

# 2016 Summer NABC Appeals Casebook



# Foreward

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

A total of twenty (27) cases were heard.

Eighteen (18) cases were from unrestricted (by masterpoints) North American Bridge Championship Events. The names of the players involved are included.

Nine (9) cases were from all other events. The names of the players involved are included when the event from which the appeal came was a Flight A/X event or was the top bracket of a bracketed knockout event. When the names of the players are not used, the player's masterpoint total is included.

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

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

ACBL Headquarters  
Horn Lake, MS

## Abbreviations used in this casebook:

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

## **Expert Panel**

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

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

**Chip Martel** 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.

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

**Adam Wildavsky** was born in Ohio and grew up in Berkeley and Oakland, CA and London, England. A graduate of MIT, he is a retired software engineer and now spends summers in Sarasota, FL and winters in Keystone, CO. He 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. He is vice-chair of the ACBL National Laws Commission, a member of the WBF Laws Committee, and a former chairman of the ACBL National Appeals Committee. His interest in the laws is informed by his study of Objectivism, the philosophy of Ayn Rand.

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

<b>Subject of Appeal:</b> Misinformation	<b>Case:</b> N1
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<b>Event</b> von Zedtwitz LM Pairs	<b>Event DIC</b> Harry Falk
<b>Date</b> 07/22/2016	<b>Session</b> First Qualifying

### Auction

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

### Explanation of Special Calls and Points of Contention

1: Explained as 4 Controls

### Hand Record

<b>Board</b> 27	N	Jan Jansma	
<b>Dealer</b> S	♠ J94	♥ KJ5432	
<b>Vul</b> None	♦ 843	♣ 4	
W	Jeffrey Juster		E
♠ AQ873			♠ K2
♥ 108			♥ Q7
♦ AKQ2			♦ J107
♣ AQ			♣ KJ7532
	S	Jay Borker	
	♠ 1065		
	♥ A96		
	♦ 965		
	♣ 10986		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
4♥X by N	Down 4	E/W +800	

### Facts Determined at the Table

West's explanation of East's 3♣ bid as four controls (Ace=2, King=1) was misinformation. The actual partnership agreement was "natural and positive". The Director was called at the end of the hand, which was the first legal time to do so, as E/W were on defense. South told the Director that he would not have bid 4♥ if he had known 3♣ was natural.

### Additional Factors Determined Away from the Table

Seven players with similar masterpoint holdings to South were polled. Five players said they would pass with either set of information; the other two said they would bid 3♥ with either set of information.

### Director Ruling

There was no evidence that South's call would be different without the misinformation; therefore, the score was not adjusted per Laws 21B3.

<b>Director's Ruling</b>	4♥X by N, Down 4, E/W +800
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### The Appeal

N/S requested a review of the ruling as they felt the poll results were invalid. South says he is a stronger player than his masterpoints might suggest. He cited results in NABC+ events to make his case.

The Reviewer conducted a new poll of NABC champions. Seven players were polled. Five players said that they would never bid 4♥ or that it could never be right. One suggested that 4♥ might be right, but if it were, he would do it with

either set of information. One said he could see choosing from among Pass, 3♥ and 4♥; moreover, he felt he would be inclined to be less aggressive on the information in the correct explanation.

## Panel Findings

The Review Panel considered the new poll results and how to apply them. They felt that while there was evidence to support South's argument, it was from a minority of one. The majority not only considered the action chosen at the table to be poor, they felt the misinformation did not affect their own decision. Therefore, the Panel felt there was not sufficient reason to change the table result.

Experts Consulted: Rich DeMartino, Adam Grossack, Zack Grossack, Dan Korbel, Michael Seamon, Aaron Silverstein and Kit Woolsey

<b>Panel Decision</b>	<b>4♥X by N, Down 4, E/W +800</b>
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## Panel Members

<b>Reviewer</b>	Matt Koltnow
<b>Advisor</b>	Matt Smith

## Commentary

**Goldsmith:** I think the poll results are identical to within random variation.

The ruling seems sensible. I think the appeal had no merit. The opinion of South's actual choice and the relevance of the MI were more or less the same in each poll and were obvious.

This case reminds me of a story. In short, one opponent, a pretty decent player and an extremely arrogant fellow, took an action which clearly was suggested over another losing option by UI. He appealed the obvious Director's ruling. The Appeals Committee members held over 100,000 masterpoints in total and numerous national titles. They upheld the Director's ruling, after which the player said, "Are you really sure those guys are MY peers?"

**Marques:** From West's explanation of 3♣ I would suspect that he didn't notice the overcall. But even if I believe his explanation, if I was sitting South, I would not dream of calling the TD on this one. Technically there was misinformation, but the difference between explanations is immaterial for South's choice, as both polls clearly demonstrated. South took a very aggressive action at equal vulnerability and paid the price. I don't see much merit in the appeal.

**Martel:** Final Panel results somewhat mirror my views: 4♥ was a very pushy bid, though not crazy. Correct information would make 4♥ less attractive. So, we could sensibly adjust the E/W score as less likely to have gotten this favorable result without infraction, but N/S's bad result was primarily caused by South's questionable bid.

**van den Meiracker:** By polling seven NABC champions, where the outcome was the same as in the first poll done by the Director, the Panel's decision of table result stands is totally understandable.

**Wildavsky:** The TD's and Panel's decisions are reasonable, but this is a close case. It's clear without polling that a preempt is more attractive when neither opponent has bid a suit and they are known to be in slam range. There is no point in taking a poll if one is going to dismiss the results as "a minority of one." In fact, 50% of those who seriously considered 4♥ said it would be less attractive with the correct information.

**Woolsey:** South had no reason to think he was getting MI when he bid 4♥, so he couldn't know he had a potential double shot. While none of us might care for the 4♥ call on the information South received, it is not our job to judge South's bid. Polling players to ask what they would have bid with the MI is meaningless.

The only issue is: Would South have been significantly less likely to make the 4♥ call with the correct information. If anything, the fact that virtually nobody bid 4♥ with the correct information is an indication that South would have been less likely to do so. However, the pollees were asked the wrong question. They should have been asked: "Would you be more likely to bid 4♥ if the 3♣ bid showed 4 controls than you would be if the 3♣ bid were just a natural bid?" If the overwhelming answer were no, then I would let the table result stand. But if a meaningful minority said they would be more likely to make the 4♥ call if the 3♣ bid showed 4 controls, then I would adjust the result appropriately.

<b>Subject of Appeal:</b>	Disputed Claim	<b>Case:</b>	N2
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<b>Event</b>	von Zedtwitz LM Pairs	<b>Event DIC</b>	Harry Falk
<b>Date</b>	07/22/2016	<b>Session</b>	Second Qualifying

**Auction**

West	North	East	South
			Pass
Pass	Pass	1♣	Pass
1♥	Pass	3♣	Pass
3NT	Pass	Pass	Pass

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


**Hand Record**

<b>Board</b>	<b>19</b>	N	Ron Smith		
<b>Dealer</b>	<b>S</b>	♠	K987		
		♥	K1065		
<b>Vul</b>	<b>E/W</b>	♦	754		
		♣	K8		
W	Atul Rai			E	James Masilamani
♠	Q32			♠	A
♥	AQ982			♥	J73
♦	Q102			♦	K63
♣	106			♣	AQJ943
		S	Oren Kriegel		
		♠	J10654		
		♥	4		
		♦	AJ98		
		♣	752		

Final Contract	Result of Play	Score	Opening Lead
3NT by W			♠ 7

**Facts Determined at the Table**

After seven tricks (opening lead won by dummy's Ace, losing heart finesse, ♦A and four more spade tricks), South was on lead in the following position:

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

West claimed stating that "if the hearts break, I have the rest." North noted that hearts are 3-0, accepting West's claim of five tricks. North pointed out that six tricks would always have been available on a squeeze. West called the Director

## Director Ruling

Per Law 70D1, the Director ruled that he could not accept from West any successful line of play not embraced in the original claim/clarification statement (the squeeze) if there is an alternative normal line of play that would be less successful. West's line of play was deemed to include cashing winning tricks, ending with a losing heart at trick 13. The claim was resolved as five tricks to Declarer and one trick to the defense for down three, N/S +150

<b>Director's Ruling</b>	<b>3NT by W, Down 3, N/S +150</b>
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## The Appeal

East/West requested a review of this ruling. They felt there was no way West would play the hand which would not result in taking all six tricks, as it would be more than careless or inferior to play clubs before playing other suits (breaking up the squeeze).

## Panel Findings

The Reviewer spoke with an expert player to gauge the likelihood that Declarer would misplay the remaining position (by playing clubs or not noticing a heart discard by North on the play of diamonds, for instance). The expert judged the likelihood was nil. Law 68B1 defines a claim of some tricks as a concession of the remainder. Declarer's statement was a claim of five or six tricks, dependent on the heart distribution. In this case, it was a claim of five and a concession of one. Law 71 says that a concession must stand, except that the Director shall cancel a concession if a player has conceded a trick that could not be lost by any normal play of the remaining cards. The Panel was convinced that this was the case and canceled the concession of one trick, changing the result to 3NT by West, down two, N/S +100.

Expert Consulted: Dan Korbelt

<b>Panel Decision</b>	<b>3NT by W, Down 2, N/S +100</b>
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## Panel Members

<b>Reviewer</b>	Matt Koltnow
<b>Member</b>	Gary Zeiger
<b>Member</b>	Jenni Carmichael

## Commentary

**Goldsmith:** I'm with the Director. While West probably would have found the squeeze if he was focused, many players are not focused when they are playing for down two not vulnerable. And West didn't mention the squeeze or the possibility of dropping the ♣K, or late in the day, taking a club finesse. He didn't even mention that he can pick up the heart suit if South had the length. I think failing to mention that many possibilities shows that Declarer wasn't focused on the hand, so he's down three.

N/S probably knew this, because if they thought Declarer was into the hand, they'd have said, "hearts are not breaking, but you can't possibly lose a trick," and conceded the rest. That they didn't suggests that they didn't think he'd make the rest, either.

**Marques:** A very nice analysis and an excellent decision by the Panel. Nothing to add.

**Martel:** It does seem that this was more of an incomplete claim. If Declarer had said he had the rest (assuming hearts were good) it is much easier to make the case for giving the defenders a trick. Here Declarer was clearly aware that hearts might not break, so the Panel's judgement that he was almost certain to notice that hearts didn't break and then end up taking the rest is quite reasonable.

**van den Meiracker:** I agree with the decision of the Panel, but I am reluctant, when an incomplete claim is involved.

**Wildavsky:** The TD got this right. If one looked up "careless or inferior" in a bridge dictionary, missing this kind of squeeze would be the example. A panelist who judges the likelihood as zero has not seen much bridge or has a selective memory. If there were any doubt as to whether this Declarer might be careless, his careless claim ought to resolve it.

**Woolsey:** I disagree with the Panel. It seems clear that a squeeze wasn't on West's radar when he claimed. He thought all that mattered was the heart suit. There is no reason to think that he would have kept his entries fluid for the squeeze to

operate. He might have won the diamond shift with the king, cashed the Ace of clubs, and then played hearts. A bad claim like this does not get any such sympathy. The Director was right and the Panel was wrong.

<b>Subject of Appeal:</b>	Misinformation	<b>Case:</b>	N3
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<b>Event</b>	von Zedtwitz LM Pairs	<b>Event DIC</b>	Harry Falk
<b>Date</b>	07/22/2016	<b>Session</b>	Second Qualifying

### Auction

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

### Explanation of Special Calls and Points of Contention

1: Could be short, <15 HCP
2: Relay to ♠, No Alert

### Hand Record

Board	20	N	Brian Howard		
<b>Dealer</b>	<b>W</b>	♠ 1093			
		♥ K1098			
<b>Vul</b>	<b>Both</b>	♦ 107			
		♣ AJ52			
<b>W</b>	John Miller			<b>E</b>	Michael Bodell
♠	Q852			♠	J4
♥	63			♥	AJ72
♦	Q865			♦	AKJ43
♣	Q86			♣	103
		<b>S</b>	Jim Foster		
		♠	AK76		
		♥	Q54		
		♦	92		
		♣	K974		

Final Contract	Result of Play	Score	Opening Lead
3♦ by E	Down 1	N/S +100	♦ 2

### Facts Determined at the Table

At the end of the auction, West announced the failure to Alert 1♥ as a relay to spades, and the Director was called. South was offered a chance to change his final pass, but he declined. He further said he would not have bid 1♠ if he knew 1♥ showed spades. North said that if he had known 1♥ showed spades, he might have bid 2♣ rather than Double.

### Additional Factors Determined Away from the Table

Three players were polled. Several auctions were discussed, including considering South's decision after 1♥ – Dbl – Pass and North's bid after 1♥ with the information that it showed spades. Staff found that these auctions inevitably led to either East or West being able to compete to 3♦.

### Director Ruling

The player polls showed that with the correct information, the auction still resulted in a 3♦ contract. As such, the score was not adjusted; 3♦ would be reached via a different auction. (Laws 21C3, 40B4)

<b>Director's Ruling</b>	<b>3♦ by E, Down 1, N/S +100</b>
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### The Appeal

North/South requested a review of the ruling. They asserted that over a 1♥ bid showing spades, North would bid 2♥ to try to keep E/W from finding their known (to North) diamond fit. They suggested a final contract of 2♥ would be reached, and that eight tricks would be scored

## Panel Findings

The Reviewer had another poll conducted. First, two players were given the North hand with the correct information. Both bid 2♥. Five players were given the West hand. They accepted the 1♥ bid (although some thought Pass to be a better choice). None bid over 2♥—Pass—Pass. Therefore, per Laws 21C3, 40B4, and 12C1c, the Reviewer changed the contract and result to 2♥ by North, making two, N/S +110.

Experts consulted: Due to the late hour, players were consulted from the Life Master Pairs who were not necessarily of expert level.

<b>Panel Decision</b>
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<b>2♥ by N, Made 2, N/S +110</b>
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## Panel Members

<b>Reviewer</b>	Matt Koltnow
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## Commentary

**Goldsmith:** I probably would have ruled as the Director did, but given the poll, the Panel's decision is possible. Polls of two players, however, really aren't convincing.

I'd like to know if N/S had agreements about the meanings of Double vs. 2♥ after the transfer. If they did, I suspect that Double is their systemic choice, in which case, the appeal doesn't hold water.

It is curious that East didn't raise hearts. He has a maximum for hearts, so some sort of jump seems justified. I think that implies that he knew 1♥ showed spades and just forgot to Alert. That's quite unusual.

It's not trivial to make eight tricks in hearts, but it seems at least at all probable. The new version of L12C1c was in place, however, so a combination of several possible results needed to be awarded. I suspect however that combination will be worse for N/S than +100, so the result ought to stand.

**Marques:** My first remark is about poll sizing. For the initial decision by the TD only three players were polled, and that doesn't seem to me like quite enough. Regarding the Panel's decision, it is clear that late hours hampered the polling process.

If we try to analyze the initial poll, it seems that it was not structured in the best possible way, and that might be the main reason for the different decisions by the TD and the Panel. There is a mention in the report about three players being polled and several auctions discussed. This sounds a bit awkward. What hand were the players given? South's, North's, or the whole hand? It would also be especially useful to know what were the questions asked initially.

The approach followed by the Panel, segmenting the poll in two parts seems to be much more sensible because there are at least two players with judgment choices to make: North (what to bid over 1♥?) and West (what to bid over 2♥-Pass-Pass, or over Double-Pass-2♥). The analysis might be a little bit more complicated. Some Souths might bid 1NT instead of 1♠, also, and then we would have the actions of three players to analyze.

The report also makes it clear that the polled players were not necessarily peers of the players at the table, and that is a problem that should be addressed. Is it preferable to have closure one or two hours after the session ends, so that everybody knows before next morning if they qualified or not, or is it better to postpone the decision in order to be able to poll in better conditions?

Considering the constraints, I like the Panel's decision. The only remark I would make is that I'm not so sure that the auction would reach West as 2♥-Pass-Pass, or Double-Pass-2♥. Maybe it would go Double-Pass-1NT, and in that case, maybe E/W would play in 3♦ after all, so I wouldn't be surprised if in a different set of circumstances the final decision was a weighted score between 2♥ by North making and 3♦ by East down 1.

