevant whether Pass was a LA over 3♥. E/W had committed no irregularity, so Law 16 (unauthorized information) does not apply to them. The Director poll was relevant in this Law 21 (MI) case since it determined both that E/W were damaged through the misinformation and that they might well have reached a more successful spot given correct information.

The appeal was found to have substantial merit.

**The Committee:** Jeff Aker (Chair), Patty Tucker and Will Ehlers

### **Commentary:**

**Marques** – A strange case. From the description of the events, it seems that the meaning of 2♥ was on the convention card. East could have checked it, namely after North said that he was unsure. Also, if it was asked and North just said that he was unsure, or unsure about transfer or natural, which seem to be the only two possibilities, he could have been sent away from the table, in order to let South do the explaining, and there would be no case anymore.

It also seems to me that the poll was incomplete, judging from the report. It would be important to know what the polled players would have done in the West seat, starting with his second call (after 2♥ explained as a transfer), but also what would they do if two hearts was explained as natural. Would the poll show different actions on “transfer” and “natural”? To establish if E/W were damaged by the MI, it is not enough to know that some players, with the right explanation, would pass instead of bidding 4♣ with the West hand. It is also necessary to know if those players would have acted differently with the wrong explanation. If all polled players were to make made the same call with either explanation, the conclusion would be different (no damage). I think that the analysis of this case is incomplete.

**Kooijman** – This seems a case where weighted scores would have been useful. A double by North on 3♥ looks reasonable and I would be careful myself calling it self-serving. A poll would clarify it and could result in a percentage for 3♥X -1 or -2.

**Goldsmith** – A useful poll would have been to see how many Norths would have doubled 3♥. I suspect most, if not all. The opponents are red at matchpoints, the auction is about to be over, and it is unlikely that the double will assist declarer in the play. If most would double, perhaps 3♥ undoubled would not have been a likely result.

It seems that 4♦X should be down one, losing two clubs and two aces. If so, and if declarer's play was a serious error (which is possible, but not necessarily so, since we didn't get to read about the play), and if 3♥ undoubled is not likely, then we may need to do a split ruling, with N/S's getting +200 and E/W's getting -500. That's probably the ruling I'd end up giving, though I need more information to be sure.

**Woolsey** – This looks exactly right. While anything might have happened, it is reasonably possible that E/W would have landed in 3♥. The MI made it impossible for E/W to get to that contract. That is all that is necessary.

I am bothered by this statement in the writeup: Even experienced players seem not to know that they should call the director during the auction in these circumstances.

How could E/W possibly call the director during the auction? From the bidding there was no reason to think that an irregularity had occurred. It is true that East could guess that the 2♥ bid wasn't natural, but he can guess that only by looking at his hand. A director call on his part during the auction would give UI to his partner that he had long hearts.

**Wildavsky** – It's not clear to me that the appeal had merit, but I'll defer to the AC on that point.

Note that some would consider East's 3♥ bid an error, whether or not he had correct information. That might well be, but it was certainly not the kind of "Serious error" that would deny his side redress per law 12c1b.

**Martel** – As AC noted, Director was wrong to ask about LA for bidding over 3♥. Otherwise, acceptable.

<b>APPEAL</b>	<b>NABC+ FIVE</b>
Subject	Tempo, UI
DIC	Kevin Perkins
Event	Jacoby Open Swiss
Session	Second Qualifying
Date	March 21, 2015

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

<b>Barbara Heller</b>	
♠	6
♥	K10
♦	K6
♣	AKJ109642

<b>Julie Arbit</b>	
♠	KQ
♥	Q965
♦	AJ94
♣	Q87

	
<b>Barbara Kasle</b>	
♠	AJ972
♥	AJ73
♦	107
♣	53

<b>Jonathan Fleischmann</b>	
♠	108543
♥	842
♦	Q8532
♣	(void)

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

Final Contract	<b>3NT by North</b>
Opening Lead	<b>♦2</b>
Table Result	<b>Made 6, N/S +690</b>
Director Ruling	<b>3NT by N, Made 6, N/S +690</b>
Comm. Decision	<b>5♣ by N, Made 6, N/S +620</b>

(1)   Agreed Slow Pass by South
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**The Facts:** East/West called for the director at the end of the play of the hand. Both sides agreed to the slow pass by South and further agreed that South reached in to the bidding box after East's 3♦ call. South stated she reached for the 3♦ bid before she noticed East had already bid 3♦. North stated that she thought her bid was appropriate as her partner had bid spades and she had two red kings and an eight-card suit. North stated her intention was to always bid again if the opponents competed over 3♣.

**The Ruling:** Several players and other directors were polled and all bid either 3NT or 4♣ over 3♦. The Director ruled that North held a hand with which passing 3♦ is not a logical alternative. Accordingly, the table result stands, 3NT by North, making six, N/S plus 690.

**The Appeal:** East/West appealed and were the only attendees. E/W stated that since North had only bid 3♣ originally, she must have been worried that 3NT would not make until the BIT demonstrably suggested that bidding on would be successful. E/W stated that because of the BIT, North should not be allowed to bid anything over 3♦.

**The Decision:** The committee determined that beyond the BIT, North had even more UI available because of South's reach in to the bidding box and admitted (at the table) attempt to bid 3♦ before she noticed that East had already bid 3♦. The committee judged that the UI that was available demonstrably suggested not only that North bid over 3♦, but also demonstrably suggested bidding 3NT, a vulnerable game, over 3♦.

While passing 3♦ would be a less successful alternative to North's bidding 3NT over 3♦, the committee judged that the North hand was so skewed toward offense that passing 3♦ was not a logical alternative for this class of player after the UI, even though North had originally only bid 3♣ over the double. The committee ruled that 4♣, however, was a logical alternative.

This meant that 3NT was an irregularity and could not be allowed. Law 12C requires assigning to N/S the "most unfavorable result that was at all probable had the irregularity not occurred." The committee judged that had North not bid 3NT, she would almost certainly have bid 4♣ rather than passing since her hand was so skewed toward offense. Over 4♣ South, holding two aces, has a clear raise to 5♣. In the absence of careless play, North should make six clubs on any lead after testing clubs and discovering the bad break.

The committee judged that in the absence of the irregularity it was not at all probable that N/S would fail to bid 5♣ and make six. This was also the most favorable result for East/West that was likely so the committee assigned a result of 5♣ by North making six, N/S plus 620, to both sides.

**The Committee:** Barry Rigal (chair, non-voting), Mark Bartusek, Chris Moll, Meyer Kotkin (scribe)

### **Commentary:**

**Kooijman** – I would like to know how many players were polled and how often 4♣ was bid. If 4♣ appears to be a logical alternative the committee had no other choice. My feeling is that 3NT wins by a landslide. An educational remark: in case of yes or no following UI, giving a weighted score is not appropriate.

**Goldsmith** – South passed 3♦ when she was looking at game forcing values. Someone who does that does not get credit for bidding 5♣ later. Furthermore, did the poll takers find players to poll who would have bid 3♣ with North's hand? Of course most Norths would bid again over 3♦, but it's not at all clear that a North who would bid only 3♣ would. I understand how it might be difficult to find a player who would bid 3♣, but to conduct the poll properly; the director must try to find some. If none can be found, letting N/S bid game when they each have made calls which rated to cause them to miss game is overly generous. N/S +170 in 4♣ is surely at all probable. I'll buy that selling to 3♦ is not. I think it's even likely that South will pass 4♣. She thinks that there are two

diamond losers and that clubs are not solid (no 3NT rebid), so why ought she offer to go minus?

On a spade lead, North would probably only take 11 tricks, but a spade lead isn't at all probable on this auction. I'd award reciprocal 170s.

Does North get a PP for abuse of UI? It's hard to give one for an action which is so clear that it ought to have been made a round earlier, so I'll guess not.

**Woolsey** – If the committee had ruled that pass was a LA and reverted the contract to 3♦ that I could understand, although it would not be my bridge judgment since I don't think pass is a LA. There is no question that the UI suggests bidding over passing, so that would be a consistent ruling.

But that is not what the committee did. The committee agreed with me that pass is not a LA. I do agree that 4♣ is a LA to 3NT. But while the UI suggests taking some action, in no way does the UI suggest bidding 3NT as opposed to bidding 4♣. The committee simply lost the thread here. This error of not first seeing if the action taken is suggested (vs. the LA) by the UI is a common error by committees. The director understood the rules better than the committee on this hand.

**Wildavsky** – The AC ruling was a small improvement on the TD's, but it's not clear to me that a South who passed over 3♦ would bid 5♣ over 4♣. Surely at least one time in six such a South would pass, making +170 the most unfavorable result that was at all probable for N/S.

**Martel** – Director was wrong, as committee noted, but acceptable conclusion.

**Marques** – Some players in the poll bid 3NT, others bid 4♣. It would be interesting to know the reasoning used by the 3NT bidders. My guess is that they would replicate North's reasoning. However, given the fact that 3NT and 4♣ are both logical alternatives, and that the 3♦ “non-bid” by South strongly suggests that 3NT is likely to be more successful, this seems like a very good AC decision.

<b>APPEAL</b>	<b>NABC+ SIX</b>
Subject	Misinformation
DIC	McKenzie Myers
Event	Mixed Pairs
Session	Second Final
Date	March 18, 2015

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

<b>Christina Madsen</b>	
♠	K
♥	63
♦	J762
♣	J106543

<b>Sherman Gao</b>	
♠	AQ103
♥	1085
♦	A109
♣	AQ9

	
<b>Michael McNamara</b>	
♠	6542
♥	KQ
♦	KQ8543
♣	2

<b>Weiling Zhao</b>	
♠	J987
♥	AJ9742
♦	(void)
♣	K87

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

Final Contract	<b>3NT by West</b>
Opening Lead	<b>♣5</b>
Table Result	<b>Made 6, N/S -490</b>
Director Ruling	<b>4♥ by E, Made 5, N/S -450</b>
Comm. Decision	<b>3NT W, Made 6, N/S -490</b>

(1)	15-17 HCP
(2)	No Alert

**The Facts:** The director was summoned after the play of the hand was over. South stated that he would have doubled 3♦ if he had known it was a transfer. West stated that their pair had no such agreement. They play negative doubles at the three level, but not transfer bids. East stated that she intended 3♦ as asking for a stopper in diamonds. The E/W convention card showed transfers next to the Smolen box, but did not have the Systems On box checked.

The play went a club to the King, followed by the ♥A and another heart. South shifted to a diamond, and then pitched spades on the run of the hearts. Declarer dropped the ♠K, making six.

**The Ruling:** The nature of the E/W agreement was unclear. East's description of her 3♦ bid seemed illogical. Given that they could not prove West's explanation was

correct, it was ruled that the bid was not natural, and misinformation was given by the failure to Alert. East did not inform the opponents of a failure to alert at the end of the auction.

If South had doubled, it was judged likely that E/W would reach 4♥, and that they would not drop the ♠K. The score was accordingly changed to N/S -450.

**The Appeal:** Both sides appealed the ruling, with South and West attending.

E/W appealed that there was no misinformation provided in the auction. Their system does not include transfers after three level overcalls over their No Trump openings. East, who made the 3♦ call, is a student and inexperienced. Their agreement is that 3♦ should be natural. West bid 3NT thinking his partner had values and diamond length.

N/S appealed that if the contract was changed to 4♥, Declarer should take both heart finesses as well as the Spade finesse, therefore making four for -420, not the -450 as judged by the director.

**The Decision:** The Committee judged that East was an inexperienced student, and that the system evidence provided by West was sufficient to rule the 3♦ bid as a simple mistaken call, rather than a case of misinformation. The N/S appeal was therefore dismissed and the table result reinstated – 3NT by West, making 6, N/S -490.

**The Committee:** Aaron Silverstein (chair), Migry Zur Campanile, Ray Miller, Bruce Rogoff, Jim Thurtell (scribe)

### **Commentary:**

**Goldsmith** – I'll buy that it was a mistaken bid, but East didn't know that, and she is responsible for announcing before the opening lead that there was a failure to alert. Whether she actually thought 3♦ showed hearts (likely), was Stayman (possible), or asked for a diamond stop (seems very unlikely, but that's what East said), East ought to know that 3♦ needed to be alerted. If North heard that 3♦ was asking for a diamond stopper, but West thought it showed diamonds, she likely would have reasoned that E/W might have no diamond stopper, but they surely have a club stopper, so she likely would have led a diamond. That would have led to 3NT down two when declarer takes the spade finesse to try to make.

The actual ruling suggests that the AC didn't believe East's claim of what she thought 3♦ meant. If East had announced that the failure to alert was about a transfer, then it would have been at all probable, but maybe not likely that North would have led a diamond. In that case, I'd give N/S -690 and E/W -100. But I'd deem it likely that a diamond was led, so I'd award reciprocal 100s. In that case, I don't feel the need to award a 1/4 board PP for not announcing the failure to alert, which I would give to anyone who is playing in the finals of a national event.

**Woolsey** – East stated that the 3♦ call asked for a stopper in diamonds? Oh please. And if that was East's belief, then East was required to state after the auction is over that West failed to alert such an agreement.

Unless E/W have solid documentation that the 3♦ call is natural in their methods, the cards speak. The cards say that West failed to alert an alertable call, and that N/S were damaged. The director was correct to adjust the contract to 4♥, which of course should be adjudicated to making 4, not 5 - a director error based on lack of bridge knowledge. The committee should not have assumed that the partnership agreement is that 3♦ is natural.

The fact that East is an inexperienced player should have no relevance at all. Once East chooses to play in a national event, East is playing under the same conditions as everybody else in the event. If you play with the big boys, you play by the big boys rules.

**Wildavsky** – A close case. One could argue that West's explanation ought to mention that East had often been confused on such auctions. East ought to offer an explanation at the end of the auction unless he can be certain that his partner's explanation is correct, and it's difficult to see how he could be at that point. I make this one too close to call.

**Martel** – The director was wrong, as committee noted, but acceptable conclusion.

**Marques** – It looks like language difficulties prevented the evidence about the meaning of 3♦ to surface sooner than inside the AC. The TD decision looks normal when it is judged that 3♦ is natural. With the new evidence, the AC's decision is correct.

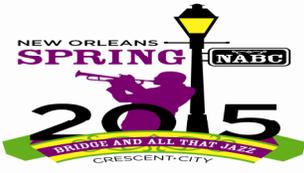
**Kooijman** – Sounds like a clear misbid. The TD should have turned off his automatic pilot approach here.

<b>APPEAL</b>	<b>NABC+ SEVEN</b>
Subject	Misinformation
DIC	McKenzie Myers
Event	Mixed Pairs
Session	Second Final
Date	March 18, 2015

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

<b>Sandy McCay</b>	
♠	K
♥	63
♦	J762
♣	J106543

<b>Serge Aronovich</b>	
♠	AQ103
♥	1085
♦	A109
♣	AQ9

	
<b>Dave Smith</b>	
♠	6542
♥	KQ
♦	KQ8543
♣	2

<b>Marianne Aronovich</b>	
♠	J987
♥	AJ9742
♦	(void)
♣	K87

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

Final Contract	<b>4♥ by West</b>
Opening Lead	<b>♦6</b>
Table Result	<b>Made 4, N/S -420</b>
Director Ruling	<b>4♥ by W, Made 4, N/S -420</b>
Comm. Decision	<b>4♥ by W, Made 4, N/S -420</b>

(1)	15-18 HCP
(2)	One minor or both majors (possibly strong with Spades)
(3)	Transfer to Hearts

**The Facts:** The director was summoned during the play. East had inquired about North's Double during the auction and the agreement had been explained at the time. The play had gone a diamond to the Queen and Ace, followed by a heart finesse to the Queen. A club was returned, won by Declarer in hand with the Ace. Another low heart was led, and when North followed, Declarer asked several questions concerning the strength shown by North's call before finessing again. West's questions and South's replies are as follows:

"How many HCP?" "The more distribution, the fewer HCP. She wants to compete with the hand." (Declarer stated he believed the response was different.)  
 "Could she have a bust?" "No."

West also took the spade finesse, losing a third trick to the King. The table result was making four, N/S -620.

**The Ruling:** The N/S agreement did not promise a significant number of HCP in the North hand, and the explanation provided did not misrepresent that agreement. North was light for the call, certainly, but this, in of itself, is not an irregularity. As there was no irregularity, no adjustment was possible. Table result of 4♥ by West, N/S -420 stands.

**The Appeal:** E/W appealed the ruling, and North, South and West attended the hearing.

Statements made by the Appealing Side:

West felt that he was damaged by the explanation of North's call. He did not feel that a singleton king and two jacks were enough to make a call over his no trump opening. He also felt that, when asked if the call could be made on a bust, the response of no was misleading.

Statements made by the Non-Appealing Side:

South reinforced that their partnership agreement for the call did not define a strict point range, and that with better distribution, fewer high card values were needed.

**The Decision:** While the call by North was very light, this in itself is not a violation. South's statement concerning distribution and strength adequately described their agreement. Therefore, there was no violation and so the table result of 4♥ by West, making four, N/S -420 stood.

The Committee judged strongly, that had West been more experienced, then an Appeal with Merit penalty would have been appropriate. Due to his inexperience, the committee decided to treat this as an educational opportunity, explaining the situation, instead of issuing a penalty.

**The Committee:** Aaron Silverstein (chair), Migry Zur Campanile, Ray Miller, Bruce Rogoff, Jim Thurtell (scribe)

**Commentary:**

**Woolsey** – Perfect, including the decision to explain the situation rather than give an appeal without merit penalty. The purpose of the appeal without merit penalty is to dissuade players from making frivolous appeals in a “heads, they win/tails, they break even” situation. It is clear that the appellant here was not doing that.

**Wildavsky** – A serious error by the committee. A player experienced enough to bring an appeal is experienced enough to receive an AWMW. The AWMW is his education, one more effective than anything the AC may tell him. Failing to assess the AWMW for a

case without merit is in some sense a sign of disrespect, treating the appellant as something less than a full fledged competitor.

**Martel** – Acceptable.

**Marques** – Good decision by TD and AC. The only question relates to awarding an AWMW or not. Should E/W know better? Probably the best educational way, in this case, would have been for the AC to just award it.

**Kooijman** – Part of the TD job is to explain and educate the players in which case the Appeal without merit penalty should have been given.

**Goldsmith** – If declarer was willing to play North for not having the ♠K after knowing that North didn't have the ♥K, then I don't see why the information she got through questioning indicates why North must have the ♥K.

I agree that the appeal had no merit. Can we just say that anyone in the finals of a national event has to play by the same rules as everyone else regardless of experience level and award AWMWs when appropriate?

<b>APPEAL</b>	<b>NABC+ EIGHT</b>
Subject	Misinformation
DIC	Candace Kuschner
Event	Silodor Open Pairs
Session	Second Qualifier
Date	March 19, 2015

BD#	<b>21</b>
VUL	<b>N/S</b>
DLR	<b>N</b>

<b>William Hall</b>	
♠	K10752
♥	1095
♦	84
♣	Q42

<b>Daiva Vitukynaite</b>	
♠	J
♥	J7
♦	AKQJ10932
♣	53

	
<b>Ron Westwood</b>	
♠	AQ96
♥	A8642
♦	7
♣	1096

<b>Gediminas Poska</b>	
♠	843
♥	KQ3
♦	65
♣	AKJ87

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

Final Contract	<b>3NT by East</b>
Opening Lead	<b>♥4</b>
Table Result	<b>Made 5, N/S -460</b>
Director Ruling	<b>3NT by E, Made 5, N/S -460</b>
Comm. Decision	<b>N/S +50, E/W +460</b>

(1)   By partnership agreement, denies four spades, not alerted
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**The Facts:** The director was summoned after the conclusion of play on the hand. South had checked the opponents' convention card prior to making his opening lead. The card was marked with Negative Doubles through 3♠. South stated if he had been aware that the Double denied spades, he would have made a different lead.