The last remark is about the fate of 2♥. I checked the results on the ACBL website, and on sections A through H plus P (the ones that have full details) I tallied three times +1, 18 times making, 15 times -1, nine times -2 and one time -3. As we can see, the majority of declarers in North went one or more down, so I wonder why it was given to N/S 100% of the time.

**Martel:** This is a complicated case to adjust as there are many ways the auction and play might go if N/S had the correct information. North might Double as he did here (and when given the correct information North did not say then he wanted to bid 2♥) or he might bid 2♥. In favor of Double is that 2♥ might suggest five and it could well be better to play hearts from the South side to avoid a spade lead through South at trick 1.

If North did Double 1♥ it is likely South would then pass the Double with the correct info. It is then not at all clear what West would do (perhaps Redouble all pass?)

In Hearts, eight tricks might well be taken, but seven is also possible and perhaps even nine. Thus, it would seem to be a better place for a weighted ruling or perhaps even Average+/Average- since there is no clear path to what the final result would be. Overall, the final ruling was probably too favorable to N/S, though not out of bounds.

**van den Meiracker:** I don't agree with the Panel decision because North first said he would rather bid 2♣ instead of Double. North never mentioned that he might bid 2♥ until the appeal. If he bids 2♣, East will bid 2♥ and what is the result after that? 1♦ can be short and if West thinks he showed spades, what is the meaning of 2♥ by East?

**Wildavsky:** Good decision by the Panel. The failure to find peers of the players to poll is troubling, though.

**Woolsey:** While it isn't 100% that North would have bid 2♥, it is quite reasonable that he would do so. The fact that a couple of players in fact found that call with the correct information makes it pretty clear for that to be the assumed auction.

Whether or not West would be likely to compete to 3♦ is not obvious. That is a good situation for a poll, and then the adjudication should be a weighted average depending on what percentage of the pollees bid 3♦. Since all of them passed, that part was easy.

The proper adjudication in 2♥ is not clear. However, I do believe that the contract will be made more often than not, and since N/S are the NOS I don't object to giving them the full +110 rather than some weighted average.

The Panel was fine. The Director was on another planet.

<b>Subject of Appeal:</b>	Inadvertent Call	<b>Case:</b>	N4
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<b>Event</b>	Truscott Senior Swiss	<b>Event DIC</b>	Ken Horwedel
<b>Date</b>	07/25/2016	<b>Session</b>	First Qualifying

**Auction**

West	North	East	South
	3♥	3NT	Pass
Pass	Pass		

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


**Hand Record**

<b>Board</b>	<b>25</b>	N	Howard Parker
<b>Dealer</b>	<b>N</b>	♠ 98762	
		♥ Q109864	
<b>Vul</b>	<b>E/W</b>	♦ (void)	
		♣ 95	
W	Ed Lazarus		
♠	J104		
♥	A72		
♦	10952		
♣	1086		
		S	Marjorie Michelin
		♠	53
		♥	3
		♦	J8764
		♣	AKJ74
		E	Richard Baum
		♠	AKQ
		♥	KJ5
		♦	AKQ3
		♣	Q32

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
3NT by E			♣ 7

**Facts Determined at the Table**

Declarer won the opening lead with the ♣Q. He played two rounds of diamonds, followed by three rounds of spades. South pitched the ♥3 on the third round of spades. Declarer next led the ♥5 of hearts and called for a low heart from dummy, correcting it to the Ace. The Director was called. East/West maintain that the correction was made very quickly. North/South contend that Dummy made a face and even touched the Ace before the correction was made.

**Director Ruling**

Law 45C4 states that a card must be played if a player names or otherwise designates it, allowing a change only if done "without pause for thought". Law 46B states that the designation "low" or words of like meaning, indicate play of the lowest card of the suit led, unless "Declarer's different intention is incontrovertible." The Director ruled that Declarer, planning on winning in dummy and leading a low heart back to take the marked finesse, got a trick ahead of himself when he called small. That means the designation 'small' was intended, and the small heart was deemed to be the played card. Declarer took seven tricks for down two.

<b>Director's Ruling</b>	<b>3NT by E, Down 2, N/S +200</b>
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**The Appeal**

E/W requested a review of the ruling. They spoke to the Reviewer and maintained that Declarer changed his designation to the Ace "immediately", adding that it was clear that Declarer was planning on winning the Ace, so it was illogical to play low.

## Panel Findings

Under current ACBL appeal procedure, the ruling is assumed to be correct unless an error (such as in procedure or in application of Law) has been made. There was no evidence the Director missed facts or made an illegal ruling. The ruling was upheld. The appeal was found to have no merit, and an Appeal without Merit Warning was issued.

<b>Panel Decision</b>	<b>3NT by E, Down 2, N/S +200</b>
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## Panel Members

<b>Reviewer</b>	Kevin Perkins
<b>Advisor</b>	Matt Smith

## Commentary

**Goldsmith:** I vehemently disagree with the ACBL's interpretation of Law 45C4. Making a distinction between a "slip of the mind" and a "slip of the tongue" is foolishness; it's impossible to determine. Even the player who performed the slip is likely not to know which occurred; having the Director need to discern between the two is ridiculous. Heck, I don't even know what the difference is. My mind controls my tongue; how can I tell which did the wrong thing? (Technically, it's always the mind; there is no such thing as a slip of the tongue, but that's not relevant.)

Law 45C4 says a player may change a call if it was "unintended" and "without pause for thought." Clearly this was unintended and probably without pause for thought, so I'd let Declarer change his call. Arguing that "small" was intended, but for the next trick, is at best sophism. There is no way the Director can know this to be true, and to tell a player that he does is unbearable arrogance. Let's pursue this approach. Let's say it was obvious that Declarer was not going to play a small heart to the next trick. The same reasoning can be used that he got two tricks ahead of himself. Or three. Or ten. At some point in the hand, Declarer was going to play a small heart from dummy, so he had to have got ahead of himself.

We should either follow Law 45C4 verbatim or get it changed to "too bad, no corrections." I favor the former. The approach used here allows TDs to rule either way at their whim (in practice, at their guess). Such a rule is evil and needs to be changed.

I prefer the actual rule, because the goals here are (1) to maintain equity when an accident occurs, and (2) to prevent scoundrels from taking unfair advantage. "Unintended" does the former. "Without pause for thought," which to me means, "without time to gain any useful information from an opponent," does the latter. I think it's a good rule, but the ACBL's interpretation breaks it.

Not only is the AWMW unjustified, I think the Director's ruling was illegal and inequitable. The argument for refusing the appeal was therefore also false. All in all, this was a dreadful ruling.

**Marques:** In this type of case it all depends on the impressions of the TD at the table. Descriptions of facts made several hours later, after the session ends, will never transmit a more accurate view of what happened. The Reviewer here did a great job, going with the field TD's opinion of how events unfolded at the table. Sounds harsh, but 100% correct. Good AWMW.

**Martel:** I think the writeup should have quoted more of Law 45C4b, namely that a player may change .."an unintended designation if he does so without pause for thought ..." There seems to have been some dispute as to whether the change was done quickly or with some help from dummy. Even if done without help and promptly, the key is whether the designation was "unintended". The Director found that it was not, which was certainly a reasonable conclusion, and there was no reason for the Panel to overturn it.

**van den Meiracker:** Agree with the TD and Panel decision.

**Wildavsky:** I like the TD and Panel decisions. I don't understand why the Panel had only one or two members.

**Woolsey:** I don't see what the issue is. The Director determined the facts as best as he could. Whether he was right or wrong, there is no possible reason that the Panel would come up with a different set of facts than the Director who was closest to the action.

<b>Subject of Appeal:</b>	Mechanical Error	<b>Case:</b>	N5
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<b>Event</b>	Truscott Senior Swiss	<b>Event DIC</b>	Ken Horwedel
<b>Date</b>	07/25/2016	<b>Session</b>	Second Qualifying

### Auction

West	North	East	South
1♥	1♠	(1♠ <sup>1</sup> )1NT	Pass
Pass	Pass		

### Explanation of Special Calls and Points of Contention

1: Insufficient

### Hand Record

<b>Board</b>	<b>32</b>	N	Bill Dinner		
<b>Dealer</b>	<b>W</b>	♠	QJ1075		
		♥	8		
<b>Vul</b>	<b>E/W</b>	♦	1085		
		♣	KJ96		
W	Carole Craigie			E	Margaret Coe
♠	K6			♠	A982
♥	AK1042			♥	73
♦	A9			♦	QJ643
♣	A874			♣	102
		S	Gary Helman		
		♠	43		
		♥	QJ965		
		♦	K72		
		♣	Q53		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
1NT by E	Made 3	E/W +150	

### Facts Determined at the Table

The Director was called when the second 1♠ bid was made. East was saying she made a mechanical error before the TD reached the table. The Director took East away from the table and asked whether she had seen and registered North's 1♠ bid. She said that she had. N/S told the Director that East bid 1♠ almost immediately after North bid 1♠.

### Director Ruling

ACBL Bid Box regulations put the onus on the player to convince the Director a mechanical irregularity has occurred. The Director considered the tempo of the auction, East's statement, and the East hand itself. He concluded that East had intended to bid 1♠. Because 1♠ was insufficient, he offered South a chance to accept it. South did not accept 1♠; East was required to substitute any legal bid or pass, barring partner. She chose 1NT. (Laws 25A, 85A, 27B)

<b>Director's Ruling</b>	<b>1NT by E, Made 3, E/W +150</b>
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### The Appeal

East/West requested a review of the ruling. They reiterated that their version of the facts was accurate. They also questioned why the Director asked what he asked, as he apparently gave no weight to the answers to his questions.

## Panel Findings

Under current ACBL appeal procedure, the ruling is assumed to be correct unless an error (such as in procedure or in application of Law) has been made. While some may conclude differently, there was no evidence the Director had missed facts or made an illegal ruling. As such, the ruling was upheld.

<b>Panel Decision</b>
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<b>1NT by E, Made 3, E/W +150</b>
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## Panel Members

<b>Reviewer</b>	Matt Koltnow
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## Commentary

**Goldsmith:** "Under current ACBL appeal procedure, the ruling is assumed to be correct unless an error (such as in procedure or in application of Law) has been made." This is false. The TD's ruling is assumed to be correct, but it can be overruled if there is clear evidence to do so. I think the way this is stated above is far too strong. I like, "the TD, having been at the table, has more information than an AC does. In close cases, where there is a reasonable chance that his being there might help him judge better than we can upon careful reflection, then we ought to accept his judgment, particularly with respect to disputed facts."

I don't see the point in making a stronger rule than that. All it does is create excuses for bad rulings and allow ACs to appear to refuse to rule on whim. Those are losses. What are its gains? Confidence in our Directors? No, it has the opposite effect. If a ruling is carefully considered and found to be correct, that increases our confidence. That a ruling is not changed, because we say it can't be makes me suspicious and reduces my confidence. I suspect most people think similarly.

Furthermore, these statements seem to imply a scenario of player-Director hostility. "Why are you questioning a legal ruling?" This ought not be the case. What are we trying to accomplish with this?

In practice, when the Panel thinks that the ruling was legal but the bridge judgment was questionable, they seem to follow through on the appeal. (See, for example, the next case.) This is as it ought to be, of course. But it makes the quoted statement hypocritical.

On this hand, I think the hands suggest that the TD was more likely to be correct than not. Some would not bid 1NT because the spade suit might play better from partner's side or is just not strong enough. Some might not bid 1NT because the hand is a tad too weak. Everyone would bid 1♠ if he didn't see North's call. East's statements, sadly, are self-serving; a crook who knew he didn't see North's bid would say them, so we need to tell East, "we believe all that you say, but someone dishonest in your situation would say the same thing, so we have to follow the cards instead, and here it looks more likely that a player who made an insufficient bid here did so, because he didn't see 1♠, rather than he pulled the wrong bidding card. We could easily be wrong, and if so, we apologize, but we have to take the percentage action."

"Because 1♠ was insufficient, [the Director] offered South a chance to accept it." I hope this isn't what happened. What the Director must do is tell South his options and what will happen if he chooses either. In practice, many Directors just offer the next player a chance to accept an insufficient bid (or bid out of turn) without mentioning what will happen if he doesn't. This is very poor practice, and Director training ought to work on eradicating this particular directing error.

**Marques:** Maybe East wanted to bid 1NT all the time, but the tempo (both 1♠ bids apparently hit the table almost simultaneously), the fact that East had a natural 1♠ bid if North passed, and surely what was said to the TD away from the table convinced him otherwise. Judging from the written report, I'm convinced that the TD made a good decision. Just like in N4, one might also consider an AWMW.

**Martel:** Very similar to case 4. Same reasoning applies. Would also note that how East reacted should matter (e.g. if she wanted to correct as soon as she saw what bid was being placed on the table, that would give more weight to their case).

**van den Meiracker:** I agree, East intended to bid 1♠, he bid almost immediately after the 1♠ bid by North and the cards are speaking for themselves.

**Wildavsky:** Reasonable, but why only one panelist?

**Woolsey:** Once again, the Director was the one who was at the table and in the best position to make a factual determination. He did so and given his judgment that it wasn't a mechanical error, I believe that he gave the correct ruling. There was nothing to review.

<b>Subject of Appeal:</b>	Unauthorized Information	<b>Case:</b>	N6
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<b>Event</b>	Truscott Senior Swiss	<b>Event DIC</b>	Ken Horwedel
<b>Date</b>	07/26/2016	<b>Session</b>	First Final

### Auction

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

### Explanation of Special Calls and Points of Contention

1: Alerted

### Hand Record

<b>Board</b>	6	N	Margot Hennings
<b>Dealer</b>	E	♠	J75
		♥	QJ2
<b>Vul</b>	E/W	♦	A942
		♣	K87
W	Martin Rabinowitz		
♠	98		
♥	A763		
♦	QJ5		
♣	J1063	E	Rick Rowland
		♠	Q6432
		♥	105
		♦	K87
		♣	A42
		S	Paul Janicki
		♠	AK10
		♥	K984
		♦	1063
		♣	Q95

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
3NT by S	Made 3	N/S +400	♠ 9

### Facts Determined at the Table

East/West called the Director at the end of the hand. After the hand, they had asked for an explanation of the Alert, and were told it forced 3♣ as a signoff. They claimed the UI from the Alert of the 2NT bid made it clear to North that it would be better to bid over 3♣ than pass. North/South claimed the unusual nature of the 3♣ bid would make it clear to North to bid.

### Additional Factors Determined Away from the Table

Six players were polled to determine the meaning of 3♣ in an auction where 2NT is natural. All indicated that it would show a hand with clubs and a doubt about notrump. Six players were given the North hand and auction and asked what they would do over 3♣. Four passed and two bid 3NT

### Director Ruling

Based upon the player poll, bidding 3NT was a LA suggested by the UI. Per Laws 16B and 12C1c, the contract was adjusted to 3♣ by South, down 3, E/W +150.

<b>Director's Ruling</b>	<b>3♣ by S, Down 3, E/W +150</b>
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### The Appeal

N/S requested a review of the ruling. Meeting with N/S, the Reviewer determined that they had recently changed their methods. The meaning of 2NT was changed from natural to the artificial bid as described at the table.

The Reviewer polled players about the meaning of 3♣ in the auction. Answers similar to those of the initial poll were given. Two further questions were asked. First, had anyone ever had any experience with this auction, either in their partnership or by opponents. No one had ever seen anyone bid 3♣ in this auction. Second, if your partnership had recently started playing 2NT as a puppet to 3♣, how likely would the 3♣ bid wake you up that you had forgotten and bid 2NT natural. The answer to this was overwhelmingly affirmative. Many said they would have questioned in the poll earlier whether they have any conventional agreements, except that they were told it was natural.

## Panel Findings

A player in North's position, who had no reason to believe 3♣ was anything but natural, would be constrained by the UI and be expected to pass. The auction itself is authorized information, and a player facing this non-systemic bid would reexamine the auction and their agreements. The player poll suggested that for such a player, pass would not be a LA. With no grounds to adjust the score, the table result of 3NT by South, making 3, N/S +400, was restored.

<b>Panel Decision</b>	<b>3NT by S, Made 3, N/S +400</b>
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## Panel Members

<b>Reviewer</b>	Kevin Perkins
<b>Advisor</b>	Matt Smith

## Commentary

**Goldsmith:** This convention and similar ones have caused this problem several times recently. We have often judged that 3♣ is such an unusual call that the AI from the bid duplicates the UI from the Alert. This is how the Panel ruled.