**The Ruling:** The director consulted with senior staff as to the requirements concerning this particular sequence. While the partnership agreement does seem "highly unusual and unexpected", the opinion of the directors consulted was that the Double did not require an Alert under ACBL regulations. Accordingly, the director ruled that the table result stood: 3NT by East, making 5, N/S -460.

**The Appeal:** N/S appealed the ruling, and both attended the hearing. E/W did not appear as they were not available when the appeal was filed.

### Screening Director's Statement:

The E/W convention card was marked Negative Doubles through 3♠. Their agreement (not noted on the card) was that a Double of 1♥ overcall shows fewer than four spades. The directors attempted to determine if this treatment was alertable. They found that a negative double by a pair using negative free bids was alertable, but most doubles are not. They ruled that the Double of 1♥ was not alertable.

### Statements made by the Appealing Side:

N/S were surprised when the Dummy was faced. South said that he might have led a spade had he known that the Double denied a spade suit rather than showed a spade holding as he expected.

**The Decision:** The directors were correct in their finding that most doubles are not alertable. In that class are takeout doubles, negative doubles, card showing or "balance of power" doubles, lead directing/penalty doubles of artificial or cue bids, penalty doubles of no trump bids, and Lightner doubles.

Doubles that are alertable have an uncommon meaning that the opponents would not expect. Examples are doubles showing any good hand by a pair using negative free bids, doubles showing a specific suit not expected (for example: 1♣ - 1♠ - 2♣ - X showing diamonds by a pair using transfer advances), anti-lead directing doubles and doubles of splinter bids that ask for the lead of a different suit (which must be alerted whatever the level of the bid).

The committee ruled that E/W's treatment of a double of a 1♥ overcall to be in the same class as a pair using negative free bids. Thus, the double required an Alert, and E/W was guilty of misinformation.

N/S were therefore entitled to the most favorable result that was likely absent the misinformation. A spade lead is a reasonable alternative to a heart lead given the correct explanation of the double. Spades were led at two tables where members of the committee played. Given a spade lead, however, the committee did not judge it at all likely that South would risk a sure set for a chance at down two. He would almost certainly win the second round of spades with the 9 and then cash out. Thus N/S were awarded the score for 3NT by East, down 1, NS +50.

E/W, through no fault of their own, were not given a chance to argue their case. They may have been told, incorrectly, by a director that they should not alert their version of a negative double. The committee decided to rule "director's error" for E/W and let their table result stand, 3NT by East, made 5, E/W +460.

**The Committee:** Doug Doub (chair/scribe), Gail Greenberg, Craig Allen, David Caprera, Tom Peters

### **Commentary:**

**Wildavsky** – What a mess. As I understand things TDs are the final arbiters of law and regulation and cannot be overruled on these points. But here the TDs tell us that a double by a pair using negative free bids is alertable. Do E/W use negative free bids? The auction makes it appear that they do, but the write-up does not tell us either way. If so, though, why did the TDs not adjust the score? E/W's failure to note this agreement on their CC is also an irregularity.

The AC decision seems just, but I do not know whether it was legal. The TDs must have judged it so, else they would not have accepted it.

One thing that seems clear is that our alert regulations need some work. This is a common sequence. It is unconscionable that neither the players nor the TDs know whether it requires an alert.

**Martel** – Directors should do better knowing this required an alert. Committee was too generous to E/W. First, to presume the pair was given wrong info by a director prior to this is a leap. Second, even if that were true, not telling N/S more about what W showed is not very forthcoming.

**Marques** – Rules about alerts should not raise so many difficult questions. Potentially having two TDs saying different things is worrying.

This said, after a decision that the double is alertable, the spade lead is a logical alternative. Having decided to lead a spade, the ace looks like a possible technical option, with West having shown a strong hand with diamonds. This would end up in -2, as long as South avoids blocking the suit. A poll about the lead would have been useful in this case.

Regarding the decision for E/W, it sounds odd to let them keep their score with the argument that they \*might have been told\* that the double was not alertable. At the table, N/S complained about the lack of alert. If E/W had been instructed by a TD not to alert, even considering possible language difficulties they would have said something about it at the table. I don't see a reason for a split score.

**Kooijman** – This is an incredible ruling for me. The committee decides that this double is alertable, that the opponents were damaged, that a spade lead becomes more attractive, that 3NT then will not make and decides to retain the table result for E/W. This really doesn't make sense, to say it mildly. The case looks like one where a weighted score should be considered, a heart lead not being a rare choice, partner did support hearts!

**Goldsmith** – This ruling was wrong. Whether Walsh Doubles are alertable or not is a matter of regulation, not bridge judgment, so the AC is expected to accept the directors' ruling on that. Furthermore, there is precedent for this ruling; an earlier NABC appeal was rejected, because Walsh doubles are not alertable. (See Fall 2006, Case 4.) The ruling should be result stands. Ruling Director's Error is inappropriate. If you feel that the rules are unfair, get the rules changed; don't overrule them.

That said, I think the ruling that Walsh Doubles are not alertable is stupid, unplayable, and unfair. It's not practical to ask about doubles there every time, and if advancer has spades, he needs to know, and just to ask with spades causes UI problems. I'd like to propose that the ACBL agree that Walsh Doubles are alertable and post that

information in the Bulletin. Then we can rule that failure to alert there causes MI and get these goofy rulings behind us.

**Woolsey** – I agree 100% with the committee. Any bid which conveys an unexpected meaning or inference should be alertable. That includes doubles. The director did not have the bridge knowledge to understand that this agreement is an unexpected meaning.

What I would like to know is exactly why the pair was unavailable. Did N/S wait until after the game to appeal? If so, should the appeal be allowed? It isn't as though N/S couldn't see at the time the potential for injury. It seems to me that if N/S had received the unfavorable ruling they got that they would have immediately told the director that they were appealing the ruling.

Or could it be that this was another classic case of a director not giving a ruling at the table, and by the time he gives a ruling the session is over. This must be stopped. The director should give a ruling asap, and always before the session is completed.

<b>APPEAL</b>	<b>NABC+ NINE</b>
Subject	Claim
DIC	Candace Kuschner
Event	Silodor Open Pairs
Session	Second Qualifier
Date	March 19, 2015

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

<b>Suzi Subeck</b>	
♠	K976
♥	A9742
♦	Q4
♣	87

<b>Peter Boyd-Bowman</b>	
♠	AQ
♥	KJ106
♦	6
♣	AK9643

	
<b>Stan Subeck</b>	
♠	8432
♥	Q53
♦	J953
♣	105

<b>Bob Heller</b>	
♠	J105
♥	8
♦	AK10872
♣	QJ2

West	North	East	South
<b>1♣</b>	<b>P</b>	<b>1♦</b>	<b>P</b>
<b>2♥<sup>(1)</sup></b>	<b>P</b>	<b>3♣</b>	<b>P</b>
<b>4♦<sup>(2)</sup></b>	<b>P</b>	<b>4♥<sup>(3)</sup></b>	<b>P</b>
<b>6♣</b>	<b>P</b>	<b>P</b>	<b>P</b>

Final Contract	<b>6♣ by West</b>
Opening Lead	<b>♥A</b>
Table Result	<b>Made 6, N/S -920</b>
Director Ruling	<b>6♣ by W, Made 6, N/S -920</b>
Comm. Decision	<b>6♣ by W, Made 6, N/S -920</b>

(1)	Game forcing
(2)	Minorwood
(3)	One Key Card

**The Facts:** The director was called after the fourth trick when West claimed. The play had been the Ace of Hearts led to the first trick, followed by a switch to a diamond, won in Dummy by the Ace. A low diamond was trumped by Declarer in hand and then the Ace of Clubs was cashed. The declarer then claimed, stating they would pull trumps and that the Diamonds were good.

**The Ruling:** While the diamonds were not good at the time of the claim, the play of the ♦J on the 10 would occur in front of Declarer, allowing him to trump. A high club would remain in Dummy, allowing access to the two remaining good diamonds (either by leading a club or trumping a heart). While the claim statement was poorly made, the mechanics of play per the statement would still allow declarer to take the

remaining tricks. Accordingly, per Laws 70A and 70D1, the claim was allowed to stand, made 6, N/S -920.

**The Appeal:** South appealed the director's decision and was the only participant to attend the hearing. His contention was that Declarer believed the diamond suit to be good when it was not. If Declarer made the careless decision of playing a third round of trumps prior to playing the diamonds, he would not be able to make the slam.

**The Decision:** The Committee judged that while Declarer did incorrectly think the diamond suit was good, he did know the count on the trump suit based upon the timing of the claim. He would know that when everyone followed to the second round of trumps that all were accounted. He would then play diamonds, starting with the King, and when the 10 was covered by the Jack, he would see it and trump. The remaining club in Dummy would then provide access to the remaining established diamonds to make his slam. The score of N/S -920 was confirmed.

**The Committee:** Aaron Silverstein (chair), Fred King, Ed Lazarus, Meyer Kotkin, Jim Thurtell (scribe)

### **Commentary:**

**Martel** – Rulings look wrong to me, I think when declarer is clearly out of touch with the hand (as opposed to just being a bit sloppy in the claim wording) should be harsher about making a careless play, for example, cashing the club K next, planning to win the third trump in dummy. I think it is different than e.g. claiming with KQJx facing ATxx of trumps, which turns out to be wrong because they are 5-0.

**Marques** – Good decision. Next case.

**Kooijman** – I am normally a mild TD in cases of badly explained claims. But I seem to be alone here in not allowing it. If declarer thinks that the diamonds are good why couldn't he play the ♣K and then cross to dummy? I allow declarer to discover his mistake when he doesn't see the ♦J dropping on the ♦K, but it is too late, he will lose two more tricks starting his discards with the ♥6.

**Goldsmith** – Right. Declarer is allowed to see what stares him in the face. But if North had had the four diamonds, declarer would be down one. If the screening director or table director had explained this to N/S, I'd strongly consider this appeal to be without merit. I don't know if that happened or not.

**Woolsey** – I do not agree with this decision at all. If declarer thought the diamonds were good, which apparently he did, it would be quite natural for him to continue with king of clubs, planning on then leading a club to dummy if the clubs were 3-1 and running the good diamonds. Note that if dummy's clubs were Qxx instead of QJx and declarer thought the diamonds were good, this is exactly how declarer would have played the hand. There is no reason at all to think that declarer would have led a

club to the queen. This claim should not have been allowed. This point slipped by the committee.

**Wildavsky** – I would not give a declarer who could not count the diamonds credit for counting the clubs. The AC considers the timing of his claim significant, but it would be more so if declarer had waited to claim until trump were drawn.

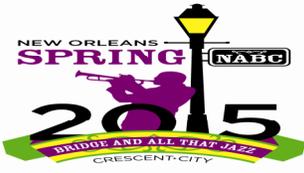
I'd have adjusted the score for both sides to 6♣ down 2. Surely this would have been the result a significant fraction of the time had declarer not claimed.

<b>APPEAL</b>	<b>NABC+ TEN</b>
Subject	Unauthorized Information
DIC	Candace Kuschner
Event	Silodor Open Pairs
Session	Second Final
Date	March 20/2015

BD#	<b>6</b>
VUL	<b>E/W</b>
DLR	<b>E</b>

<b>Drew Becker</b>	
♠	72
♥	Q4
♦	AQ10
♣	KQ9642

<b>Danny Sprung</b>	
♠	1085
♥	9876
♦	9764
♣	103

	
<b>David Joyce</b>	
♠	QJ643
♥	KJ3
♦	J82
♣	J5

<b>Joann Sprung</b>	
♠	AK9
♥	A1052
♦	K53
♣	A87

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

Final Contract	<b>2♣X by North</b>
Opening Lead	<b>♠K</b>
Table Result	<b>Made 3, N/S +280</b>
Director Ruling	<b>2♣X by N, Made 3, N/S +280</b>
Comm. Decision	<b>2♣X by N, Made 3, N/S +280</b>

(1)	Could be short, natural
(2)	Agreed break in tempo

**The Facts:** The director was summoned at the conclusion of the auction. There had been an obvious break in tempo prior to North's bid of 2♣. East felt that South's normal bid, if 2♣ showed a limit raise in spades, would have been to bid 2♠, and that the hesitation suggested passing to allow North to clarify. West said that he asked the meaning of the North's bid following South's Pass. N/S did not remember the request.

**The Ruling:** The break in tempo was not judged to have suggested South's Pass, as he was simply allowing North to further describe his hand. As no action had been taken by South based upon Unauthorized Information (Law 16), no adjustment was required. The table result of N/S +280 was allowed to stand.

**The Appeal:** East/West appealed the director's ruling and appeared at the hearing. They stated that the long hesitation by North showed doubt about his bid and that made the Pass by South more attractive. They also said that when West asked, North described South's pass of 2♣X as showing a defensive minimum.

**The Decision:** The committee found that there was UI that North had a problem. However, the UI did not suggest any particular action by South. Furthermore, the appealing side had said that the Pass showed a defensive minimum and that was in fact the type hand that South held. Accordingly, the Committee ruled as the Director had, N/S +280 for both sides.

**The Committee:** Adam Wildavsky (chair), Scott Stearns, Gale Greenberg, Michael Huston, Craig Allen (scribe)

### **Commentary:**

**Marques** – Nothing to add, except maybe that a poll regarding South's call would have been reinforced the arguments of the TD and of the AC. At the table, East's double took South off the hook. Also, West said that he asked about the meaning of two clubs. Did West get an answer (according to him)? That is not clear on the report. Any possible damage on this hand was just self-inflicted by East's actions.

**Kooijman** – I would like to know where the committee found the substantial merit for this appeal.

**Goldsmith** – The UI from the BIT was that North didn't know if 2♣ was natural or a spade raise. Pass certainly caters to each case and is therefore suggested over other LAs. But if N/S's agreement is that 2♣ is a spade raise, and passing the double shows a defensive minimum while bidding 2S shows an offensive minimum, I don't think anything but passing is a LA.

On the other hand, we need to know N/S's agreements. Obviously, North is in doubt about them. Why didn't the TD find out the systemic meaning of 2♣? It looks as if he assumed that 2♣ was a spade raise, but that is not even remotely clear.

**Woolsey** – I totally agree. There is nothing about the huddle which suggests that South should pass. Why should the huddle signify a club suit?

It is nice to see committees which don't always shoot the hesitation.

**Wildavsky** – I chaired this case. I have nothing to add.

**Martel** – Acceptable.

<b>APPEAL</b>	<b>NABC+ ELEVEN</b>
Subject	Tempo
DIC	McKenzie Myers
Event	Mixed Pairs
Session	Second Final
Date	March 18, 2015

BD#	<b>18</b>
VUL	<b>N/S</b>
DLR	<b>E</b>

<b>Jack Bonney</b>	
♠	AKQ63
♥	J8742
♦	A8
♣	K

<b>Kathleen Sulgrove</b>	
♠	J1042
♥	(void)
♦	K10643
♣	10987

	
<b>Dianne Bonney</b>	
♠	5
♥	AK103
♦	Q52
♣	AQJ53

<b>Don Sulgrove</b>	
♠	987
♥	Q965
♦	J97
♣	642

West	North	East	South
		<b>P</b>	<b>1♣</b>
<b>P</b>	<b>1♠</b>	<b>P</b>	<b>2♥</b>
<b>P</b>	<b>4NT</b>	<b>P</b>	<b>5♣<sup>(1)</sup></b>
<b>P</b>	<b>5♥<sup>(2)</sup></b>	<b>P</b>	<b>6♥</b>
<b>P</b>	<b>P</b>	<b>P</b>	

Final Contract	<b>6♥ by South</b>
Opening Lead	<b>♦4</b>
Table Result	<b>Made 6, N/S +1430</b>
Director Ruling	<b>5♥ by S, Made 6, N/S +680</b>
Comm. Decision	<b>5♥ by S, Made 6, N/S +680</b>

(1)	Keycard response – 1 or 4 key cards; “miscounted”
(2)	Break in Tempo

**The Facts:** The director was summoned following the 6♥ bid. All agreed that the 5♥ bid was made after a significant pause for contemplation. North explained 5♣ as 1 or 4 keycards at the end of the auction. South, when asked, said she realized after she bid 5♣ that she had miscounted her keycards. She stated that she continued on to slam based upon that, not because of her partner’s pause for thought.

**The Ruling:** The Director judged that North’s visible problem helped South to realize that she had bid incorrectly and therefore choose to continue to slam. While the 5♥ bid allows for continuation with the higher number of keycards shown by 5♣ (four in this instance), her actual holding of only three should suggest passing. Her partner’s

tempo suggested that continuing would be beneficial. Accordingly, the result was adjusted to 5♥, making six, N/S +680.

**The Appeal:** North/South appealed the ruling and attended the hearing. They were an experienced, long-time partnership, and their convention card indicated that their Keycard responses were 1430. South reiterated that immediately after she placed the 5♣ bid on the table she realized that she had chosen the wrong response per their conventional agreements. Thus, she felt she could bid on since she had more keycards than she had previously indicated.

**The Decision:** The Committee noted that Law 25A does allow a player to change an unintended call prior to partner's next call, but only without pause for thought. The South player specifically admitted to the Committee that her 5♣ bid was not a mechanical error; thus, on that basis it was not eligible for immediate correction. From North's perspective, it was unlikely that South held only 1 keycard for her reverse but there were several possible hands that made North's 5♥ sign-off appropriate and proper. The Committee believed that the hesitation by North indicated interest in bidding a slam and could have provided an opportunity for South to reevaluate her hand and her previous bidding. Thus, the Committee ruled as the TD had. It was neither determinable nor relevant whether South's "recount" occurred instantaneously, as she stated, since her continuation to slam was consistent with the suggestion implicit in North's break in tempo.

The appeal was judged to have merit.

**The Committee:** Mark Bartusek (chair), Patty Tucker, Ron Gerard, Ed Lazarus, Chris Moll

### **Commentary:**

**Kooijman** – No merit either, this tool to educate players is not working very well is it?

**Goldsmith** – South goofed. She should have said, "I forgot that we played 1430, so I answered 0 or 3. Then when partner signed off, we play that with the larger value, we continue on." How could a director or AC do anything about such a claim other than to allow it? Instead, she said she realized her mistake, which obviously could have been due to partner's not believing that she had only one key card. Now she's out of luck, having admitted that her partner's slow action could have influenced her call.

The only reason this appeal had merit is that if South really had carefully tried to avoid taking advantage of the UI she had, she would have bid something and kept her good result.

**Woolsey** – I do not agree. It is true that the huddle suggests bidding on. But bidding on is clear on the South cards, given the mistaken response to RKC. If anything bidding on is dangerous if North has only one keycard and is wondering whether South has one or four. If that is the case, when South bids on North will think South has four and bid a grand off an ace.

The fact that South might have had time to wake up because of North's huddle is irrelevant. The rules say that a player may not take a bid suggested by UI if there is a LA. On this hand passing is not a LA on the auction and South's cards, so South cannot be required to pass.