I think the Panel's ruling is justified here. Having 3C intended as natural would require an unlikely set of events. First, partner would have to have bid his hand quirkily so far. It'd be pretty strange to prefer 1NT to 2♣, but 3♣ to 2NT when partner is expected to be balanced. And if he chose that route he'd also have to trot out what was surely an undiscussed sequence and hope that responder interprets 3♣ correctly when 2NT is surely playable. Most players would not take that risk. In contrast, this is an auction that gets screwed up pretty regularly, and if there was a bidding mix-up opener would always bid 3♣. I think that makes the odds overwhelmingly in favor of a mix-up.

I don't think the fact that N/S had recently changed to using this convention is relevant. Either 3♣ by itself is enough AI to duplicate the UI or it isn't. More importantly, such a self-serving statement is difficult to prove. We don't want to encourage players to make such statements.

I'm OK with North's UI's being duplicated by AI, but what about South's? No one found out the systemic meaning of 1♣-1♦; 1NT-2NT; 3♣-3NT. South has UI that 3NT was natural, not a pre-planned sequence. We can't know how to rule here, because we don't know what that meant. Suppose it showed 3-3-6-1 shape?

**Marques:** The TD's ruling was a logical consequence of the initial poll, with 2NT natural. Over 3♣, pass and 3NT are the possible actions and it is clear that players will be fairly split between the two options. As the UI from the Alert seems to wake up North to his misbid, and 3NT is the bid suggested by the UI, the initial ruling comes naturally. N/S apparently had only recently changed their system, according to the Reviewer's report. This is part of the facts and probably was not mentioned to the TD at the table. The poll should be designed to take this into account, and the route followed by the Reviewer is reasonable. However, the last question of the poll is biased and I'm not sure that the conclusions are valid, because of that. Also, the fact that a player never saw an auction is not in itself enough to make it "impossible". Players attributed a meaning to 3♣, and a significant number of them passed. How can we discard the influence of the UI when pass is a LA? We can, if we believe the information from the UI is replicated by the AI, but if players are comfortable assigning a meaning to 3♣ and then passing, I don't think that we can go the way the Panel did.

**Martel:** The Director ruling that Pass is a LA was correct, though the adjustment to 3♣ down three looks questionable. If Declarer plays clubs he is always down two, so should either be down two or perhaps a weighted adjustment with perhaps 60% down two, 40% down three (since he could be down three if he misjudged the play).

I consider the Panel's change to be questionable. 3♣ is not such an odd bid, so there is no strong reason to wake up the 2NT bidder.

**van den Meiracker:** I was the TD and I still think that I made the right decision about not allowing North to bid 3NT.

**Wildavsky:** I prefer the TD's ruling to the Panel's. The Panel seems to have gone out of its way to rule in favor of the offenders. Why did it not cite and apply this alleged ACBL procedure as in the previous two cases?

**Woolsey:** North definitely had UI. That UI definitely suggested bidding vs. passing. Pass is more than a LA - it is the correct call since North has described her hand perfectly and South has presumably chosen 3♣ over 2NT as a better part-score. The Director's ruling is 100% correct.

I am shocked that the Panel was bamboozled by the self-serving statements that the 3♣ call would have woken North up. While it might not be the most common call in the world, any expert will know what it means, as the polling indicated. This was a truly terrible decision. I am confident that any competent committee of bridge players would have upheld the Director's ruling.

<b>Subject of Appeal:</b>	Misinformation	<b>Case:</b>	N7
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<b>Event</b>	Spingold Knockout Teams	<b>Event DIC</b>	Matt Smith
<b>Date</b>	07/27/2016	<b>Session</b>	Round of 32, Second Session

### Auction

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

### Explanation of Special Calls and Points of Contention

1: 10+ HCP, No Alert

### Hand Record

<b>Board</b>	<b>29</b>	N	Mustafa Cem Tokay		
<b>Dealer</b>	<b>N</b>	♠	AKQ7		
		♥	KJ10642		
<b>Vul</b>	<b>Both</b>	♦	(void)		
		♣	974		
W	Hua Poon			E	Choon Chou Loo
♠	42			♠	53
♥	875			♥	3
♦	AK106543			♦	QJ2
♣	K			♣	AJ108652
		S	Antonio Sementa		
		♠	J10986		
		♥	AQ9		
		♦	987		
		♣	Q3		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
5♦ by W	Down 1	N/S +100	

### Facts Determined at the Table

By agreement, West's Double shows any hand of 10+ HCP; any other bid denies 10 HCP. Video recording of this match showed that West made no Alert. East (screenmate to North) made a gesture, pointing to the bid shortly after the tray was passed and as North was bidding. There was no discernable acknowledgement that North had seen any Alert by East. North claimed that had he been Alerted to the meaning of the Double, he would have bid 2♠. South would know of the double fit and compete successfully to the five level, rather than defend 5♦.

### Director Ruling

East/West's agreement of the Double is a low-level double showing values, which the Alert Chart defines as "competitive." As such, it does not rise to the level of highly unusual or unexpected, and therefore does not require an Alert.

<b>Director's Ruling</b>	<b>5♦ by W, Down 1, N/S +100</b>
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### The Appeal

North/South requested a review of the ruling. Their argument was that the hand held by West would never be expected by players. To them, that meant that this agreement is so odd it rises to the level of highly unusual or unexpected.

## Panel Findings

The ACBL Alert Procedures have admittedly vague guidelines in defining the Alertability of Doubles. Further defining them would quickly produce an unmanageable list or many caveats and exceptions. Law 40 defines partnership understandings and gives redress to a side damaged as a consequence of its opponents' failure to explain their agreements as required by Law and regulation (our Alert Procedures). The Review staff had two tasks: 1) trying to find out how unusual or unexpected the agreement by E/W was, to determine its Alertability; and 2) try to determine whether there was damage as a consequence of not having this information.

If the Double was Alertable, and failure to Alert it damaged N/S, then the score needed to be adjusted. Polling was conducted, giving players the North hand and the auction up to the Double. Players were asked what they believed was an expected meaning of the Double.

Players consistently said that, with this being a classic Responsive Double situation, four or more spades was an expectation. Some were asked if any other holdings might be expected; some volunteered other meanings without prompting. One player polled commented that a European trend in Doubles (ones that might be taken as having more rigid shape requirements in the U.S.), is to be less rigid, more off-shape, and with hands simply with values, possibly at least 10 points.

Next, if the use of the Double showing values had yet to be mentioned, players were asked whether the use of the Double in this manner was odd or unexpected. One player thought that this might be a good way to play. Others said that they didn't think it would be that unusual for the Double to have fewer than four spades, suggesting some hands with support may start with a Double.

Players were asked about the effect of screens on the expected responsibility of players to Alert or ask about bids. The overwhelming consensus was that the use of screens makes the issue of disclosure very different from non-screen use. ACBL screen procedure strongly encourages the players to ensure the opponents understand their auction. By the same token, since asking questions behind screens does not generate UI, players feel much less constrained about asking the meaning of the opponents' auction. Many felt it was incumbent on themselves to ask the meaning of the Double if the answer would have any bearing on their call.

Next, the players were asked what call they would consider, and whether the meaning of the Double had any impact on the decision. A majority bid 4♥. Of those that considered other options, many made a game try, opting for 3♣ or 3♦, depending on partnership method. A few did bid 2♠, because in their methods, they would bid suits where they had values. Those who did reiterated that they certainly would ask for the meaning of the Double. Two of them felt that the answer would not likely affect their decision; the other felt that knowing the Double showed values rather than spades made 2♠ marginally more attractive.

Other players were asked about the possibility of bidding 2♠. Some thought the bid was a poor choice. A few thought it might a good bid if they ended up defending, in order to suggest a spade lead. Many said that the idea of introducing spades was misguided if an attempt to try to play in spades. Finally, all the players were shown the West hand; they were all amused or surprised to see West's actual holding

The Review Panel, in consultation with the Director in Charge, thought that expert testimony suggested that the E/W agreement about this Double was not highly unusual or unexpected and therefore not Alertable. While play behind screens gives both sides greater latitude to Alert more calls and ask about more calls than they would across the table, there is no requirement to Alert a call not otherwise defined as Alertable. Similarly, while players behind screens are not required to ask more questions than they might across the table, they are still required to protect themselves. Since the Double did not require an Alert, Law 40B4 does not apply and the result was allowed to stand.

Experts Consulted: Bart Bramley, Bartosz Chmurski, Geir Helgemo, Justin Howard, Nick Jacob, Ralph Katz, Eric Kokish, Nick Nickell, Johan Sylvan, Piotr Tuczynski, Federic Wrang

<b>Panel Decision</b>	<b>5♦ by W, Down 1, N/S +100</b>
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## Panel Members

<b>Reviewer</b>	Kevin Perkins
<b>Advisor</b>	Matt Koltnow

## Commentary

**Goldsmith:** I think using Double with all 10+ HCP hands here is pretty unusual. I think the polls support that position. I'd never heard of it.

The poll answers that the Directors thought supported the opposite position are that the Double there just shows general values and a (usually) balanced hand, but does not promise four spades. That's very different from a version of Reverse Lebensohl. I've seen folks play 2NT here as Lebensohl and use new suits as forcing and Double as balanced values, but that's not the same thing as what E/W were playing. Hence, I'd call this a failure to Alert. Furthermore, East's actions suggest he doesn't know whether he's supposed to Alert or not.

Does the unexpected meaning of the Double really make 2♠ significantly more attractive? That's hard to say, but I'd say so. That West could have a strong(ish) single-suiter significantly increases the chance that the auction will be competitive at the 5-level. And increases the chances that we have a double fit, which is very small if West has four spades. On the other hand, if West can have a strong single-suiter, bidding to the four-level immediately is also made more attractive. But maybe not this time, where you know that West's suit, if any, is diamonds, in which case, you know you'll have a serious problem over 5♦. I think N/S were damaged, but this is a very close call.

Furthermore, if North had known that West was showing a strong single-suiter with 5♦, not four spades and six or seven diamonds, he'd be much more likely to save in 5♥. Many would. This is yet another worthwhile poll to take. If over 90% of players with North's actual information would take the push, then I would decide that the damage was caused by North's decision. I suspect this choice is much closer than that, so I judge N/S were damaged.

All in all, I think a score adjustment is in order. I'm not sure how likely E/W is to take the push to 6♦. They will surely do so some of the time. Using the new rules, we have to figure that out. I prefer not to do so now; this set has taken long enough

**Marques:** When players were polled about what would they bid with North's hand after 1♥-2♣-2♥-X and about the impact of the Double in their decision, the conclusion was that the meaning of the Double was irrelevant, or else the players would have asked about it. If North's decision is dependent on the meaning of the Double, North could (and in my opinion should) have asked to protect himself, and that bit of information from the poll confirms this. Also, at this level of play, a Double that just shows values with any distribution should not be considered highly unusual or unexpected and therefore not Alertable. I think that North just assumed that Double showed spades and decided to bid 4♥ to put maximum pressure on the opponents. The fact that it backfired is North's own fault, in my opinion.

This appeal was a match decider. It was a hand from the last segment. The teams had to wait for the final decision, which was given only late morning the next day in order to enable the polls to be completed and all the information adequately analyzed. I think that this approach is excellent for late reviews, most especially for KO matches.

A great job by the Panel.

**Martel:** The ruling and Panel conclusion looks correct to me. I'd further add that since most players would play that 3♦ was non-forcing over 2♥, it would be considered routine to Double with a hand too good to bid 3♦ (what else could one do as 3♥ would typically have support)?

**van den Meiracker:** This was very well analyzed by the Panel. If the poll's outcome is that the Double is not Alertable, then the result stands.

**Wildavsky:** The Panel has its reasoning almost backward. Players have extra reason to Alert behind screens because there is no possibility that the Alert will make UI available. The treatment of the Double is most certainly unusual. I've been playing for forty years and I've never encountered it. The principle of the Alert Procedure, regardless of the wording of ACBL regulation, is to make one's opponents aware of unusual treatments without requiring them to ask about every call. This principle was violated here.

The point of North's not wanting to place the contract in spades is irrelevant, since no one suggested that that would have been his intent.

The TD and Panel ought to have done better here. Had North received an Alert, then N/S were more likely to reach 5♥, though it's far from certain. Were the Double deemed Alertable, a weighted adjustment would be called for.

Again, the Panel had only one or two members. This makes no sense since Non-NABC+ Panels routinely have three members.

**Woolsey:** Regardless of what the Alert Chart says, if a bid has or may contain an unexpected hand type that call should be Alerted behind screens. That is the purpose of the Alert Procedure - to alert the opponents that a bid might not be what one would expect. The E/W agreement is unusual, and the Double should have been Alerted. I do not agree with the Panel's conclusion that the Double is not Alertable with the agreement that E/W have about the Double.

Despite this, North could and should have protected himself by asking about the Double. Without screens this could be awkward due to potential UI, but with screens where South can't see what is going on such questions are 100% safe. If the Double in this sequence had a clearly standard meaning that would be one thing, but that is not the case. It might be penalty, takeout, responsive, card-showing, snapdragon style showing 5 spades, and probably some other meanings I haven't thought of. The Double is self-alerting. If North cared about the meaning, he should simply write a question mark on paper, and East will explain the agreements about the Double. By failing to do this North failed to protect himself and is entitled to no redress. Table result stands.

<b>Subject of Appeal:</b>	Misinformation	<b>Case:</b>	N8
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<b>Event</b>	Wernher Open Pairs	<b>Event DIC</b>	McKenzie Myers
<b>Date</b>	07/28/2016	<b>Session</b>	First Final

### Auction

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

### Hand Record

<b>Board</b>	<b>19</b>	N	David Birnbaum		
<b>Dealer</b>	<b>S</b>	♠	9		
		♥	Q5		
<b>Vul</b>	<b>E/W</b>	♦	AKQ1086		
		♣	KJ97		
W	David Sabourin			E	Shan Huang
♠	AK863			♠	J10752
♥	AKJ9			♥	1082
♦	32			♦	7
♣	AQ	S	Art Lowen	♣	10832
		♠	Q4		
		♥	7643		
		♦	J954		
		♣	854		

### Explanation of Special Calls and Points of Contention

1: Strong, Artificial, Forcing
2: Minors

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
3♥X by S	Down 5	E/W +1100	♠ A

### Facts Determined at the Table

East attempted to Alert the 1♣ bid. East/West maintain that the Alert card was also used. North/South were adamant that no Alert card was seen. During the auction, North was concerned that his partner was not aware of the Alert, and called the Director, who, away from the table, informed North that he should bid as if his partner heard the Alert.

### Director Ruling

The ACBL Alert Procedures put the burden on the Alerting side to ensure the opponents are aware of an Alert. South's declaration that he was not aware of the Alert indicates that he was not properly informed. Polling showed that the likely result with the right information would be 5♦X by South, down 2. N/S were damaged due to the misinformation (Law 21C), and so, per Law 12C1c, the score was adjusted to 5♦X by South, down, E/W +300.

<b>Director's Ruling</b>	<b>5♦X by S, Down 2, E/W +300</b>
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### The Appeal

E/W requested a review of the ruling. The Reviewer talked with both the North/South pair and the East/West pair. North claimed that East's Alert was "very soft and kind of in my direction" and "my partner is hard of hearing". South maintained that there was no indication that he received that the 1♣ bid was Alertable. West insisted that East always uses the Alert card. East felt that he had fulfilled his obligations, and that South was inattentive.

## Panel Findings

Under current ACBL appeal procedure, the ruling is assumed to be correct unless an error (such as in procedure or in application of Law) has been made. There was no evidence the Director missed facts or made an illegal ruling, so the ruling was upheld. The appeal was found to have no merit and an Appeal without Merit Warning was issued.

<b>Panel Decision</b>	<b>5♦X by S, Down 2, E/W +300</b>
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## Panel Members

<b>Reviewer</b>	Kevin Perkins
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## Commentary

**Goldsmith:** South clearly did not perceive the Alert. I don't see why the Director told North what he did. Why not take South away from the table and ask him if he heard the Alert? Then if he says, "what Alert?" the Director can let him change his call and get a normal result on the board. The TD treated the Alert as UI to South, but it's AI, so I think he erred. I think I'll rule Ave+ to both sides due to Director's error (Law 82C).