**Wildavsky** – A twist on the usual "Hesitation Blackwood" case. I agree with the TD and AC's rulings.

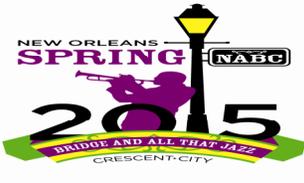
**Martel** – Decisions right, but reason flawed/incomplete. Long hesitation is likely to be that N has such a good hand can't believe partner has only 1 (and has 2 key cards, so 4 impossible). If N had 1 keycard but no trump Queen, he has an easy 5♥ bid, and in this case bidding could be wrong. Thus even if S remembered immediately, Pass is a LA and bidding is suggested by the huddle.

**Marques** – South may have realized that she made the wrong bid immediately, or after North's pause. The BIT by North may have provided extra time for South to realize her mistake, and maybe South got lucky because of that. However, I find it hard to conclude that the UI arising from the BIT, namely that North was considering what to bid, helps South. Yes, the hesitation by North "could have provided an opportunity for South to reevaluate (...) her previous bidding", but in my opinion it is more likely that the opportunity was about extra time, not about extra information. I don't see any reason to adjust the score.

<b>APPEAL</b>	<b>NABC+ TWELVE</b>
Subject	Tempo
DIC	Candace Kushner
Event	Silodor Open Pairs
Session	First Final
Date	March 20, 2015

BD#	<b>10</b>
VUL	<b>Both</b>
DLR	<b>E</b>

<b>Michael Kamil</b>	
♠	K3
♥	Q65
♦	A10862
♣	865

<b>Allan Falk</b>			<b>John Lusky</b>	
♠	(void)		♠	Q654
♥	A10743		♥	J8
♦	KJ94		♦	3
♣	AKJ2		♣	Q109743
<b>Richard Coren</b>		♠	AJ109872	
♥	K92	♥	K92	
♦	Q75	♦	Q75	
♣	(void)	♣	(void)	

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

Final Contract	<b>5♣ by East</b>
Opening Lead	<b>♠A</b>
Table Result	<b>Made 5, N/S -600</b>
Director Ruling	<b>4♠ by S, made 4, N/S +620</b>
Comm. Decision	<b>4♠ by S, made 4, N/S +620</b>

(1)   Agreed 15-20 second hesitation
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**The Facts:** The director was summoned at the conclusion of the auction. East agreed to the break in tempo over 4♠. He stated that he was analyzing the auction prior to making his call.

**The Ruling:** Four “A” caliber players were given the West hand and polled for their calls with the auction to that point. All passed 4♠, stating that West had done enough by doubling twice and bidding at the four level. Since this showed that Pass was a logical alternative, and East’s hesitation demonstrably indicates an interest in taking action, Laws 16 and 73 direct an adjustment to 4♠, making four, N/S +620.

**The Appeal:** East-West appealed the director’s ruling. North, East, and West attended the hearing.

East-West's primary argument was that East's hesitation prior to passing North's 4♠ bid was simply his analyzing the auction prior to his making a call. West felt that he still had values he had not completely shown and therefore bid 5♣.

**The Decision:** The committee judged that West had shown his hand with his three previous calls and that pass was therefore a logical alternative. The poll by the director also had shown that pass was a logical alternative. The committee further judged that the hesitation by East made bidding more likely to be successful than it would have been over an in-tempo Pass. Per Law 16, West could not choose from the logical alternatives one demonstrably suggested by the hesitation.

East's reason for his hesitation was not relevant. West could not be certain what East was thinking about, but the knowledge that East had hesitated was unauthorized to him so West was required per Law 73C, to "carefully avoid taking any advantage." The committee therefore ruled as the Director had.

The appeal was found to have merit.

**The Committee:** Aaron Silverstein (chair), Doug Doub, Jim Thutell, Ed Lazarus, Chris Moll.

### **Commentary:**

**Goldsmith** – This appeal had no merit. The argument E/W used has no basis in law.

**Woolsey** – I know that if I had held the West hand on that auction I would bid 5♣ in two seconds. Passing would not be on my radar. If partner can't double 4♠ and I hold this hand, we should be declaring, not defending. For me, passing would not be a LA.

But this is just my judgment. There is no question that the UI makes bidding more attractive than passing. The director made the proper ruling as a result of his poll. And if the committee judges that pass is a LA, then they have followed the proper procedure and made the correct ruling even if my bridge judgment says otherwise.

**Wildavsky** – I agree with the TD and AC rulings.

**Martel** – Director's ruling reasonable. Not so sure about committee's. Clearly Pass was a LA for W, but not at all clear Pass **demonstrably suggested bidding 5♣**. W expects 5♣ to be a successful action unless 4♠ goes down. Since E might be thinking of doubling, one could argue the slow P makes it less attractive to bid 5♣. In contrast, if W doubled (and E pulled to 5♣), that would warrant an adjustment.

**Marques** – The poll could have a second question, about what the break in tempo by East seemed to show, but it would not have changed the outcome. Good decision overall.

**Kooijman** – The third straight case without merit in a row and this one is so terrible. If you are not willing to use this tool, you need to abolish it. This West player behaved really questionably (mind you: the poll shows that 5♣, the call West made, is not a logical alternative) and should be penalized above the level of a never given warning.

<b>APPEAL</b>	<b>NON-NABC+ ONE</b>
Subject	Unauthorized Information
DIC	Gary Zeiger
Event	0-10,000 Swiss Teams
Session	
Date	March 13, 2015

BD#	<b>35</b>
VUL	<b>E/W</b>
DLR	<b>S</b>

<b>8093 masterpoints</b>	
♠	3
♥	32
♦	K9643
♣	AQ1097

<b>7446 masterpoints</b>	
♠	J1096
♥	Q6
♦	J1052
♣	J53

	
<b>8093 masterpoints</b>	
♠	K84
♥	AJ109754
♦	Q7
♣	K

<b>5885 masterpoints</b>	
♠	AQ752
♥	K8
♦	A8
♣	8642

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

Final Contract	<b>4♥ by South</b>
Opening Lead	<b>unknown</b>
Table Result	<b>Made 4, N/S +420</b>
Director Ruling	<b>3♥ by S, Made 4, N/S +170</b>
Panel Decision	<b>3♥ by S, Made 4, N/S +170</b>

(1)	Forcing
(2)	After Hesitation

**The Facts:** 4♥ by South made four, N/S +420. EW called the director after the 4♥ bid and reported that North's pass to 2♥ was slow. N/S agreed that it was.

**The Ruling:** The director ruled that unauthorized information was present and polled five players on South's choice of actions after the 3♥ bid. After being presented with the auction up to 3♥, four passed and one bid 4♥. The polled players believed that the slow pass showed either a long minor or a hand with two card heart support considering a raise, and that the later bid of 3♥ clarified it as the latter. The director adjusted the score to 3♥ by South making four, NS +170 per Laws 16B and 12C1(e).

**The Appeal:** N/S appealed the director's ruling. All players attended the review. The players confirmed to the reviewer that North hesitated noticeably before passing 2♥. N/S believed that bidding 4♥ was clear among their peers regardless of the hesitation.

**The Decision:** 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." It was clear that there had been an "unmistakable hesitation", so the panel focused on whether that hesitation in conjunction with the later 3♥ bid demonstrably suggested bidding 4♥ and whether pass was a logical alternative.

The reviewer polled three peers of South and one expert. The expert and one peer agreed with the 2♥ bid, but would have bid 3♥ over the 2♠ bid. Another peer would have bid 3♥ directly over 1NT, but if he had bid 2♥ he would have passed 3♥. The other peer duplicated South's actions through to partner's 3♥ bid and he thought it was a tossup between passing 3♥ or bidding 3NT. All thought that, to a player who had bid the hand the way South had, passing 3♥ had to be an option since North's bid was not invitational. They also all believed that the pause before passing 2♥ made the 3♥ bid more invitational than it would have been otherwise. Therefore, the panel judged that Pass was a logical alternative to 4♥ and that the unauthorized information demonstrably suggested bidding 4♥. The director's ruling of 3♥ making four was upheld.

The appeal was found to be substantially without merit.

**The Panel:** Matt Smith (reviewer), David Metcalf, Jeanne van den Meiracker

### **Commentary:**

**Woolsey** – I agree with the ruling for all the reasons stated. However, I do not agree that this is an appeal without merit. I think that any appeal which involves bridge judgment by definition has merit unless it is a "you've got to be kidding me" type of situation. This hand does not fall into that category.

**Wildavsky** – I agree that the appeal had no merit.

**Martel** – Good (though not sure much point in getting opinions on S's bids prior to N's 3♥ bid).

**Marques** – Good polling, good decision, including the discussion about the merit of the appeal

**Kooijman** – A no merit warning at last. Could be a healthy Dutch influence.

**Goldsmith** – I like the ruling. In a very unusual reversal of my normal form, I wouldn't rule that the appeal doesn't have merit. The appeal was about a judgment call, and that judgment isn't a slam dunk. 50% of the people polled thought either bidding was right or close. That's not a slam dunk call. If four different people had been polled, it could easily have shown 100% of the player's peers in favor of bidding, and would we be

awarding an AWMW then? Just because we think South's decision is not close isn't sufficient; the poll made it clear that South's peers do think it's close, and AWMWs don't get awarded for doing the wrong thing in a close case.

<b>APPEAL</b>	<b>NON-NABC+ TWO</b>
Subject	Misinformation
DIC	Susan Doe
Event	North American Pairs, Flt. B
Session	Second Qualifying
Date	March 15, 2015

BD#	<b>29</b>
VUL	<b>Both</b>
DLR	<b>N</b>

<b>2900 masterpoints</b>	
♠	KQ1076
♥	1087
♦	2
♣	Q1075

<b>1900 masterpoints</b>	
♠	J842
♥	AK2
♦	KQ874
♣	2

	
<b>1300 masterpoints</b>	
♠	53
♥	Q9653
♦	65
♣	AJ94

<b>1425 masterpoints</b>	
♠	A9
♥	J4
♦	AJ1093
♣	K863

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

Final Contract	<b>3NT by East</b>
Opening Lead	<b>♦6</b>
Table Result	<b>Made 4, N/S -630</b>
Director Ruling	<b>3NT by E, Made 4, N/S -630</b>
Panel Decision	<b>3NT by E, Made 4, N/S -630</b>

(1)	13-15 balanced
(2)	Asks for description of hand. NOT Stayman
(3)	4+ diamonds, and probably no 4-card major. Not alerted or explained
(4)	Alerted, explained during the auction as West's "stronger" major.
(5)	4 clubs. Explained when asked.

**The Facts:** The director was called after the opening lead, and again at the end of play. The East/West pair had some apparent language difficulties. The 2♠ bid was explained as West's "stronger" major. Since East persisted in that explanation while looking at the dummy, it appears that she meant his "longer" major.

Declarer won the opening lead, and cashed five rounds of diamonds, ending in dummy. North discarded two hearts, a spade, and a club. South threw two hearts and a spade. Declarer next led the ♠2 from dummy, and, when North played low, inserted the 9, which held the trick. Eventually she threw South in with a heart, to force a club return, giving her a tenth trick.

The North player contended that, had he been told that 2♠ showed West's "longer" major, rather than his "stronger", he would have doubled the final contract, suggesting a spade lead.

**The Ruling:** The Director ruled that the explanation of 2♠ was not sufficient misinformation to cause damage. The ♦6 lead did not disadvantage the defense. Also, although the defenders were not yet aware of it when they called the director, the failure to alert the 2♦ bid was deemed not proximate to the cause of the result. Since the offending side did not gain from the irregularity, no adjustment to the score was necessary.

**The Appeal:** North/South appealed, claiming:

- (1) North would have doubled the final contract, had he not been misinformed.
- (2) South, had he been told that 2♦ showed diamonds, would have led a spade in any case.
- (3) If South had led a spade, North would not have "misguessed" the spade position by playing low the first time the suit was led. He told the reviewer that he was concerned that his partner might have held the singleton ♠9.
- (4) Furthermore, after cashing their spades, North would have shifted to the ♣Q, allowing the defense to cash four club tricks.

They felt the result should be adjusted to 3NT doubled, down one.

Unfortunately, the East/West pair had a very bad game, and had left the playing area before the reviewer could speak with them, so the reviewer could only interview the table director, and the N/S pair. Since the ruling was irrelevant to E/W, the panel chose only to consider an adjustment for N/S.

To get a better sense of what might have happened had N/S gotten the correct information, ten partnerships, with strengths ranging from 2000 masterpoints to national champion, were given the North and South hands to bid and defend.

No North player expressed any interest in doubling the final contract. When the possibility was raised, all ten refused to consider it.

Interestingly, all ten South players, when given proper information, chose to lead a heart. A heart lead gives declarer her ninth trick immediately and a spade lead to the 9, as happened at the table, would result in a tenth.

If a diamond lead was imposed on the defense, there was a wide variety in the discards on the run of the diamonds. However, of the seven North players who did not discard two spades, all seven inserted the ten when a low spade was led from dummy. Several of the players, when asked, felt that playing a low spade would be a serious error.

Finally, when thrown in with a spade, only two of the eight North players who switched to a club chose either the queen or the ten. The others were concerned with removing a guess in the suit from declarer.

**The Decision:** The panel determined that the N/S version of what would have happened had they been given more accurate information did not meet that standard of "likely", as specified in Law 12C.1.e. It is easy to come up with such a defense after the

hand, but, given that no pair in the reviewer's poll came up with any of the plays that North/South contended they would have made, the panel was unconvinced that the players in question would have found those plays at the table.

The issue of whether the appeal had merit was considered. While it was eventually decided that the N/S argument was specious, the issues raised were sufficiently complex that it was not completely unreasonable to ask that they be considered more carefully by a panel. Thus, the appeal was found to have sufficient merit.

**The Panel:** David Metcalf (reviewer), Gary Zeiger, Jenni Carmichael

**Commentary:**

**Wildavsky** – Thorough work by the panel. I prefer their reasoning to the TD's, although both led to the same ruling.

**Martel** – Good.

**Marques** – Good decision and good polling to back it up. Just as an aside, the standard of “serious error” should be analyzed and decide by the TD. The players' opinion might not comply with the technical standards required for an action to be considered a serious error. But asking them to qualify the play yields useful information to decide.

**Kooijman** – I am collecting serious errors (apart from my own bridge) and I agree not playing the ♠10 by North is one. Not important for this case, no merit and an almost poetic escape from the committee finding one.

**Goldsmith** – I think the panel did a very good job collecting information. They convinced me to rule as they did.

**Woolsey** – Of course the ruling is correct for all the obvious reasons. While maybe the situation is complex enough so as to not award an appeal without merit, I would have awarded one so the N/S pair gets the message that they can't appeal this sort of situation as a free shot. If we don't do this, they will continue to make such appeals.

<b>APPEAL</b>	<b>NON-NABC+ THREE</b>
Subject	Tempo
DIC	Susan Doe
Event	North American Pairs, Flt. B
Session	First Qualifying
Date	March 15, 2015

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

<b>1446 masterpoints</b>	
♠	AQ974
♥	J7632
♦	2
♣	J5

<b>891 masterpoints</b>	
♠	K62
♥	(void)
♦	J9863
♣	K10763

	
<b>1126 masterpoints</b>	
♠	J103
♥	Q1084
♦	A7
♣	A982

<b>705 masterpoints</b>	
♠	85
♥	AK95
♦	KQ1054
♣	Q4

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

Final Contract	<b>5♦X by East</b>
Opening Lead	<b>♠J</b>
Table Result	<b>Down 2, N/S +300</b>
Director Ruling	<b>5♦X by E, Down 2, N/S +300</b>
Panel Decision	<b>5♦ by E, Down 2, N/S +100</b>

(1)	Agreed break in tempo
(2)	Inverted Minors: limit raise or better

**The Facts:** The director was called after the 2♠ bid. The BIT was agreed. After the play, East was adamant that North should not have been allowed to bid 2♠.

**The Ruling:** The director polled 5 peers of North. The results were 2 Passes, one 2♠ bid, one 2NT bid, and one 3♦ bid. The director also polled 4 peers about the opening lead against 5♦ without a 2♠ bid. Three led the ♠J, and one led the ♦A. The directors allowed the table result to stand.

**The Appeal:** E/W appealed. The facts, as stated above, were not in dispute. East said that North's hand was not good enough to bid 2♠ vulnerable. He also said that without the 2♠ bid, South might have led a small heart, which would lead to down only

one. E/W made no suggestion that they wouldn't reach 5♦, without a 2♠ bid during the auction. North said that 2♠ was automatic, as lead directive, with partner a passed hand.

**The Decision:** Further peer polling was done, which reinforced the original poll. The Panel judged that Pass over 2♦ was clearly a logical alternative not demonstrably suggested by the UI from the BIT, while 2♠ was demonstrably suggested. No player, in either poll, led a heart against a 5♦ contract where the 2♠ bid was not part of the given auction. This dismissed the suggestion made by E/W concerning a possible heart lead resulting in only down one. The Panel changed the contract to 5♦ by East, down 2, +100 NS. Laws 16B, 12C1.e.

**The Panel:** Gary Zeiger, Kevin Perkins, Matt Koltnow

**Commentary:**

**Martel** – OK (though maybe more consideration to E/W not getting to 5♦ if N didn't bid 2♠).

**Marques** – The report states that EW made no suggestion that they wouldn't reach 5♦ without the 2♠ bid, which makes me infer that the TD and/or AC did not examine the possibility of the auction stopping in a partscore (for example, via 1♦ 2♦ 2♥ 3♦). When analyzing the case, the TD/AC is not bound only to what the appealing side asks for. This can be used as a starting point, but the TD/AC can very well come to a decision which is more favorable to the appellant than what they thought, or in very extreme cases more favorable to the other pair than the table result.

After establishing that Pass over 2♦ is a logical alternative, another poll should have been conducted to determine likely outcomes of the auction by EW. Seems that 5♦ is a bit generous to the offending side.

Assuming that E-W would get to 5♦, removing the double is normal, so it's a good decision in that respect.

It's curious that North used UI to bid 2♠, which in turn became a sort of UI for South's double.

**Kooijman** – I do not understand the TD decision. With North passing, does South have an obvious double any more? It seems a lazy decision to allow the table result.

**Goldsmith** – OK. I'm surprised so few bid 2♠ at matchpoints, but so be it.

**Woolsey** – I disagree that the UI suggests the 2♠ call. To me, it means that South is strong enough to want to act, but doesn't make a takeout double because of the wrong shape. That wrong shape could easily be spade shortness, in which case the 2♠ call will be a disaster.

If North had made a takeout double, that would be another story. The UI does suggest that action. But it does not suggest the action chosen.

**Wildavsky** – Some (not me) would argue that the slow pass did not suggest 2♠, because 2♠ might encourage a partner who holds values. We see here that it did not

encourage this South, who found an extraordinarily conservative Pass over 3♦. I agree that the UI demonstrably suggested the 2♠ bid and that Pass was a LA. The TD ruling was egregiously poor and literally inexplicable; we are not told why he ruled as he did. The Panel corrected an injustice.