Given how the Director and Panel ruled, Law 12C1c has to be used. A variety of possible results are available, and picking one is no longer legal. E/W would sometimes compete to 5♣ and make it, so a weighted average of results must be awarded. Yes, that's a pain in the neck.

**Marques:** When your opponent is inattentive, grab his attention! It is the responsibility of the player that Alerts to make sure that both opponents see the Alert. "I use the card, what should I do more?" is a question that stems from ignorance of this simple fact.

A good lesson for E/W and a very well deserved AWMW.

**Martel:** The main issue is a matter of fact, so no good reason to second guess the Director. There is some issue of the adjustment. We don't have any polling results so not clear how 5♦X was determined, though that is a plausible final result.

**van den Meiracker:** If South had seen the Alert, he would never have bid 3♥, but 3♦, West will Double, E/W will reach 4♣ and N/S will rescue with 5♦X.

**Wildavsky:** Reasonable decisions by the TD and the Panel. They ought to have also noted that proper procedure requires both an audible "Alert" and the conspicuous use of the Alert card. I don't understand, though, why they assigned just one result. Law 12C1c requires a weighting of results. 5♦X might be likely, but it is not overwhelmingly so.

**Woolsey:** This is simply a factual issue -- was South properly Alerted? South's call and his actual hand indicates that he was not, which is what the Director decided. I don't see any possible basis for changing this decision. One could dispute the adjudication, but it looks reasonable enough.

<b>Subject of Appeal:</b>	Unauthorized Information	<b>Case:</b>	N9
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<b>Event</b>	Freeman Mixed BAM	<b>Event DIC</b>	Matt Koltnow
<b>Date</b>	07/28/2016	<b>Session</b>	First Final

### Auction

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

### Explanation of Special Calls and Points of Contention

1: 15-17 HCP
2: Majors
3: Lebensohl
4: Questions about South's Dbl

### Hand Record

Board	9	N	Joe Quinn		
<b>Dealer</b>	<b>N</b>	♠ 6			
<b>Vul</b>	<b>E/W</b>	♥ 102			
		♦ J863			
		♣ A98742			
<b>W</b>	Justin Howard			<b>E</b>	Alison Hunt
♠	AQ1072			♠	J985
♥	Q9643			♥	AK7
♦	K10			♦	754
♣	10			♣	J65
		<b>S</b>	Shawn Quinn		
		♠	K43		
		♥	J85		
		♦	AQ92		
		♣	KQ3		

Final Contract	Result of Play	Score	Opening Lead
4♠X by E	Made 5	E/W +990	

### Facts Determined at the Table

Director was called when dummy came down, and again at the end of hand. East asked "is Double takeout or penalty?" North shrugged and said values. West claimed he was planning on raising 3♠ to 4 until South Doubled.

### Additional Factors Determined Away from the Table

Three players were polled. One Passed 4♣. The other two thought it was close, but bid 4♠. All thought the question demonstrably suggested bidding.

### Director Ruling

The player poll confirmed that Pass was a LA over 4♣ following the UI suggested by the question. Therefore, based upon Laws 16B1 & 12C1C, the result was adjusted to 4♣ by North, down 1, E/W +50.

<b>Director's Ruling</b>	<b>4♣ by N, Down 1, E/W +50</b>
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### The Appeal

West requested a review of the ruling. West maintained that it was clear to bid 4♠ once advancer bids 3♠. After the Double, the reason not to bid is to see if the opponent let them play in 3♠X, or see if partner would want to Double a possible 4♦ bid by North. Failing that, he was always bidding 4♠. He felt that not enough of his peers were consulted.

## Panel Findings

The Reviewer polled more players, and found that many would bid, but Passing was considered by most, and chosen by some. The original findings of the table Director were confirmed, and the ruling was upheld. The limited size and concern of makeup of the original poll was deemed a sufficient matter to deem the appeal had merit.

<b>Panel Decision</b>	<b>4♣ by N, Down 1, E/W +50</b>
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## Panel Members

<b>Reviewer</b>	Kevin Perkins
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## Commentary

**Goldsmith:** West was right; a three-player poll is insufficient.

South's Double of 4♣ is a wild, gambling action. Once she has strong reason to believe that if 4♣ makes, it will be rolled back to 4♣, it's a gamble clearly worth taking. I think one of the main reasons why Law 12C1b exists is to prevent such actions from being free, so I'd let N/S keep their result, while adjusting E/W's score.

**Marques:** The timing of East's question was very unfortunate. East should know better. I believe that this particular West might be one that would always bid 4♣, but unfortunately Law 16 puts him back to 4♣. The decision was not even close, and E/W were lucky to escape the AWMW.

**Martel:** All looks good. Panel results clearly support the ruling and Panel decision.

**van den Meiracker:** I agree with TD and Panel, nothing to add.

**Wildavsky:** At first, this looked reasonable to me, except for the Panel of one. But Jeff Goldsmith's argument convinces me that South's Double was precisely the kind of gamble addressed by Law 12C1b. N/S should have been -990 with E/W +200.

**Woolsey:** Assuming UI, the Directors and Panel handled it fine. The UI suggests action, and the poll indicated that Pass is a LA. West's self-serving statement that he was always going to bid 4♣ was properly ignored.

What bothers me about this case is the question of whether there was UI. The rules say that at your turn to act you are permitted to ask the opponents about the meanings of their bids. Yet, this ruling indicates that while you are permitted to ask such questions, you do so at the risk of transmitting UI that may restrict partner's actions. If you don't ask, you may be harming yourself by not knowing the full information to which you are entitled. With screens there is no problem, as you can always ask without transmitting any UI. Without screens, I don't see any real solution to this dilemma.



<b>Subject of Appeal:</b> Misinformation	<b>Case:</b> N10
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<b>Event</b> Wernher Open Pairs	<b>Event DIC</b> McKenzie Myers
<b>Date</b> 07/28/2016	<b>Session</b> Second Final

### Auction

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

### Hand Record

Board	20	N	Meyer Kotkin		
<b>Dealer</b>	<b>W</b>	♠ 864	♥ 875		
<b>Vul</b>	<b>Both</b>	♦ 974	♣ K532		
<b>W</b>	Jiun-Ming Chen			<b>E</b>	Chris Lin
♠	J93			♠	AK10
♥	J643			♥	Q9
♦	A532			♦	J1086
♣	109			♣	AJ84
		<b>S</b>	Robert Heitzman		
		♠	Q752		
		♥	AK102		
		♦	KQ		
		♣	Q76		

### Explanation of Special Calls and Points of Contention

1: 15-17 HCP, no Alert
2: Alerted, forces 2♦, to play

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
3♣ by S	Down 4	E/W +400	

### Facts Determined at the Table

When dummy came down, South asked West about the 1NT and was informed that East showed a strong no trump. South called the Director, and claimed that he would not have balanced if he had known that East had a strong no trump.

### Director Ruling

The ruling, after discussion, was that the result would stand. The failure to Alert was felt to have caused less damage than the actual Double of 2♣ by North, which most probably led South to take action. Law 40B4 says that a side damaged as a consequence of its opponents' failure to explain their agreements is entitled to an adjusted score. Event staff deemed that North's Double was the source of the damage rather than the failure to Alert 1NT.

<b>Director's Ruling</b>	<b>3♣ by S, Down 4, E/W +400</b>
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### The Appeal

N/S requested a review of the ruling. South admitted that the 3♣ bid was a rather poor choice, but that, with the right information he would never have bid 3♣. South felt that even if his side had to keep their score, E/W should not be able to keep the table result.

## Panel Findings

The Reviewer polled players with North's hand. All Passed at every turn in the auction. When asked about the option of doubling 2♣, all thought it was a very poor choice. One said it was "asking for trouble". The Reviewer then polled players with South's hand. All of those polled agreed with the initial Double, none considered bidding at any point during the bidding. When asked about bidding 3♣, all thought it was extremely risky vulnerable. When asked about whether knowing that the 1NT rebid showed a strong NT affected the decision, all felt it made very little, if any difference. When asked how much is very little, all felt bidding was so likely to be wrong it was hard to judge.

The Reviewer's polling showed that the misinformation was not the cause of N/S's damage. As such, the table result must stand. The Reviewer felt that the initial poll may not have been conducted correctly. More importantly, the event Director staff did not explain to N/S why the poll led to their ruling. As such, the appeal was deemed to have merit.

<b>Panel Decision</b>
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<b>3♣ by S, Down 4, E/W +400</b>
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## Panel Members

<b>Reviewer</b>	Kevin Perkins
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## Commentary

**Goldsmith:** Why isn't the Panel invoking the "the Director made no legal error, so we can't change anything" rule? The ruling is clear cut. Good job, Directors. The failure to award an AWMW is an error.

**Marques:** It is important that the reporting of polls state what were the questions asked and the answers received, who were the players asked (or at least their general characteristics) to judge if the poll was done correctly. Here, the Panel seems to acknowledge that the poll apparently had some shortcomings and (most important) that the decision was not properly explained to the players. Otherwise, the appeal would not have any merit at all.

**Martel:** Personally, I think those polled were much too hard on the Double of 2♣ which as a lead directing effort was perfectly reasonable. However, I think the misinformation had little effect on the Double of 2♣. As for 3♣, it seems like it was a poor bid, but not clear it was a serious error. Further, the misinformation clearly made bidding less attractive. Thus I think it was for sure correct to change the E/W score to the likely result in 2♦ (maybe 50-50 making two or three depending on the Diamond guess). For N/S the call is closer.

**van den Meiracker:** When you Double 2♣ with the North hand on Kxxx, you take a risk independent of the meaning of 1NT. I agree with the TD and Panel.

**Wildavsky:** Fair enough. I do see merit to the appeal since E/W might well have profited from their failure to Alert in what is for them an everyday auction.

**Woolsey:** North's Double of 2♣ may have been the worst call in the world, but that has nothing to do with the issue. The same is true of South's 3♣ call. Polling players as to whether or not they would have made these calls is meaningless. The only question is: Would the correct information have made it less likely that North and South would have taken the actions chosen. When the pollers finally got around to asking the right question they got the answer that it wouldn't make any difference, and from that answer it is clear that the table result stands.

<b>Subject of Appeal:</b>	Simultaneous Leads	<b>Case:</b>	N11
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<b>Event</b>	Wernher Open Pairs	<b>Event DIC</b>	McKenzie Myers
<b>Date</b>	07/28/2016	<b>Session</b>	Second Final

**Auction**

West	North	East	South

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

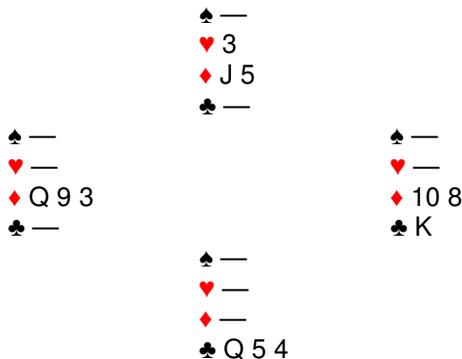

**Hand Record**

<b>Board</b>	<b>22</b>	N	Low Walter		
<b>Dealer</b>	<b>E</b>	♠	AQJ3		
<b>Vul</b>	<b>E/W</b>	♥	AJ83		
		♦	J65		
		♣	73		
<b>W</b>	John Botzum			<b>E</b>	Miriam Harris-Botzum
♠	10862			♠	75
♥	K62			♥	54
♦	Q932			♦	A10874
♣	AJ			♣	K862
		<b>S</b>	Marin Marinov		
		♠	K94		
		♥	Q1097		
		♦	K		
		♣	Q10954		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
2♥ by S			♠ 6

**Facts Determined at the Table**

The Director was called at the three card ending, shown here.



East thought she had won the ♦A at trick 10 and led the ♦8 at trick 11. South, who was the real winner of trick 10, played the ♣4. South claimed that he had accepted the lead out of turn and was following to the trick, discarding a small club. East/West believe that South failed to notice that East had led out of turn, and was leading the ♣4 out of his hand. East/West believed the cards hit the table simultaneously. North/South maintain that the ♦8 hit the table first, although South first claimed they hit the table at the same time, but East started to play her card first.

## Director Ruling

Based on the statements of both sides, it was determined that East led out of turn, and South accepted the lead, and played to it. This resulted in 2♥ by South, making four, N/S +170

<b>Director's Ruling</b>
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<b>2♥ by S, Made 4, N/S +170</b>
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## The Appeal

East/West asked for a review of the ruling. The Reviewer talked to both sides. E/W claimed South played the ♣4 at the same time as East played the diamond. South, upon questioning, admitted that the cards hit the table at "about the same time". When questioned about whether the play was subsequent, however close, South was unable to acknowledge this fact.

## Panel Findings

Due to South's inability to confirm that the play was indeed subsequent, the play was deemed to be simultaneous. Per Law 58A, a play simultaneous to another player's legal play is deemed to be subsequent to it. South was deemed to have led the ♣4 at trick 11, which would result in North-South taking one fewer trick. The score was adjusted to 2♥ by South, making three, N/S +140.

<b>Panel Decision</b>
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<b>2♥ by S, Made 3, N/S +140</b>
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## Panel Members

<b>Reviewer</b>
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Kevin Perkins
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## Commentary

**Goldsmith:** This is exactly the type of ruling in which I'd judge that the Director's being at the table gave him an advantage in information that a Panel will not have.

On the other hand, from the write-up, I don't see why the Director ruled as he did, and it's not clear to me whether the write-up or the ruling is correct. It is possible that the Director had the information that the write-up says he did and simply misruled. Law 58A is not a common one. I didn't know it. It would have been nice to have the write-up expressly state which of these scenarios occurred.

**Marques:** If both cards hit the table "at the same time," it is difficult to believe that South followed to East's lead out of turn. A good decision by the Panel.

**Martel:** Since this is really just a matter of determining fact, can't really argue with either.

However, I would note that this reversal (which revisits the facts of the case) seems to put the lie to the statement in earlier cases that, "Under current ACBL appeal procedure, the ruling is assumed to be correct unless an error (such as in procedure or in application of Law) has been made."

This is actually not ACBL policy, is widely ignored in the decisions (fortunately), and would be contrary to law if it were ACBL policy, as one of the reasons for an appeal is that the original ruling sometimes has incorrect or incomplete facts. Thus it is not a good idea to have this statement in the writeups.

**van den Meiracker:** I agree with the decision of the Panel. South didn't notice the lead from East and played the ♣4 out of his hand as the same time as East was leading the ♦10, so it was simultaneous.

**Wildavsky:** It's unusual for a Panel or Appeals Committee to challenge the TD's determination of facts in a case like this. It's enough of a mess that I have no opinion on the correct ruling

**Woolsey:** I don't understand. This is a question of fact. Rightly or wrongly, didn't the Director determine that the lead was out of turn? The Panel has no business overturning this ruling, or even listening to the case.

The only justification I can see for overturning the Director's ruling is that the Director had misapplied the Laws, wrongly thinking that if the plays were simultaneous that made it a lead out of turn. But if the Director judged that the out of turn lead came first, that should be the end of it.

<b>Subject of Appeal:</b>	Misinformation/Unauthorized Information	<b>Case:</b>	N12
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<b>Event</b>	Roth Open Swiss Teams	<b>Event DIC</b>	Kevin Perkins
<b>Date</b>	07/29/2016	<b>Session</b>	Second Qualifying

### Auction

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

### Explanation of Special Calls and Points of Contention

1: Explained as natural
2: Break in Tempo

### Hand Record

Board	35	N	Alan Watson		
<b>Dealer</b>	<b>S</b>	♠	AK53		
		♥	KQ9		
<b>Vul</b>	<b>E/W</b>	♦	K854		
		♣	63		
<b>W</b>	Michal Nowosadzki			<b>E</b>	Jacek Kalita
♠	9764			♠	QJ
♥	A432			♥	J76
♦	A73			♦	J
♣	K7			♣	AJ109542
		<b>S</b>	Melody Bi		
		♠	1082		
		♥	1085		
		♦	Q10962		
		♣	Q8		

Final Contract	Result of Play	Score	Opening Lead
3NT by W	Down 5	N/S +500	♠ A

### Facts Determined at the Table

The Director was called at the end of the hand. South had intended her 2♣ call as Stayman. E/W felt they were damaged by a mistaken explanation of 2♣ and perhaps by unauthorized information.

### Additional Factors Determined Away from the Table

Ten players were given the South hand. After 2♣ was Doubled, six Passed and four bid 2♦. Of the Passers, some considered North had a club suit of his own, others thought he might have psyched 1NT. Even if those who thought partner had psyched are excluded, Pass is a LA. Players who were asked what they thought the UI suggested said that it made 2♦ more attractive. Four players were given the North hand and an auction where South Passed 2♣X; all four Passed.

### Director Ruling

South had UI from North's explanation of 2♣ as natural, and the player poll showed that Pass was a LA to bidding. E/W made the statement that if 2♣X did get redoubled, they would then play the club suit correctly (drop the ♣Q) in 3NT, as North would never run from 2♣X with ♣Qxx. The contract and result were adjusted to 2♣X by South, down four, E/W +800, per Laws 16B1 and 12C1c.

<b>Director's Ruling</b>	<b>2♣X by S, Down 4, E/W +800</b>
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## The Appeal

N/S requested a review of the ruling. South said she could understand playing in 2♣ undoubled, but the implied diamond fit (as partner had overcalled 1NT over 1♦) had to be a better place to play. North said he was comfortable Passing 2♣ undoubled, particularly at this vulnerability, but that he was never going to Pass 2♣X. He mentioned East's break in tempo before doubling gave him ample reason to believe 2♣X was not a good spot for N/S.

### Panel Findings

The Reviewer conducted further polling. His first concern was the element of the ruling that South would not work out that N/S were having an accident absent the UI. The first consultant indeed Passed 2♣X, so he felt the original poll was likely valid. His second concern was the element of the ruling that North would not work out that N/S were having an accident. North has no UI; evidence was collected to gauge the likelihood that North would Pass 2♣X. Four players were polled, given what was known of the N/S system. Two redoubled, saying that it was clear we were having some sort of accident and there had to be a better place to play. One Passed and assumed that we were in the right place or partner would have bid differently. One thought Pass was correct unless he suspected we were having an accident; if it was more than a small possibility of that, he would redouble.

The Reviewer assembled a Panel of TDs and presented the facts of the original ruling and the supplemental polling. The Panel felt it was certain that if North redoubled, E/W would reach 3NT and would make either nine or ten tricks there. The Panel felt North would work out that N/S were having an accident about half the time. They also felt E/W would take nine tricks or ten tricks each about half the time. Therefore the contract and result were changed to 50% of 2♣X by South, down 4, E/W +800, 25% of 3NT by East or West making 3, E/W +400, and 25% of 3NT by East or West making 4, E/W +430, per Laws 16B1, 40B4, and 12C1c.

Experts Consulted: David Bakhshi, Nick Jacob, Roger Lee, David Grainger

<b>Panel Decision</b>	<b>50% 2♣X by S, Down 4, E/W +800 25% 3NT by W, Made 3, E/W +400 25% 3NT by W, Made 4, E/W +430</b>
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### Panel Members

<b>Reviewer</b>	Matt Koltnow
<b>Member</b>	Ken Horwedel
<b>Member</b>	Eric Bell
<b>Member</b>	David Metcalf

### Commentary

**Goldsmith:** Did anyone find out what the actual agreement was? I suspect that Stayman was correct. This ought to be done automatically, as MI is often an issue in cases like this. And who asked for an explanation of 2♣? And when?

When North Passed 2♣, South knows that either North psyched 1NT or there has been a misunderstanding. The latter seems much more likely. Even if, however, North did psych 1NT with long clubs and a bad hand, bidding 2♦ is likely to work out well; the opponents can probably make a zillion tricks in a major, so continuing to mess around will likely only gain. But it's not possible anyway. South has ♣Qx, partner has about seven clubs, and East made a penalty Double of clubs. That means West has a good hand with shortness in clubs, and if so, he would not have Passed 2♣; he would have made a takeout Double if that was his agreement, but more likely he'd reverse or cue bid.

I think there is plenty of AI for South to know that N/S had a misunderstanding. It would take a huge parlay of unlikely events for there not to have been one, and a misunderstanding in a probably undiscussed auction is not terribly unlikely. And even if South is wrong about that, bidding is almost certainly for the best. I don't know how the polls were done, but I think it's 100% clear to bid 2♦. Result stands.

**Marques:** There were some elements in the facts determined away from the table that pointed to the need of a weighted score. Considering the problem from South's point of view, without the UI the possible actions after 2♣ is Doubled are Pass and 2♦. It is strange that in the original ruling North was deemed to Pass 2♣ Doubled 100% of the time. E/W pointed this out when they argue about the possibility of a redouble by North. In my opinion, the TD should have conducted a second poll regarding North's actions. The TD's ruling would probably have been correct if Directors were not allowed to use weighted scores, but nowadays the TD has to allow in his ruling for the possibility of a redouble by North, who doesn't have any UI.

When North redoubles, what are now the likely sequences and outcomes? The Panel felt that E/W would always reach 3NT. It seems very reasonable.

Globally, a good job by the Panel on a case that turned out to be more complicated than it seemed at first sight.

**Martel:** Given the poll results the Director and later the Panel's adjudication was reasonable. That said, I think most would run to 2♦ as South, though perhaps not so many that Pass is not a LA.

**van den Meiracker:** The TD did the right thing, he polled players asking what South would bid after 2♣X and found out that Passing was a LA. Then he asked what North should bid after 2♣X Pass and all of the pollees would have Passed.

Asking for a review of the ruling is the right of N/S, but unless the questions asked were wrong or the players are not of the same level as N/S, I think the Reviewer has no right to poll more players.

It is a nice example of Law 12C1, but in this case, I don't agree with the outcome of the Panel.

**Wildavsky:** I do not understand the Panel's reasoning. Declarer played 3NT and went down five tricks. What is their basis for estimating that he would take nine tricks half the time and ten tricks half the time? Perhaps they judge that declarer would play South for a doubleton club if she sat the Double, but that's not a lock and in any case, they need to say so.

I also find it troubling that the Panel cites ACBL policy regarding granting deference to the TD's ruling only when it decides to uphold that ruling.

**Woolsey:** I must say I'm surprised by the results of the polls. If I had the South hand, Passing the Double of 2♣ wouldn't remotely be on my radar. I would consider bidding 2♦ a 100% action. However, if the polls have several players Passing the Double then I have to accept those results.

I'm also surprised that half the pollees ran from 2♣ Doubled with the North hand. On what basis? North has described his hand accurately, and South has placed the contract. If there is something funny about South's 2♣ call, it is up to South to get out of 2♣ Doubled.

If the polls are accurate, the Panel ruling is fine. However, I do have my doubts about whether or not the polls were worded correctly.

<b>Subject of Appeal:</b>	Misinformation	<b>Case:</b>	N13
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<b>Event</b>	Spingold Knockout Teams	<b>Event DIC</b>	Matt Smith
<b>Date</b>	07/30/2016	<b>Session</b>	Semifinals

### Auction

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

### Explanation of Special Calls and Points of Contention

1: Spades

### Hand Record

<b>Board</b>	7	N	Alejandro Bianchedi	
<b>Dealer</b>	S	♠	J105	
		♥	A1042	
<b>Vul</b>	Both	♦	K9875	
		♣	Q	
W	Pierre Zimmermann			E
♠	A			♠
♥	K7653			♥
♦	(void)			♦
♣	K1087652			♣
	S	Agustin Madala		
		♠	9873	
		♥	Q	
		♦	A643	
		♣	AJ93	
				♠
				♥
				♦
				♣

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
5♦X by N	Down 2	E/W +500	

### Facts Determined at the Table

The Director was called at the end of the auction. East had Alerted North about the 1♥ bid immediately. West had forgotten, and did not Alert the bid until after the tray was Passed back to the North/East side following his 4♦ call. At the end of the hand, South told the Director he would have bid 2NT, a good diamond raise, instead of doubling if he had been properly informed. He would not have needed to bid 5♦ later.

### Additional Factors Determined Away from the Table

The Director polled seven players. Two were asked about 2NT, and they felt it looked to be the normal action South would take rather than Double. They felt West would still bid 4♦. If South did not later bid 5♦, E/W were likely to be down three for -800 in a doubled five-level contract in either clubs or hearts. The seven were asked what they would do, having bid 2NT earlier: three bid 5♦ and four Passed. Most thought it was a very close decision.

### Director Ruling

Based upon the player poll, the contract and results were changed to 75% N/S +800 (in 5♣X by W or 5♥X by E) and 25% E/W +500, for 5♦x by North down two (the table result), per Laws 40B4, 21C3, and 12C1c.

<b>Director's Ruling</b>	75% 5♣/♥X by W/E, Down 3, N/S +800 25% 5♦X by N, Down 2, E/W +500
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## The Appeal

N/S requested a review of the ruling. They felt that the poll results were invalid, as the polled players did not understand N/S's methods. According to N/S, in their methods after the 2NT bid, North would Pass 4♦, which would show less interest in competing. After East's 4♠ bid, South would Double. This Double is not penalty; rather it suggests a sacrifice unless partner has reason to Pass. South admitted that this would normally have been a route to 5♦X as it was in the actual auction. He was adamant that N/S would never get a chance to reach 5♦X as West would always bid over 4♠X, having shown support for the wrong suit earlier in the auction.

E/W raised four concerns. West said that if South Passed 4♠, he would as well. West asserted that nine tricks (down two) was likely in either five-level contract. West suggested South's 2NT bid would wake him up to his forgotten agreement. West further felt that South could just as well have Doubled in the auction as it unfolded.

## Panel Findings

The Reviewer first interviewed four players to gauge the veracity of N/S's statement of their agreements regarding Double in this auction. All said that this was a treatment they had all played against, particularly among European players. The Reviewer then polled seven additional players, giving them the South hand. All Passed initially (although one would have preferred to open), all wanted to make a good diamond raise and accepted 2NT as the agreement. Six of the seven would have Doubled and one Passed, using this pair's methods.

The Reviewer consulted three experts to analyze the play in 5♣X or 5♥X. They did not see any reasonable line of play for declarer to take as many as nine tricks. In fact, they found seven tricks to be a significant possibility in 5♣X, which was the only contract one of them thought reasonable.

The Reviewer addressed E/W's counter-arguments. 4♠ undoubled was not a possibility, as polling showed South would always Double 4♠ had he raised diamonds earlier. Scoring nine tricks declaring 5♣ or 5♥ was not an achievable result for E/W. South opted for 5♦ rather than doubling 4♠ in the actual auction because he needed to avoid a disaster: he had Doubled 1♥, at the time thinking he'd shown spades. If he Doubled 4♠, partner might misunderstand and think the suggested sacrifice was in 5♥ (which leads to 6♦X) because North did not know about the slow Alert of 1♥ on the other side of the screen. Lastly, the Director's initial poll combined with the video showing the tempo of West's 4♦ call gave no evidence he would have done anything other than bid 4♦, even over South's proposed 2NT.

The contract was adjusted to 5♣X by West, (75% of the time) down 3, N/S +800, and (25% of the time) down 4, N/S +1100 per Laws 21C3, 40B4, and 12C1c.

<b>Panel Decision</b>	<b>75% 5♣X by W, Down 3, N/S +800 25% 5♣X by W, Down 4, N/S +1100</b>
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## Panel Members

<b>Reviewer</b>	Matt Koltnow
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## Commentary

**Goldsmith:** What did South's Double of 1♥ mean to North, who knew 1♥ showed spades? If it shows hearts, why didn't North bid 4♥ over 4♦? After all, he knows West is about to bid at least 4♥, and if South has real hearts, the hands might fit well. In contrast, what would 2♥ by South have been? Would Pass/Double Inversion (PDI) have been on with no diamond raise? What is the difference between South's doubling 1♥ and bidding 1♥? In the US, each show five spades; the former suggests diamond tolerance, and the latter suggesting no diamond tolerance. That doesn't look like N/S's agreements.

I think we don't have enough information to judge this, an extremely complex case, but I suspect I'd rule that a fairly large portion of the result is result stands. West discovered his error before he'd have to deal with 4♥x, and he knows that N/S are playing PDI, so the most likely result at that point is that N/S will bid over 4♥x. Passing is therefore pretty clear, mostly because N/S are very likely to bid, and partially because East might have long spades.

**Marques:** West Alerted South only after the 4♦ call, but South could have called the TD and tried to get the tray back if North hadn't already called over 4♦, so I presume that the Alert by West was not immediately after the call.

This is another case that illustrates the need for careful planning of a poll before conducting it. It is interesting that South gave the field TD food for thought when he stated that he would have bid 2NT as a good diamond raise instead of Double and most importantly that he would not have needed to bid 5♦. At this high level of play, competitors are expected to have specific agreements on competitive fitted auctions and the field TD could have asked about those. It's also strange that apparently none of the seven pollees is reported to have inquired about those agreements before giving his opinion, given South's hand. Additionally, from the report on additional factors, it seems that the pollees were given the four hands and not only South's because they gave opinions on West's and South's actions. IMHO when soliciting an opinion about a given board one should not give a pollee more than one of the hands, in order to get the most unbiased answer possible.

The approach that was followed by the Panel was much more sensible, and I agree with the final weighted score decision. One can argue if the weights should be 75%-25%, or something a bit different, but that's a detail that doesn't affect the quality of the decision produced.

**Martel:** This was a complex case but I think the final result by the Panel was quite reasonable. E/W are likely to end up in a doubled contract. The initial Director ruling was hard to get right since it required a lot of in depth knowledge of methods and high level evaluation.

**van den Meiracker:** In this case, N/S were right to ask for a review because the methods of N/S were not investigated by the TD. The Reviewer did a good job investigating what would have happened and the result was a ruling using Law 12C1, a weighted score reflecting what the experts expected would have happened in 5♣X by E/W.

**Wildavsky:** The rulings are reasonable, but putting this much pressure and responsibility on a single Panel member cannot be right.

**Woolsey:** We aren't told in the write-up what the meaning of South's Double is. However, assuming it shows some type of takeout bid with four spades, which it appears to show looking at the South hand, it is clear that South would not have made the call if he knew East had spades and that South would have made some kind of diamond raise instead.

It isn't so clear to me that South would have made the "I'm interested in saving Double" of 4♣ that South claims he would have made. South "knows" that North has a singleton or void in spades, so if South suggests saving why would North ever be inclined to Pass. However, if 6 out of 7 experts say they would have made this Double, I can accept that argument.

More important, why is it so clear that West would bid 5♣ over the Double. The Double isn't a penalty double. West has shown big spade support, and East will have no reason to think otherwise. How can West be running from 4♣ Doubled, particularly if the Double isn't a penalty double? If I were East, I would interpret a 5♣ call as a slam try on some monster distributional hand. Thus, West can't take this risk. I think West would have to Pass 4♣ Doubled and pray North takes the save South has suggested taking.

If West does Pass the Double of 4♣, what will North do? North "knows" his partner has at most 2 spades, and the sacrifice interest Double will confirm that South has at most 1 spade. North has all his values outside of spades, and has heard West make a splinter in support of spades. I think North could very well bid 5♦. In fact, I think it is more likely than not.

This is a complicated situation. However, I honestly don't see how a final contract of 5♣ Doubled could ever be reached assuming sane actions by the players. If I were on the Panel I would accept that South would have made the sacrifice-suggesting Double (since that's what the poll indicated), assume that West would Pass (since bidding 5♣ is virtually guaranteed to be a disaster), and conduct a poll on whether North would have Passed or bid 5♦ after that auction. My adjudication would be a weighted average of 4♣ Doubled down whatever it goes down and the table result, with the weighting depending upon the results of that poll.

<b>Subject of Appeal:</b>	Misinformation/Unauthorized Information	<b>Case:</b>	N14
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<b>Event</b>	Roth Open Swiss Teams	<b>Event DIC</b>	Kevin Perkins
<b>Date</b>	07/30/2016	<b>Session</b>	First Semifinal

### Auction

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

### Explanation of Special Calls and Points of Contention

1: 15-17 HCP
2: Penalty
3: Explained as a transfer

### Hand Record

<b>Board</b>	<b>25</b>	N	Neil Silverman		
<b>Dealer</b>	<b>N</b>	♠	J8654		
		♥	54		
<b>Vul</b>	<b>E/W</b>	♦	Q754		
		♣	76		
W	Joel Wooldridge			E	John Hurd
♠	KQ			♠	10972
♥	K1076			♥	Q932
♦	AJ102			♦	6
♣	QJ9			♣	A1083
		S	Jeff Wolfson		
		♠	A3		
		♥	AJ8		
		♦	K983		
		♣	K542		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
2♥ by S	Down 4	E/W +200	

### Facts Determined at the Table

The Director was called at the end of the auction. North told the Director that 2♦ should have been explained as diamonds and a major. Away from the table, East said he would have Doubled 2♦ for takeout with that information.