<b>APPEAL</b>	<b>NON-NABC+ FOUR</b>
Subject	Claim
DIC	Susan Doe
Event	North American Pairs, Flt. B
Session	First Qualifying
Date	March 15, 2015

BD#	<b>18</b>
VUL	<b>N/S</b>
DLR	<b>E</b>

<b>1950 masterpoints</b>	
♠	8742
♥	KJ96
♦	J42
♣	K10

<b>650 masterpoints</b>	
♠	AJ10
♥	107
♦	Q108
♣	J9543

	
<b>680 masterpoints</b>	
♠	KQ653
♥	Q532
♦	653
♣	A

<b>850 masterpoints</b>	
♠	9
♥	A84
♦	AK97
♣	Q8762

West	North	East	South
		<b>1♦</b>	<b>1♠</b>
<b>2♦</b>	<b>2♠</b>	<b>P</b>	<b>P</b>
<b>P</b>			

Final Contract	<b>2♠ by South</b>
Opening Lead	<b>♣4</b>
Table Result	<b>Down 1, N/S -100</b>
Director Ruling	<b>2♠ by S, Down 2, N/S -200</b>
Panel Decision	<b>2♠ by S, Down 2, N/S -200</b>

**The Facts:** The opening lead was a club to declarer's ace. Declarer played a heart to West's ten, dummy's king, and East's ace. East cashed two high diamonds and played a third diamond to West's queen. West exited a club, won in dummy with the king. Declarer led a trump to his queen, losing to West's ace. West exited a heart, won in dummy with the nine. The position was now:

	<b>North</b>	
	874	
	J9	
	---	
	---	
<b>West</b>		<b>East</b>
J10		---
---		---
---		97
J95		Q87
	<b>South</b>	
	K653	
	Q	
	---	
	---	

With the lead in dummy, Declarer led a low spade from the dummy. When East showed out, South claimed, placing a low spade on the table, and saying he would lose two tricks to the Ace and Jack of spades.

Declarer later stated to the director that he had immediately corrected his initial statement. This was not mentioned in the initial call to the table, and the opponents claimed otherwise.

**The Ruling:** Declarer initially believed he was losing to the Ace & Jack of spades. Later changes are irrelevant - his initial frame of mind is what is considered.

After West wins the spade and returns a club, declarer could lose a trick either by letting West ruff a heart, or by playing a low spade from hand. Given that he believed West to hold a singleton ace of trump at this point, either play was possible. The score was adjusted to 2♠, down 2, N/S -200.

**The Appeal:** South appealed the director's ruling.

South described the situation at the time of the claim as:

“When East showed out, I thought I had two trump losers - the Ace & Jack of spades - and so claimed, asking West if he had Ace & Jack. I immediately remembered that the Ace had been played already, so I had one loser.”

West's description [partly paraphrased]:

“When he asked about my spade holding, [I exposed my hand]. South now said, ‘Oh, you have the Jack-Ten!’”

**The Decision:** While sometimes it is not always possible to reconstruct the precise events that occurred at a table, the panel judged that, even if declarer did not see West's hand before correcting his statement, it was more likely than not that, based on the opponents' hesitation after the claim, he sensed there was something wrong with the

claim. This made it easier for him to reconsider, and remember that the trump ace had already been played.

Thus the correction to the claim was treated not as a misstatement, but as a change of mind, and thus not accepted (Law 70D1: “The Director shall not accept from claimer any successful line of play not embraced in the original clarification statement if there is an alternative normal\* line of play that would be less successful”). The director’s argument that, given that declarer originally thought the sole remaining missing trump was the Ace, and so playing his heart was a reasonable play, is valid, and East/West would take both trump tricks. The panel upheld the director’s ruling of 2♠, down 2, -200 for N/S.

The panel considered whether the appeal had merit. The reviewer testified that the South player filing the appeal did not seem to have a firm understanding of the basis of the director’s ruling, and the reviewer spent some time explaining it to him. Given his lack of experience and understanding, it was felt that an Appeal without Merit Warning was probably not appropriate.

**The Panel:** David Metcalf (Reviewer), Mark Labovitz, Jenni Carmichael

**Commentary:**

**Marques** – “I claimed, asking West if he had AJ” is a strange statement... Especially if declarer said also “I thought I had two trump losers”.

What is perceived by the TD during the initial call to the table is very often the closest information about the true facts that we will ever get. It seems that the TD got a good impression of the facts from the start.

Declarer conceded two tricks, checked West’s hand and finally woke up. Perfect decision. However, the TD should explain his reasoning and decision after the play is over, especially if it seems like it will originate an appeal. An appeal “almost without merit” would probably have been avoided, if that was done.

**Kooijman** – Good ruling, I give up on the merit issue.

**Goldsmith** – Contested claims are hard. This one is easier than most; if South thought the ♠K and ♠6 were equals, there’s no reason for him to play one over the other, and that means he’s going down two. On the other hand, Law 70E2 says that we can say that it is normal to play suits from the top down, and if we invoke that, we can rule down 1. If the declarer had not mentioned that there was a trump out, then Law 70C would apply, but he did. That law does not say anything about mentioning the wrong trump’s being out. Ruling down 1 is, however, a stretch. I bet Edgar would have done it, and I’d be pleased if the laws were such that down 1 is the right ruling.

This ruling does not preserve equity and looks bad to anyone who doesn’t know the laws well. There’s no way I’d even consider giving someone an AWMW in a case in which it looks like he was unreasonably screwed over.

**Woolsey** – This looks right. Declarer clearly had no idea that the ace of spades was gone. Given that he thought the AJ of spades were out, if he had to play the hand to

conclusion, there is no reason to think he wouldn't have played a small spade now and another small spade later.

**Wildavsky** – I see no merit to the appeal.

**Martel** – OK.

<b>APPEAL</b>	<b>NON-NABC+ FIVE</b>
Subject	Misinformation
DIC	Dianne Barton-Paine
Event	Monday AB Pairs
Session	First Session
Date	March 16, 2015

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

<b>2300 masterpoints</b>	
♠	105
♥	AQJ
♦	A102
♣	AQ543

<b>4100 masterpoints</b>	
♠	86
♥	876
♦	98
♣	KJ10762

	
<b>800 masterpoints</b>	
♠	AJ43
♥	9532
♦	QJ53
♣	9

<b>12,000 masterpoints</b>	
♠	KQ972
♥	K104
♦	K764
♣	8

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

Final Contract	<b>3♠X by West</b>
Opening Lead	<b>♠10</b>
Table Result	<b>Down 4, N/S +800</b>
Director Ruling	<b>3♠X by W Down 4, N/S +800</b>
Panel Decision	<b>3♠X by W Down 4, N/S +800</b>

(1)	15-17 balanced
(2)	Alerted and explained as showing spades

**The Facts:** After the auction ended, a question was asked about the 3♣ bid. North answered, describing it as natural and invitational. South then sent North away from the table and told E/W that 3♣ was Stayman. E/W then called the director. East claimed he thought partner's double was takeout of a natural 3♣ bid, and he would not have bid 3♦ if he had been told 3♣ was Stayman.

**The Ruling:** The N/S convention cards indicated that the explanation of 3♣ as natural was correct by their methods, and that South had misbid. Therefore no alert violation had occurred, so there was no reason for a score adjustment.

**The Appeal:** E/W appealed the ruling, questioning whether that was indeed the N/S agreement, claiming the South hand indicated otherwise. They felt they were misled by the lack of alert, and were entitled to some protection.

However, the E/W pair disagreed about the meaning of West's double. West clearly intended it to show clubs, but East thought it should show general values. E/W were not a well-established partnership.

There was some question as to when E/W claimed they would have bid differently. The director was summoned before the opening lead, apparently by West, and again after the end of play. It is alleged that East's statement about not bidding 3♦ was made after the play.

One of North-South's convention cards was marked "Leb", which would indicate they were playing Lebensohl. In Lebensohl, 3♣ would indeed be a natural call, so there was evidence for misbid, rather than mistaken explanation.

**The Decision:** The panel allowed that there was room for some doubt as to whether NS had an agreement for 3♣, but that the damage was due to E/W's different understandings of the meaning of West's double of 3♣. If the double showed general values, then East would have bid 3♦ in any case, leading to the result achieved. The panel chose to uphold the director's ruling allowing the table result to stand.

The appeal was found to have merit.

**The Panel:** David Metcalf (reviewer), Jennie Carmichael, Eric Bell

### **Commentary:**

**Kooijman** – It seems impossible not to conclude that 3♣ was a misbid. Sorry for E/W.

**Goldsmith** – South isn't allowed to send his partner away from the table. Doing so gave his partner UI, which may have impacted the defense. I don't know the defense, so I can't tell if this happened. West will be able to figure it out what's going on pretty quickly; North might not, so I suspect that E/W were damaged by the UI South provided that 3♣ wasn't natural.

The panel really ought to have found out what N/S's methods were. It's not uncommon to play 3♣ as Stayman after an artificial 2♦ intervention; it's much less so over 2♥. Asking South how he would have bid with a game force and long clubs might have helped figure this out. It's possible that South was confusing two methods. It's also possible that he was right, and North forgot.

If 3♣ was Stayman, then West's double looks pretty normal. It's odd for West both to assume that 3♣ was artificial and to be right, but if he was, then his side was damaged by the failure to alert; East would know that double showed clubs had 3♣ been alerted and explained.

If 3♣ showed clubs, West erred badly and the cause of his side's bad result was his error, so the result stands.

**Woolsey** – I do not agree. It was not clear what the N/S agreement was, and if that is the case the assumption should be that the person making the bid has what he thinks the agreement is so that should be assumed to be the agreement (or no agreement).

E/W had MI. What East would have done with the correct information is anybody's guess, but he never had that opportunity. The table result should not have been allowed to stand.

**Wildavsky** – I can find no reason to adjust the score.

**Martel** – No adjustment OK, though might well decide there is not clear enough evidence to say 3♣ was a misbid (and thus adjust). Also, if 3♣ were explained as Stayman then E/W would presumably treat double as clubs, so the discussion of E/W damaged by not knowing what double was is misguided, particularly for possible N/S adjustment.

**Marques** – Just as an aside, North answered to the opponent's question about three clubs, as being "natural and invitational". In his mind, South thought that North was wrong and sent him away from the table to explain, violating law 20F5. His first legal opportunity to do so is at the end of play, not at the end of the auction.