### Additional Factors Determined Away from the Table

Staff followed up on the claim of MI. Players who were asked found a takeout Double a very reasonable action by East. Staff considered auction continuations after South bid 2♥, as he felt he was accepting the transfer. One continued 2♥-Dbl-2♠-Dbl-All Pass; another possibility was 2♥-Dbl-2♠-Dbl-3♦-Dbl-All Pass. Three experts were consulted to analyze the play in 2♠X and 3♦X. They felt it overwhelmingly likely that each contract would be down two.

### Director Ruling

Based upon the player poll, the Directors judged that the MI had damaged E/W. Accordingly, the Director assigned the score of 50% of 2♠X by North, down two, E/W +300 and 50% of 3♦X by North, down two, E/W +300, per Laws 40B4, 21C3, and 12C1c.

<b>Director's Ruling</b>	<b>50% 3♦X by N, Down 2, E/W +300</b> <b>50% 2♠X by N, Down 2, E/W +300</b>
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### The Appeal

N/S requested a review of the ruling. They felt the play in 2♠ was not analyzed correctly.

## Panel Findings

The Reviewer felt the table Director did not address the unauthorized information aspect of the ruling, so he began the ruling process anew.

North was in possession of UI from partner's explanation of 2♦ as a transfer. The Reviewer asked three players about what an auction of Pass-Pass-1NT-Dbl-2♦-Pass-2♥-Pass-2♠ might show.

One said it was not possible that North was trying to show an invitational hand (because of the penalty Double), but two indicated that this sequence might well have a conventional meaning to N/S and could easily lead to a large penalty playing a Doubled contract at the three-level. Five players were polled with the North hand after partner's 2♥ call; all of them bid 2♠ and questioned how anyone could ever bid anything else, having shown diamonds and a major, with partner's 2♥ bid being pass-or-correct. Three additional players were given the South hand. All of them bid 2♥ and corrected 2♠ to 3♦, feeling that it was clear N/S were having an accident and that North held diamonds and spades.

Lastly, several players assisted in the analysis of 3♦X. The Reviewer accepted the analysis of the expert who felt that while six or eight tricks were possible about 10% of the time, a result of seven tricks was a clear majority result. The Reviewer elected not to give any weight to those two scores and adjusted the score to 3♦X by North, down two, E/W +300. based upon Laws 16B and 12C1c.

Experts consulted: several; Barry Rigal was the Reviewer's play analyst.

<b>Panel Decision</b>	<b>3♦X by N, Down 2, E/W +300</b>
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## Panel Members

<b>Reviewer</b>	Matt Koltnow
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## Commentary

**Goldsmith:** I agree with the Panel's approach and am quite surprised by the TD's failure to see the UI issue; it is glaring.

I'm not sure I'd let N/S out in 3♦X; I'd want to poll a lot more players than three. I think that other contracts will happen more than 20% of the time, and they ought to be included. I think in cases where Law 12C1c is being used or is likely to be used for an adjusted score, we need at least ten players polled. Then the odds are pretty good (about 89%) that we'll hear about all 20% or better possibilities. If this is too onerous, we probably ought to go back to Law 12C1e. This is an issue I have with Law 12C1c; table Directors need to get a lot of information to use it, and I don't think they have the time. Rulings using Law 12C1c come up a lot, and they take a lot of Director and player effort to judge. While Law 12C1c is fairer than Law 12C1e, I don't think the extra fairness is worth the tremendous amount of extra work it creates. I also think Law 12C1c is prone to more randomness. We are guessing about the percentages for each result, and only in simple cases will we be particularly close. What we ought to do is allow for either choice. When the percentages are reasonably easy to estimate, we do that. When they are not, we go back to the less fair but easier to implement rule.

N/S get at least a 1/4 board PP for blatant abuse of UI. Passing 2♥ is a violation of Law 73C. If I heard from North that he thought of bidding 2♠, but felt it was a violation, because it would likely lead to a better result for his side, then I'd relent. Not thinking about his responsibility gets him a PP.

I admit that I am too lazy to figure out all the permutations of the play in 3♦X. This set of comments will end up taking many hours without it. So, Barry, I choose to trust you!

**Marques:** This is a type of problem that is common and frequently leads to the mistake committed in the initial ruling. 2♦ is apparently diamonds & a major and was explained by South as hearts. E/W are misinformed, but also North receives UI from South's explanation. E/W feel damaged because of the evident MI, but the problem of UI is dormant, and because E/W didn't complain about it the TD didn't realize it initially.

There is one aspect of the case about which it is not clear if the Panel analyzed it. In a situation where E/W have the right information about 2♦, South thinks that it is a transfer and North has no UI, the bidding would probably start

West	North	East	South
	Pass	Pass	1NT
Dbl	2♦	Dbl	2♥
Dbl	?		

After East's Double, what are N/S agreements about Pass, redouble and 2♥? If 2♥ by South denies a diamond fit and asks North to pick a major, then we end up in 3♦ Doubled. But if the redouble is the "pick a major" bid and two of a major is natural, then North might Pass, and we would end up in 2♥ Doubled.

Apart from this, a good approach and a very reasonable decision by the Panel.

**Martel:** This was a bit easier than Case 13, and the final Panel decision looks correct to me. Probably the Director could have spotted the UI issue, but in the end didn't really matter.

**van den Meiracker:** There was no difference in the score for E/W between TD and Panel, but the Reviewer was right to poll players to find out that 2♠X is not an option and N/S will always end in 3♦X down two.

**Wildavsky:** Looks right to me, though the TD fell down on the job by failing to consider the UI aspect of the case. The appeal had merit because declarer would likely have scored seven tricks in 2♠. The idea of having a Panel of one again seems misguided, even with an expert player available to consult on the play and defense.

**Woolsey:** I think the adjudication is fine. What bothers me is North's Pass of 2♥. With 2♦ showing diamonds and a major, the meaning of South's 2♥ call must be Pass or correct. Why didn't North correct? Obviously because he had the UI that South had misinterpreted the 2♦ call, and was afraid the wheels might come off if he bid 2♠. This is blatant use of UI, and is totally out of line. North should have known better. I would slap N/S with a procedural penalty, and a big one.

<b>Subject of Appeal:</b>	Misinformation/Unauthorized Information	<b>Case:</b>	N15
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<b>Event</b>	Roth Open Swiss Teams	<b>Event DIC</b>	Kevin Perkins
<b>Date</b>	07/30/2016	<b>Session</b>	First Semifinal

### Auction

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

### Explanation of Special Calls and Points of Contention

1: Explained as limit raise

### Hand Record

<b>Board</b>	<b>23</b>	N	Jovanka Smederevac		
<b>Dealer</b>	<b>S</b>	♠	106		
		♥	10987		
<b>Vul</b>	<b>Both</b>	♦	K10		
		♣	AK1062		
<b>W</b>	Boguslaw Gierulski			<b>E</b>	Jerzy Skrzypczak
♠	AQJ84			♠	732
♥	4			♥	J32
♦	6542			♦	AQJ9
♣	QJ4			♣	853
		S	Gabriella Olivieri		
		♠	K95		
		♥	AKQ65		
		♦	873		
		♣	97		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
4♥ by S	Made 5	N/S +650	♣ J

### Facts Determined at the Table

The Director was called at the end of the hand. At the end of the auction, North said she intended 2NT as forcing. E/W said that opposite a limit raise, they cannot bid 3♦ or 3♥ naturally, as those are three-card and four-card raises. If 2NT is forcing, then 3♦ is a spade raise suggesting a diamond lead.

### Director Ruling

The TD ruled there had been misinformation, but that E/W had jeopardized their case by waiting until the end of the hand to call the Director. Nonetheless, he conducted a poll of players to see whether the different meanings for 2NT affected their call. None of the players polled bid anything different with either set of information, so there were no grounds to adjust the score under Laws 40B or 21B.

<b>Director's Ruling</b>	4♥ by S, Made 5, N/S +650
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### The Appeal

E/W requested a review of the ruling. They said that their agreements were as they described. East felt calling the Director at the time the misinformation was revealed would have made it clear to West what he wanted led. North reiterated a fact she had presented to the table Director that she had always intended to force with her hand, as the high-card strength and two doubletons made it worth upgrading.

## Panel Findings

The Reviewer was concerned about the integrity of the original poll, as polled players must be apprised of the methods a partnership uses in order for the poll results to be valid. First, he asked two players whether the set of agreements E/W said they had made sense. Both players said yes: one played against these methods; the other used them. Three additional players were given the East hand. All bid 3♦.

The Reviewer was also concerned about unauthorized information. South explained North's bid as limit, yet North bid 4♥ anyway. It was possible that North took advantage of UI to bid 4♥. The Reviewer was not able to interview N/S to pursue this element of the ruling. Since E/W only sought to have a diamond lead so they would defeat 4♥, he adjusted the score to 4♥ by South, down one, E/W +100, per Laws 40B4, 21B3, and 12C1c.

<b>Panel Decision</b>
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<b>4♥ by S, Down 1, E/W +100</b>
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## Panel Members

<b>Reviewer</b>	Matt Koltnow
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## Commentary

**Goldsmith:** Very sloppy work. First off, what is N/S's actual agreement? The Director ruled that there had been MI, but is this correct? Given how bad the rest of the ruling was, I have grave doubts. Did the Director ask the difference between 2NT and 2♠? It doesn't sound like it; it sounds as if he just believed North or used Law 75C. Let's make it a rule than when MI is determined, how it was determined is stated expressly.

If the explanation was correct, then there's no MI. There is UI, but the UI is irrelevant. If North thought she had a game forcing raise, what difference does it make that she knew her partner thought she had a limit raise? She couldn't make a bid she thinks is forcing to explore for slam, so 4♥ is automatic. So if the explanation was correct, then the result stands.

So let's say 2NT was forcing to game. To start with, thinking that North has UI constraints is crazy. She made a game forcing bid, and now you tell her she's not allowed to bid game? This makes no sense. But there was MI, and it clearly damaged E/W. Not only is it likely that East would have bid 3♦, it's clear to do so. But now it's somewhat unlikely that the final contract will be 4♥. Sometimes, North will rethink her game force with a ten-count and the highly valuable ♦Kx. She can't sensibly pass. Presumably South's pass is forcing, but how is it different from other actions? We need to know the answer to this to get a good feel for what the results will end up being. Let's guess that pass shows a defensive minimum and Double shows shortness in diamonds, and 3♥ or 4♥ show offensive hands of various strengths. Perhaps the TD or Panel might have found this out? Anyway, on that assumption, some Norths will Double 3♠. I don't think they can beat it. So we'll have some E/W +730s. Sometimes North will bid 4♥. East won't Double, and West won't let them play it, knowing he has a double fit. N/S pretty much have to Double. So there'll be some E/W -200s. Once in a while, maybe E/W will sell to 4♥ and beat it, but I expect those to be rare. I think North will Double 3♠ 1/3 of the time and bid 4♥ 2/3 of the time. If North bids 4♥, I think West will bid 4♠ about 80% of the time and will play there Doubled. So I get 5/15 E/W +730, 8/15 E/W -200, and 2/15 E/W +100. But that's a total guess, and my assumptions are probably false, since we don't know what South's actions over 3♦ would have meant, and we don't know what 2NT actually meant.

Finally, the write-up suggests that the Panel didn't want to bother working this whole thing out and just gave E/W what they wanted as a path of least resistance, because N/S probably committed some infraction. I hope that's the write-up's error.

**Marques:** E/W would have done better by calling the TD before the opening lead, but calling at the end of the hand they are still entitled to redress for any possible damage. Of course, their case is potentially weaker because anything they say can be now regarded as self-serving. The Reviewer did a good job establishing that E/W's methods were as stated by them.

The report is very critical to the initial poll. For the integrity of the poll, it is crucial that the players in the poll are of the same "class" as the player at the table. In this context, "class" does not refer only to the level of play but also to the style, methods and other factors that may influence the decision at the table. Therefore, the polled players must be provided with the available information regarding those factors. Here, from the report on the initial ruling itself, it sounds like the polled players were not given complete information about the methods of E/W, and the Panel findings seem to confirm it. If true, that was a mistake by the field TD, maybe prompted by the fact that E/W only called after the end of the hand.

The Panel also made a valid remark about the possibility of North having UI, but as North intended 2NT as forcing, the final contract seems normal.

Overall, a good decision by the Panel.

**Martel:** it seems there are some issues with the handling of this deal. First, there isn't a clear determination of what the N/S agreement was (in particular, was there some other way to show a forcing raise or a limit raise? Was the agreement limit+?) Without that it is hard to determine what MI if any there was (and we didn't get into how to rule if the real

agreement, as is somewhat likely, was limit raise or better). If indeed the agreement was a game forcing raise, then E/W's claimed methods are plausible, and if true, there was obvious damage to E/W. It seems the table Director didn't do a great job of polling.

The later poll seems better and supported adjustment. There is also the issue discussed of possible MI, but that does not point to a different result. If North intended 2NT as a Limit Raise, then there was no UI and North is free to bid what he wants. If North thought 2NT was a Game Forcing raise, then partner's Pass is not necessarily weak, and N would never Pass out 3♠ absent UI.

So final adjustment looks correct if there was MI.

**van den Meiracker:** The TD ruled that E/W jeopardized their case by not calling the TD at the end of the auction. The argument that by calling the TD, West could have figured out what to lead is questionable.

If 3♦ would have been spade raise suggesting a diamond lead, is 3♣ a spade raise suggesting a club lead? West has to guess between a ♦ or a ♣ lead, after the TD asked East away from the table, what he would have bid if 2NT was explained properly.

Most of the time it is better to call the TD after the opponents told you that there was a failure to Alert or a wrong explanation of a bid, because your case is stronger than if you wait till the board is finished, but not calling the TD immediately is not a reason not to handle the case normally. There was no need to poll players about the 4♥ bid by N because, with a diamond lead, 4♥ was down one.

**Wildavsky:** The TD's and the Panel's stated reasoning are each nonsensical. The TD appears to have taken a poll without informing the pollees of the E/W methods, making the poll worse than useless. The Panel seems to assert that if North intended her bid as a game forcing raise, she somehow took advantage of UI by bidding game.

The Panel's ruling looks superior to the TD's, but it is troubling that they could not interview N/S. What procedures are in place for these Panels? Surely those making such essential decisions ought to have access to the players who were at the table. Further, the players have a right to make their case. The National Appeals Committee followed a policy of never worsening the non-appellants' score unless they had been informed of the appeal, and so given the opportunity to appear.

**Woolsey:** I do not understand North's statement that she intended 2NT as forcing. Well, if 2NT is a limit raise, as South explained, then obviously it is forcing. Did North mean it was a forcing raise? I would want clarification about what North said.

I'm also a little puzzled about the E/W methods, and whether their lead-directing agreement applies over a general forcing 2NT call or if 2NT is a game-forcing raise.

E/W did not jeopardize their case by not calling the Director at the end of the auction. It was made clear that there had been MI, so everybody at the table was equally responsible for the failure to call the Director.

The Director's poll was awful if he didn't include the E/W methods. The Panel properly recovered that.

I do not understand the issue about North's 4♥ call. North apparently thought she was making a game-forcing raise to begin with.

<b>Subject of Appeal:</b>	Tempo/Unauthorized Information	<b>Case:</b>	N16
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<b>Event</b>	Roth Open Swiss Teams	<b>Event DIC</b>	Kevin Perkins
<b>Date</b>	07/30/2016	<b>Session</b>	First Semifinal

### Auction

West	North	East	South
		Pass	Pass
1♦	Pass	1♥	Pass
1♠	Pass	3♦	Pass
3NT	Pass	Pass	Pass <sup>1</sup>

### Explanation of Special Calls and Points of Contention

1: Break in Tempo

### Hand Record

<b>Board</b>	<b>2</b>	N	May Sakr		
<b>Dealer</b>	<b>E</b>	♠ 97	♥ QJ10		
<b>Vul</b>	<b>N/S</b>	♦ Q1073	♣ 10432		
<b>W</b>	Andy Bowles			<b>E</b>	Shireen Mohandes
♠	AK82			♠	QJ
♥	4			♥	K876
♦	AK85			♦	J642
♣	Q986			♣	K75
		S			
		♠	106543		
		♥	A9532		
		♦	9		
		♣	AJ		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
3NT by W	Down 2	N/S +100	♥ Q

### Facts Determined at the Table

The Director was called when the opening lead was made. West stated there had been an unmistakable hesitation before South's final pass. North and South agreed there was a small hesitation; South said it was probably ten seconds.

### Additional Factors Determined Away from the Table

The Director deemed that ten seconds was enough to rule there had been an unmistakable hesitation, so he proceeded to poll players to determine whether there was damage from use of that UI. The Director polled four players with North's opening lead problem. One led a club, and the other three led a heart. All four thought the break in tempo suggested leading a heart. The three players who led a heart all told the Director that they would lead a club if South had broken tempo.

### Director Ruling

Based upon Laws 73C and 16B1 and the player poll, the TD imposed a club lead on North. He got expert analysis of the play in 3NT, and the experts believed down one was a very likely result, and making three would happen a small percentage of the time. Accordingly, per Law 12C1c, he adjusted the score to 75% of 3NT by West, down one, N/S +50, and 25% of 3NT by West, making three, E/W +400.

<b>Director's Ruling</b>	<b>75% 3NT by W, Down 1, N/S +50</b> <b>25% 3NT by W, Made 3, E/W +400</b>
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## The Appeal

N/S requested a review of the ruling. North thought no reasonable player would choose a lead other than the ♥Q; she was concerned players were not informed of the E/W bidding system. E/W were playing ACOL with a strong no trump; West's 1♠ rebid suggested an unbalanced hand pattern, making a heart lead automatic.

### Panel Findings

The Reviewer was concerned about the integrity of the poll results. A Director asks questions about actions a player would choose, other actions which are attractive, and the value of UI which might be present. The table Director asked questions in a way that those polled were effectively making the ruling, rather than giving their expert bridge opinion. Using that poll information might have led the TD to draw an incorrect conclusion.

The Reviewer accepted the original poll's finding that the UI suggested a heart lead. He was concerned that those polled did not have an accurate description of the E/W bidding system. He gave the hand to eight players. All eight players led the ♥Q and felt no reasonable player would choose any other lead. On this information, the Review Panel felt that Law 16B1 did not apply—while there was UI that suggested a heart lead, there was no LA. The Panel restored the table result of 3NT, down two, N/S +100.

<b>Panel Decision</b>
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<b>3NT by W, Down 2, N/S +100</b>
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### Panel Members

<b>Reviewer</b>	Matt Koltnow
<b>Advisor</b>	Gary Zeiger
<b>Advisor</b>	David Metcalf

### Commentary

**Goldsmith:** Did North say something like, "yeah, partner's wiggle suggested a heart, but it was almost certain that declarer had a stiff heart, so I considered not leading a heart because of partner's BIT, but finally judged that a heart was automatic," at the table, or only after a lot of consideration? I'd be a lot happier with the ruling if the former. And why didn't the Director ask questions along this line to find out if North had carefully reasoned the lead or just did what came naturally? If he had asked, then North's claim that she was pretty sure that West had a stiff heart would have been available immediately, lending substantial credence to her claim. A better performance by the table Director could easily have made this ruling easy. If all that had occurred, then it seems as if E/W would have been unlikely to appeal. If North didn't say most of that at the table, then ruling that there was no LA to a heart lead is reasonable but far from clear.

**Marques:** Another lesson on polling. The questions to be put on the poll must be carefully planned ahead of time. One of the specifications for these questions is that they should be unbiased. Also when the pollees know that the question asked is related to a hesitation, it is very common for them to bend backwards in their answer (like the initial pollees that said that they would lead a club if there was a hesitation). One of my "tricks" in that regard is to make the pollees think that we are facing a case of mistaken information, in order to eliminate that factor from the answer.

The second poll is clear that even if the hesitation suggests a heart lead, the auction, and the opening leader's hand suggest the same thing, so a club is not a LA. I agree with the Panel's decision.

**Martel:** I don't understand the Director's ruling. If the club lead is a LA to a heart, then North should be deemed to lead a club, after which 3NT would be likely to make. If there is no LA to a heart, then the result stands. There should be no weighting of the lead in this sort of case.

Doing a better poll was good by the Panel. The results support there being no LA to a heart (which I think was a reasonable, though not clear conclusion). I would also add that I really don't like South's slow pass here (and why is South's name missing from the writeup?). Doubling seems unlikely (and South had time to consider doubling earlier in the auction), so the slow Pass seems bad to me. So I would be inclined to be particularly hard on North's choice.

– editor's note: The N/S team captain neglected to fill in the name of the South player on the Appeal form. As it was not one of North's regular partners, we have not been able to determine which of her four teammates was playing during this match.

**van den Meiracker:** This is another case where the Panel choose to poll more players. Here the Reviewer was concerned that those polled did not have an accurate description of the E/W bidding system. With this information, eight players all led the ♥Q, and the result is 3NT down two.

**Wildavsky:** Again the Panel seems to have gone out of its way to rule in favor of the offenders. South's hesitation is a bad one. She does not seem to have been contemplating any action other than pass. It would be unusual to Double when

both opponents were unlimited, even with stronger hearts. Further, opening leads are difficult. It's rare that one is universal, and the unbid suit is almost always a contender.

**Woolsey:** Clearly the Director should have done a better job of ascertaining the auction and what it meant. When the proper inferences were given, the results of the poll say it all.

<b>Subject of Appeal:</b>	Unintended Call	<b>Case:</b>	N17
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<b>Event</b>	Roth Open Swiss Teams	<b>Event DIC</b>	Kevin Perkins
<b>Date</b>	07/30/2016	<b>Session</b>	Second Semifinal

**Auction**

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

**Hand Record**

<b>Board</b>	<b>34</b>	N	Alan Watson		
<b>Dealer</b>	<b>E</b>	♠	AJ9xx		
		♥	AQx		
<b>Vul</b>	<b>N/S</b>	♦	QJ		
		♣	Kxx		
<b>W</b>	Andrea Manno			<b>E</b>	Massimiliano DiFranco
♠				♠	
♥				♥	
♦				♦	
♣				♣	
		S	Melody Bi		
		♠	(void)		
		♥	Jxx		
		♦	Axxx		
		♣	AQJxxx		

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

1: Unintended

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
3♣ by S	Made 6	N/S +170	

**Facts Determined at the Table**

The Director was called when the 3♣ bid was made. Immediately after his 3♣ bid touched the table, North realized it was not the bid he wanted to make. The Director's inquiry focused on whether a bid had been made. ACBL Bid Box regulations call for Directors to apply the provisions of Law 45C (Played Card) to determine whether a bid has actually been made and is part of the auction. East, West, and South all described the position of the bid cards as on the table; North held the cards much higher and off the table.

From these facts, the Director ruled that North had bid 3♣, per Law 85A. However, the Director's impression was that 3♣ was not North's intended call, so he directed North to replace 3♣ with what he intended. East and West objected vociferously; they made it clear they thought North should not be allowed to change his call. The Director decided to take North away from the table to make a more careful determination whether 3♣ was North's intention. Away from the table, North told the Director that it was obvious he could never have intended 3♣ as it was non-forcing. He meant to bid 2♦, systemically game forcing.

**Director Ruling**

The Director considered the facts he was able to collect, and he concluded that North did indeed intend to bid 3♣. He thought the best explanation for North's 3♣ bid was that he intended to support clubs on his next turn after having forced to game; he had just gotten one round ahead of the bidding. That means North's action was intended and not able to be corrected. Law 25 did not apply; he cautioned South that she had UI (Law 16B1) and that she could not gain an advantage from anything she had heard.

<b>Director's Ruling</b>	3♣ by S, Made 6, N/S +170
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## The Appeal

N/S requested a review of the ruling. They thought that the Director had ruled correctly when he analyzed North's action as unintended (a mechanical error). They questioned why he changed his mind and how he determined North's action was intended rather than unintended.

### Panel Findings

Under current ACBL appeal procedures, the original ruling is to be considered correct unless a procedural error is detected or an illegal ruling has been made. The Reviewer independently explored the theory of 3♣ being intended at a later turn as did his Panel advisor. The Reviewer found no procedural error or incorrect application of Law; as such, the table ruling must stand. The table Director had effectively made two different rulings (first applying Law 25A, then deciding its provisions had not been met and applying 16B1 instead). As such, the appeal was deemed to have merit.

<b>Panel Decision</b>	<b>3♣ by S, Made 6, N/S +170</b>
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### Panel Members

<b>Reviewer</b>	Matt Koltnow
<b>Advisor</b>	Gary Zeiger

### Commentary

**Goldsmith:** I don't need to repeat my rant here. The Director's ruling was predicated on his ability to read North's mind. And he called North a liar about his own thoughts. This has to stop.

It's obvious from North's hand and actions that he didn't intend to bid 3♣. Anyone can see that. The argument that North planned to bid 3♣ next round is ridiculous. If South bid 2♠ or 2♦ (what he would bid), who thinks North would rebid 3♣?

Another 82C, Ave+ to each side for Director's error.

**Marques:** The TD went through some unnecessary twists and turns during the decision process. After establishing that the 3♣ bid was made, the TD should have immediately talked with North to understand if the provisions of 25A (unintended call) or 25B (intended call) applied. Jumping to the conclusion that 25A applies and then when E/W complain, perform a deeper inquiry and conclude otherwise is unfortunate.

One gets the idea that against a different E/W pair the TD's decision would have been different.

Regarding the decision itself, one element that points to the correctness of the final TD's ruling is that a slip of finger usually makes you bid something immediately above, below or on the side of the intended call. 3♣ is nowhere near 2♦ in the bidding box so my tendency would be to think that North, the moment he picked up 3♣ from the bidding box, actually intended to bid 3♣, and in the meantime realized (a little too late) that it was the wrong bid in that sequence. In the end, a good decision by the TD and by the Panel.

**Martel:** Hard to argue with the Director's ruling that one is unlikely to remove the 3♣ bid card while trying to bid 2♦.

**van den Meiracker:** It was obvious that North bid 3♣ and didn't realize that this was non-forcing. The moment he was aware of that (changing his mind) he wanted to change his bid in 2♦, which is not a case of Law 25A (unintended).

**Wildavsky:** The fact that 2♦ and 3♣ are not adjacent in the bidding box weakens North's contention. The Panel's justification for upholding the TD's ruling is strange, though, since he seems to have made two opposite rulings.

**Woolsey:** The Director's conclusion that North's error was a mental accident as opposed to a mechanical accident looks right to me. One doesn't reach for the 2♦ bid and accidentally pull out the 3♣ bid.

<b>Subject of Appeal:</b>	Tempo/Unauthorized Information	<b>Case:</b>	N18
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<b>Event</b>	Roth Open Swiss Teams	<b>Event DIC</b>	Kevin Perkins
<b>Date</b>	07/31/2016	<b>Session</b>	Second Final

### Auction

West	North	East	South
			Pass
Pass	2♠	4♣ <sup>1</sup>	Pass
4♠	Pass	5♠ <sup>2</sup>	Pass
6♣ <sup>3</sup>	Pass	7♣	Pass
Pass	Pass		

### Explanation of Special Calls and Points of Contention

1: Clubs & Hearts, Forcing
2: Cuebid, looking for grand slam
3: Break in Tempo

### Hand Record

<b>Board</b>	<b>3</b>	N	Dan, Wolkowitz		
<b>Dealer</b>	<b>S</b>	♠	KQ10952		
		♥	84		
<b>Vul</b>	<b>E/W</b>	♦	KJ9		
		♣	84		
<b>W</b>	Kevin Rosenberg			<b>E</b>	Ben Kristensen
♠	A87643			♠	(void)
♥	2			♥	AKJ10965
♦	A52			♦	3
♣	J72			♣	AKQ93
		S	Kyoko Shimamura		
		♠	J		
		♥	Q73		
		♦	Q108764		
		♣	1065		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
7♣ by E	Made 7	E/W +2140	

### Facts Determined at the Table

The Director was called during the post-match score comparison. North/South sought a ruling on the slow 6♣ bid and 7♣ continuation.

The Director collected facts regarding the tempo of the auction. West stated that he thought he had taken 15-30 seconds to bid 6♣. On the opposite side of the screen, North and East agreed that they had acknowledged at the time there had been a break in tempo, which East estimated after the match could well have been 30-45 seconds. Under newly-adopted screen procedures, much more weight is given to statements of the players on the opposite side of the screen from the source of any UI, such as a break in tempo.

### Additional Factors Determined Away from the Table

The Director gave the East hand to three players. Over 6♣, two passed. One wanted to bid 7♣ over 4♠.

### Director Ruling

The player poll established Pass as a LA, so, according to Laws 16B1 and 12C1c, the contract and result were adjusted to 6♣ by East, making 7, E/W +1390.

<b>Director's Ruling</b>	6♣ by E, Made 7, E/W +1390
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## The Appeal

E/W requested a review of the ruling. East said he was always bidding 7♣; West thought the BIT was not long enough to be an unmistakable hesitation, particularly in a high-level auction such as this..

### Panel Findings

The Reviewer was concerned about the integrity of the poll, as the table Director had limited time and resources. She had only been able to poll three players.

The Reviewer polled four additional players with the East hand. All wanted to show a strong hand with clubs and hearts and accepted the 4♣ bid. Over 4♣, three chose 5♣ and one bid 5NT, but he thought 5♣ was a good choice as well. All four passed 6♣. The three who were asked said that a slow 6♣ suggested doubt about whether 6♣ should be the final contract; it made 7♣ more attractive to them.

Separately, two players were asked about how much the screen itself masked the source of the UI. They suggested that if players had been careful to move the tray more slowly during earlier rounds of bidding, this break in tempo might not have been noticeable. They felt in this case that it was clear that only West could have hesitated. The Reviewer felt that his research showed the table ruling had indeed been correct. By new ACBL appeals procedure, the table ruling is required to stand unless a procedural error or misapplication of Law is discovered.

Experts consulted on screen environment: David Bakhshi, David Gold

<b>Panel Decision</b>	<b>6♣ by E, Made 7, E/W +1390</b>
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### Panel Members

<b>Reviewer</b>	Matt Koltnow
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### Commentary

**Goldsmith:** The ruling is straightforward and correct.

"East said he was always bidding 7C" is a demand for an AWMW, so one ought to have been given.

This time "by new ACBL appeals procedure, the table ruling is required to stand unless a procedural error or misapplication of Law is discovered" is simply a lie. If the Panel had judged that passing 6♣ was not a LA, they would have ruled result stands. If they weren't going to do that, why did they investigate at all?

**Marques:** East should know that after bidding 5♣ as a grand slam invitation he would have to respect partner's decision. The only way for him to escape this would have been to write a note for his screen mate saying that he would bid seven anyway, especially if, as he stated in the appeal, he always intended that. He should know that a hesitation by partner would, in practical terms, bar him from bidding seven.

Good analysis and good decision by the Panel.

**Martel:** As a bridge matter, I'd agree with those thinking it was clear to drive to 7♣ over 4♣. However, the poll does suggest that Pass is a LA. I'd again note that the new ACBL appeals procedure does not seem to be followed as stated. At a minimum it should also note that the table ruling can be reversed when new facts are determined.

**van den Meiracker:** The result of the poll indicates that passing 6♣ is a LA.

**Wildavsky:** I see no merit to this appeal. If East planned to bid 7♣ why did he waste time with 5♣? I also don't understand why he'd want to bid a grand at all since it looks as though West has denied a diamond control.

**Woolsey:** If East had received the UI that West was considering doing something other than signing off in 6♣, as the poll indicates, then East is not allowed to bid the grand. The issue is whether or not East did receive such UI.

East's 5♣ call is unexpected and would give any player in the West seat something to think about regardless of West's hand. He would have to figure out what East is looking for, particularly since a trump suit hasn't been established. In addition, he would have to work out whether East is looking for West to choose a trump suit, making a grand slam try in whatever trump suit West is choosing or who knows what. This is a difficult auction. It is normal for West to be taking some time trying to figure out what East is doing.