With the convention cards of both North and South showing the call as natural, the nature of South's hand, and his explanation, is irrelevant for establishing the true meaning of the bid. South misbid, being of course convinced that 3♣ had a different meaning. It is ironical that E/W's damage was caused by their own misunderstanding, after all.

I find it hard to see the merit of the appeal.

<b>APPEAL</b>	<b>NON-NABC+ SIX</b>
Subject	Misinformation
DIC	Bernard Gorkin
Event	Monday Daylight Open Pairs
Session	First Session
Date	March 16, 2015

BD#	<b>10</b>
VUL	<b>Both</b>
DLR	<b>E</b>

<b>36,700 masterpoints</b>	
♠	976
♥	K6432
♦	9
♣	10752

<b>1800 masterpoints</b>	
♠	4
♥	QJ975
♦	1032
♣	KQJ6

	
<b>299 masterpoints</b>	
♠	A53
♥	108
♦	AKJ87
♣	A84

<b>2500 masterpoints</b>	
♠	KQJ1082
♥	A
♦	Q654
♣	93

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

Final Contract	<b>2♠ by East</b>
Opening Lead	<b>♦A</b>
Table Result	<b>Down 1, N/S +100</b>
Director Ruling	<b>2♠ by E, Down 1, N/S +100</b>
Panel Decision	<b>2♠ by E, Down 1, N/S +100</b>

(1)	Transfer to Hearts, not alerted
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**The Facts:** There was a failure to alert the 2♦ as a transfer to hearts. East told the director he would have passed the 2♦ call had he known it was a transfer and left it up to partner to decide what to do over 2♥.

**The Ruling:** The director ruled that the failure to alert did not affect the outcome of the hand and allowed the result to stand.

**The Appeal:** East appealed the director's ruling. He stated that he waited a while to make sure there was no alert of the 2♦ call. He didn't feel he had enough in the diamond suit to double and, knowing his partner couldn't double 2♦ because of how many he had, he felt he should bid 2♠ to show his concentration of values. He said he would pass if he knew it was a transfer because partner will have a better idea of what to do over 2♥.

South said they were in a relatively new partnership and hadn't discussed if systems were on over the double.

**The Decision:** Six players were polled with about the same number of masterpoints as E/W. Five of them took the same action with and without the alert (four doubled twice, one bid 2♠ twice). The sixth player doubled with the failure to alert and bid 2♠ with the alert. The panel determined that the failure to alert did not affect the outcome of the auction. As well, the panel did not investigate the possibility of damage during play since it was obvious to East that 2♦ was intended as a transfer when he saw dummy. The panel also judged that it was likely the director who handled the initial ruling did not explain his reasoning, which is why an appeal without merit warning was not given

**The Panel:** Jenni Carmichael (screener), David Metcalf, Eric Bell

**Commentary:**

**Goldsmith** – I think bidding 2♠ is automatic regardless of the information. Do E/W play penalty doubles of 2♥ under the bidder? Seems unlikely.

The text says that declarer knows that 2♦ is a transfer to hearts when he sees dummy. I'm not sure that is true, but it doesn't matter. To beat 2♠, the defense basically takes the first six tricks, and declarer has no useful options while they are doing it.

**Woolsey** – East has a routine 2♠ call regardless of the explanation. Even if he chose to double 2♦, he would never have sat a double of 2♥ with that hand. East is trying to get something for nothing.

**Wildavsky** – The rulings look right to me, but I am concerned about the rationale for the lack of an AWMW. One purpose of screening is to explain the ruling to the appellants. They then have the opportunity to withdraw their appeal. An AWMW ought to be a judgment of the merit, if any, of the appeal itself, not of the appellants.

**Martel** – OK.

**Marques** – I sympathize with East's justifications, but if the correct explanation is "undiscussed", no alert is needed and therefore the score should stand.

If the AC judges that the meaning of 2♦ is "transfer to hearts" in the partnership's system and that South forgot the agreement, then with East's hand it seems logical to bid 2♠ in any case. Anyway, the panel spoke.

In this type of poll, it is very important to ask what would be the players call with the two possible explanations, because we need to know if there would be different calls in each case. When the call is the same with either explanation, there is no damage.

"The panel felt that the TD didn't explain the reason behind his ruling"... This point is crucial. Even if the TD is having a busy session, there's no harm in saying something like: "This is our decision about the case: (...) If you would like to know the reasons and the logic behind it, I would be glad to talk with you after the end of the session". A lot of appeals can be eliminated with this pedagogical approach.

**Kooijman** – This case proves how useful polls can be, but there is no need to tell this to the ACBL: you have used polls for a long time already. Could this case also be a reason to consider the possibility that players are appealing all these cases because the panel/committee always finds a reason to condone it?

<b>APPEAL</b>	<b>NON-NABC+ SEVEN</b>
Subject	Tempo
DIC	Terry Lavender
Event	Tues/Wed Knockout Teams
Session	Third Session
Date	March 18, 2015

BD#	<b>31</b>
VUL	<b>N/S</b>
DLR	<b>S</b>

<b>518 masterpoints</b>	
♠	KQ974
♥	752
♦	76
♣	QJ5

<b>572 masterpoints</b>	
♠	J
♥	AQJ1083
♦	QJ93
♣	K7

	
<b>1480 masterpoints</b>	
♠	A1086
♥	964
♦	A52
♣	A86

<b>532 masterpoints</b>	
♠	532
♥	K
♦	K1084
♣	109432

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

Final Contract	<b>3♠ by North</b>
Opening Lead	<b>♥K</b>
Table Result	<b>Down 1, -100</b>
Director Ruling	<b>3♥ by W, Made 4, N/S -170</b>
Panel Decision	<b>3♥ by W, Made 4, N/S -170</b>

(1)	Precision: showing 12-14 balanced, or 11-15 unbalanced
(2)	Promised 5 spades
(3)	Break in tempo

**The Facts:** The director was first summoned to the table during the auction, then called back at the conclusion of the play of the hand. Though the precise duration of hesitation was not determined, both North and South conceded that one had taken place.

**The Ruling:** The director decided that the agreed break in tempo suggested that bidding 3♠ would be successful, and pursuant to Law 16B ruled that pass was a logical alternative. The contract was rolled back to 3♥ by West, making 4, N/S -170.

**The Appeal:** N/S appealed the ruling. South claimed that despite the hesitation, the law of total tricks supports his decision to bid 3♠ based upon the known nine card spade fit.

**The Decision:** 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.” It was clear that there had been an “unmistakable hesitation”, so the panel focused on whether that hesitation demonstrably suggested the 3♠ bid.

Four peer players were consulted. The first passed quickly. Each of the other three made note of the fact that N/S did have a 9 card spade fit. Two of those three pointed out that the shape of the hand (4-3-3-3), and the unfavorable vulnerability mitigated against the law and chose to pass. The final player gave tenuous endorsement of the 3♠ bid.

Finally, an expert was consulted. He thought that the BIT strongly suggested bidding 3♠, and he thought that pass was a logical alternative.

The panel upheld the director's decision of 3♥ by W, making 4, N/S -170. The appeal was found to have merit.

**The Panel:** Marc Labovitz (reviewer), Matt Smith, Scott Humphrey

**Expert Consultant:** Michael Polowan

### **Commentary:**

**Woolsey** – Certainly correct. Passing is definitely a LA with the South hand. The law of total tricks does not say to bid 3♠, since South has no idea what the total trump count is. In fact it is only 16, which would make the 3♠ call wrong on balance.

**Wildavsky** – Looks right to me. I see no merit to the appeal. The appellants knew the results of the poll; on what basis could they expect the ruling to be reversed?

**Martel** – Good

**Marques** – The only remark might be that the BIT might suggest different things for different levels of players. I would have asked the peer players, as a second question, what would the BIT suggested to them.

There might be an argument about not knowing what North was thinking (doubling or bidding on), but after North showed his fit in the first round the UI clearly shows a non-minimum hand anyway, demonstrably suggesting that 3♠ is a more profitable call than pass. The LTT remark is a self-serving statement. Good decision overall.

**Kooijman** – Good ruling, but no merit to the appeal.

**Goldsmith** – Good. The appeal had merit. Most of the player's peers thought it was a close decision between bidding 3♠ and passing.

## **Expert Biographies**

**Jeff Goldsmith** – Jeff 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.

**Ton Kooijman** – Ton has been a tournament director in the Netherlands for almost fifty years, and has been involved in international bridge for almost thirty. He became the operations director for both the European Bridge League and the World Bridge Federation in the mid 90's. He became a member of the WBF Laws Committee in 1994 and in 1997, he replaced Edgar Kaplan as chairman. His approach as member of the commenting group is to concentrate more on the technical application of the laws. Since he is European, the differences in approach between both continents might draw his attention.

**Rui Marques** - Rui was born in 1962 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.

**Chip Martel** – Chip is an American computer scientist and bridge player. Martel was inducted into the ACBL Hall of Fame in 2014. He is married to Jan Martel, also in the ACBL Hall of Fame. He holds degrees from MIT and UC-Berkeley, and was one of the founders of the UC-Davis Computer Science Department. He holds multiple World titles as well as more than 30 NABC titles. He also serves as the chairman of the ACBL Laws Commission, and the vice-chair of the WBF Laws Committee.

**Adam Wildavsky** - Adam was born in Ohio in 1960 and grew up in Berkeley and Oakland, CA and London, England. A graduate of MIT, he is a retired software engineer and now spends summers in Sarasota, Florida and winters in Keystone, CO. 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** – Kit is a world-class bridge and backgammon player, analyst, and writer, born in Washington, DC. He graduated from Oberlin College in 1964 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's* Master Solvers Club since 1984. He also serves on the ACBL Competitions & Convention Committee and the Bridge Integrity Task Force.