I would consider 30 seconds or even more a pretty normal tempo for West's problem. In fact, if West bid much faster than that it would be indicative that West hated his hand in the context of previous bidding and didn't care what East was doing with the 5♣ call. Thus, I do not think on this auction that a 30 to 45 second delay conveys any real UI other than that West is trying to figure out what East is doing. For this reason, I disagree with the ruling.

<b>Subject of Appeal:</b>	Tempo/Unauthorized Information	<b>Case:</b>	R1
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<b>Event</b>	Grand National Teams, Flight B	<b>Event DIC</b>	Ken Van Cleve
<b>Date</b>	07/20/2016	<b>Session</b>	Qualifying First Session

### Auction

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

### Explanation of Special Calls and Points of Contention

1: Natural, shows values
2: Break in Tempo

### Hand Record

Board	30	N	2090 MPS		
<b>Dealer</b>	<b>E</b>	♠ 8542			
		♥ J10			
<b>Vul</b>	<b>None</b>	♦ AK9			
		♣ Q952			
<b>W</b>	1330 MPS			<b>E</b>	660 MPS
♠	103			♠	KQJ976
♥	Q9875			♥	A63
♦	J1062			♦	84
♣	A4			♣	103
		<b>S</b>	1410 MPS		
		♠	A		
		♥	K42		
		♦	Q753		
		♣	KJ876		

Final Contract	Result of Play	Score	Opening Lead
5♣ by N	Made 5	N/S +400	♠ K

### Facts Determined at the Table

The Director was called after the hand by West. West claimed that 3♥ was bid slowly (E/W said 15 seconds, N/S less than 10 seconds) and 5♣ was bid quickly, and that passing 5♣ was strange.

### Additional Factors Determined Away from the Table

Six players were polled with the North hand. Five bid 5♦ as a cue bid, and one bid 5♥. Passing is not a LA, and non-pass actions will result in N/S playing 6♣.

### Director Ruling

As the player poll confirmed that passing 5♣ was not a LA and UI existed from the breaks in tempo, per Laws 16B and 12C, the result was changed to 6♣ by North, down 1, E/W +50.

<b>Director's Ruling</b>	<b>6♣ by N, Down 1, E/W +50</b>
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### The Appeal

N/S appealed. All four players attended the review. The Reviewer asked the appellants if there was any law misinterpreted or procedure done in error concerning the Director's ruling. They could not come up with an answer to the question. They did say they did not like how the Director handled the ruling.

North testified that the 3♥ bid could either be a strong heart hand or a cue bid in support of clubs. Over 4♥, he could have bid 4♠ or 4NT to show it was heart support. Therefore 5♣ had to be clubs, but he could not explain why 5♣ could not be support for hearts, which would be a normal treatment.

The Panel tried further to get the appellants to explain how in their system this auction showed only clubs. For example, they were asked to explain the difference between the sequence of 2♠-Dbl-P-3♣C-P-3♥ and the sequence 2♠-Dbl-P-3♣-P-3♠. They answered only that the second sequence most likely was looking for 3NT.

## Panel Findings

The Panel saw no errors in the Director's ruling. The quick bid of 5♣ created UI (Law 73A: "calls and plays should be made without undue emphasis, mannerism or inflection, and without undue hesitation or haste"). North by passing 5♣ violated Law 73C ("he must carefully avoid taking any advantage from that UI"), which led to Law 16B and 12C. The ruling by the table Director was therefore upheld, 6♣ by N, down 1, E/W +50. An Appeal without Merit Warning was also issued.

<b>Panel Decision</b>	<b>6♣ by N, Down 1, E/W +50</b>
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## Panel Members

<b>Reviewer</b>	Jeff Jacob
<b>Member</b>	Matt Koltnow
<b>Member</b>	Ken Horwedel

## Commentary

**Goldsmith:** "The Reviewer asked the appellants if there was any law misinterpreted or procedure done in error concerning the Director's ruling." So this misunderstanding is now in the players' faces? Players are allowed to appeal if they think that the Director's judgment is in error. Most appeals are for that reason. Appeals are allowed when players think the Director didn't have complete information. Or the players thought of a very good reason why the ruling ought to change. There is no reason why an appeal must only concern a misapplication of law or erroneous procedure, so why is the Reviewer asking this question?

As to this ruling, I agree that there is no way this auction can occur without That Old Black Magic. The screening Director appeared to try to impress on the players that this is true. It's a pity the table Director did not. As a result, I would not give them an AWMW; the appeal was necessary for the education process to occur. I would, however, give a 1/2 board PP for egregious abuse of UI. And I think the table Director ought to have done that as a spur to get the education process going. (Yes, I know the AWMW is fully warranted.)

**Marques:** The only remark I have on this one is that when dealing with less experienced players, asking them if a Law was misinterpreted or a procedure was done in error will usually not get a useful reply. We need that information from the players but need to come up with a more efficient way to get it. Less experienced players will not have a deep knowledge of the Laws to pinpoint errors in interpretation and will not be familiar enough with procedures to know if an error was made. Apart from that, perfect decision and a deserved AWMW.

**Martel:** All seems fine

**van den Meiracker:** I totally agree with the fact that that the Reviewer saw no errors in the Director's ruling.

**Wildavsky:** The TD's application of the Law is incorrect. The question under Law 16 is not whether Pass is a LA, but whether bidding is. It makes no difference here, but the distinction would be essential in other cases.

I agree with the AWMW and would support Jeff Goldsmith's suggestion for a procedural penalty in addition.

**Woolsey:** North's statement that 3♥ could be either a strong heart hand or a cue-bid in support of clubs may seem self-serving. However, the fact is that South did bid 3♥. It seems to me that this bid itself confirms that North's statement is true in their partnership, since otherwise I don't see how South could possibly have risked bidding 3♥.

South's huddle before bidding 3♥ doesn't mean anything, since there were many things he might have been thinking about, including planning his future auction. I don't see that a prompt 5♣ indicates anything other than that this was what South had planned to do over a 4♥ call, since certainly 4♥ was a bid which South would have been expecting a reasonable possibility.

For these reasons, I don't agree with the ruling. I don't believe there was any UI other than that South had planned his auction in advance, which is simply good bridge. Admittedly the agreement that 5♣ is to play is unusual, but the fact that South bid 3♥ is a strong indication that this really is the partnership agreement.

The only way I would agree with the ruling is if South made it clear by his body actions that he was bidding the fifth and final club. That was not so stated in the casebook.

At any rate, I strongly disagree with the AWMW even if the ruling is accepted. This is complex situation, and certainly worth a review.

<b>Subject of Appeal:</b> Misinformation	<b>Case:</b> R2
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<b>Event</b> Bruce Life Master Pairs	<b>Event DIC</b> Mike Roberts
<b>Date</b> 07/22/2016	<b>Session</b> First Qualifying

### Auction

West	North	East	South
			1♣
1♦	1♠	Db1 <sup>1</sup>	Rdb1 <sup>2</sup>
Pass	Pass	2♣	Pass
2♦	2♠	Pass	Pass
Pass			

### Explanation of Special Calls and Points of Contention

1: Explained as penalty
2: Three card ♠ support

### Hand Record

Board	23	N	2000 MPS		
<b>Dealer</b>	<b>S</b>	♠	A10963		
		♥	K83		
<b>Vul</b>	<b>Both</b>	♦	1097		
		♣	104		
<b>W</b>	2650 MPS			<b>E</b>	900 MPS
♠	QJ			♠	874
♥	J9			♥	Q10754
♦	Q86542			♦	K
♣	AJ2			♣	K953
		<b>S</b>	2350 MPS		
		♠	K52		
		♥	A62		
		♦	AJ3		
		♣	Q876		

Final Contract	Result of Play	Score	Opening Lead
2♠ by N	Made 2	N/S +110	♦ K

### Facts Determined at the Table

The Director was called at the conclusion of the play. At the end of the auction, North asked what the E/W agreement was concerning East's Double. He was told that it was a penalty Double. East had intended the call to show hearts. During the play, North finessed East for the ♠Q and claimed he would be less likely to make that play had he not received that explanation.

### Director Ruling

There was not sufficient documentation provided by E/W to serve as evidence that the Double was penalty by agreement (Law 75C: "the Director is to presume mistaken explanation, rather than mistaken call, in the absence of evidence to the contrary."). The Directors ruled that the misinformation provided resulted in damage to N/S, and adjusted the score to 2♠ by North making three, N/S +140 (Laws 47E2b and 12C1).

<b>Director's Ruling</b>	<b>2♠ by N, Made 3, N/S +140</b>
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### The Appeal

E/W appealed the Director's ruling. All players attended the review. The Reviewer discovered that North's question actually occurred after dummy was spread. The play had been ♦K won in dummy with the a Ace; low spade to West's Jack and declarer's Ace; ♠9 from declarer ducked around to West's Queen. Declarer lost that trick, the ♦Q and a diamond ruff by East, and two clubs.

E/W are a long-standing and regular partnership. Their convention cards were fully completed. Responsive Doubles were noted. West thought they had discussed that Responsive Doubles applied only when the same suit was raised, therefore the default for East's Double was penalty; East did not recall such a discussion. East intended his Double as responsive showing hearts, not specifically Snapdragon. There was no notation of Snapdragon Doubles on the convention cards.

North told the Reviewer that when he saw dummy he wondered if the Double was Snapdragon, thus prompting his question. When asked what he thought of the auction with that explanation he said he thought it made sense even though it looked a bit weird. He thought it was possible that the Double could have been made on a four card suit headed by the queen, and the redouble sent East running. He maintained he would not have played the spade suit the way he did if he had not been told the Double was penalty.

E/W were asked why they were appealing the Director's ruling. West said that they believed the convention cards supported that their real agreement for the Double was penalty.

## Panel Findings

The Panel first addressed whether there had been any misinformation. Given that East's understanding of what his Double meant was different than West's, and that he did not recall a discussion about what it meant in the situation where RHO bids a different suit than opener, the Panel agreed with the Directors that misinformation occurred. West told North that an agreement existed and that it was penalty when in fact no such agreement seemed to exist.

The Panel then decided to investigate whether the misinformation caused damage to North in the play to 2♠. The Reviewer gave the hand as a single dummy problem to two peers of North. Both assumed without asking that the Double showed hearts, but did not think it unusual to ask. When each was told that the Double was described as penalty, neither found the explanation unusual. Both won the diamond Ace and played a spade to the Ace and ducked the ten through East losing to West's Queen. When told afterward that there really was no such agreement, neither wanted to finesse East for the spade Queen for fear of a diamond ruff.

Based on this information, the Panel concluded that North was damaged by the misinformation he received and that he would have made nine tricks in its absence. The Panel upheld the Directors' ruling. The appeal was found to have merit.

<b>Panel Decision</b>	<b>2♠ by N, Made 3, N/S +140</b>
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## Panel Members

<b>Reviewer</b>	Matt Smith
<b>Member</b>	Jenni Carmichael
<b>Member</b>	Brian Weikle
<b>Member</b>	Matt Koltnow

## Commentary

**Goldsmith:** N/S really play support redoubles of penalty doubles? Yeah, South didn't know that it was a penalty double then, but it is still pretty curious.

I agree with the ruling. There was misinformation. The MI directly led to the NOS's bad result. So, the score needs to be adjusted.

One issue is how N/S made eight tricks. The misguess in spades cost two tricks, so the defense must have dropped a trick. If the defense to do so was still likely after the change in declarer's play, then N/S might make four.

**Marques:** When the experts were given the hand as a single dummy problem, they should have been told that the meaning of the Double was "no agreement." As it was, the experts basically reproduced declarer's play with the wrong information. However, I don't think that it affects the final conclusion that there was damage so 2♠ by N making 3 looks to me like a good decision.

**Martel:** Again, all fine. Good to see proper application that an agreement has to be known to both partners.

**van den Meiracker:** The only strange thing for the declarer is that if East Doubles 1♠ for penalty, why are they not doubling 2♠ for penalty??

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

**Woolsey:** The Panel demonstrated that they do not know how to conduct a poll on the play. When presenting as a single-dummy problem, the pollees should not have been told the Double was described as penalties. It isn't their job to assess declarer's line of play with the wrong information. It is their job to play the hand given the correct information. If they were

told that there was no agreement about the Double (apparently the correct information), I am quite confident that they would have led the King of Spades at trick 2 (not a spade to the ace), and that would have been that.

Anyway, the ruling is clearly correct. I am bothered about West's statement that the Double was penalties after seeing the dummy. He knew quite well that wasn't what East intended, and that there wasn't a clear agreement as such. Furthermore, considering his spade holding, he knew that his statement could easily induce declarer into getting the spades wrong. If this were an expert I would definitely give a procedural penalty. Perhaps at this level a good talking to is more proper.

<b>Subject of Appeal:</b>	Misinformation	<b>Case:</b>	R3
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<b>Event</b>	Young 5K Life Master Pairs	<b>Event DIC</b>	Mike Roberts
<b>Date</b>	07/24/2016	<b>Session</b>	Second Final

### Auction

West	North	East	South
		1♠	Pass
2♥	Pass	3♣	Pass
3♠	Pass	3NT <sup>1</sup>	Pass
4♦ <sup>2</sup>	Pass	5♣ <sup>2</sup>	Pass
5♥ <sup>2</sup>	Pass	6♠	Pass
Pass	Pass		

### Explanation of Special Calls and Points of Contention

1: Trump Cuebid, No Alert
2: Control Cuebid

### Hand Record

Board	10	N	2930 MPS		
<b>Dealer</b>	<b>E</b>	♠ 942			
<b>Vul</b>	<b>Both</b>	♥ Q5			
		♦ Q109876			
		♣ 106			
<b>W</b>	1520 MPS			<b>E</b>	3320 MPS
♠	K76			♠	AQJ105
♥	AKJ1087			♥	64
♦	K			♦	J4
♣	Q94			♣	AK32
		<b>S</b>	4680 MPS		
		♠	83		
		♥	932		
		♦	A532		
		♣	J875		

Final Contract	Result of Play	Score	Opening Lead
6♠ by E	Made 7	E/W +1460	♠ 3

### Facts Determined at the Table

At the end of the auction, 3NT was explained as a trump cue bid (not Alerted). South inquired about the 4♦ bid, which was explained as a cue bid. When South inquired further, East described the 4♦ bid as first round control.

At the end of the hand, South summoned the Director and claimed he would have led the ♦A if he had been told it could be a second round control. East/West insisted the explanation was correct. When pressed further by the table Director as to why West bid 4♦, he replied, "Because it seemed like the best bid."

### Director Ruling

The legal question for the table Director was if the explanation provided correlates with the partnership agreement. East/West's first line of defense that they correctly explained the agreement was by pointing to the lack of Italian cue bids on the card. That was not sufficient for the table Director, who originally concluded that the explanation was incorrect.

Later on, however, East/West produced system notes that explicitly demonstrated the 4♦ bid showed first round control. Based on the production of system notes, the Director ruled there was no misinformation or other legal infraction, and the table result was allowed to stand (Law 75C).

<b>Director's Ruling</b>	6♠ by E, Made 7, E/W +1460
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### The Appeal

North/South appealed the ruling. All players appeared at the review. Only South disputed the ruling (North said nothing unless asked a specific question of fact by the Reviewer). South did not dispute that the system notes were consistent with the explanation of the 4♦ bid proffered by East.

When asked by the Reviewer why in South's opinion the Director was incorrect in his ruling, South said that first round control was not the agreement. When presented with the system notes, South said that since West bid 4♦, that means first round control cannot be their agreement. When asked by the Reviewer if it was South's belief that a player can never deviate from a partnership agreement, he restated that it cannot be their agreement if West bid 4♦.

## Panel Findings

The Panel upheld the ruling of 6♠ by East, making 7, E/W +1460. South's position that East/West did not properly state their agreement, not only belies the best evidence that East/West did in fact accurately describe their agreement (the system notes) but also ignores the Law that explicitly allows a player to deviate from his announced understandings always, provided the partner has no more reason to be aware of the deviation than the opponents (Law 40C1). Moreover, no player has any obligation to disclose to his opponents that he has deviated from his announced methods (Law 40C2). South's argument, taken to its logical conclusion, means that once a partnership reaches an agreement, the partners are never allowed to make a call contrary to the agreement. The laws specifically allow players to deviate from their agreements. Such a deviation does not vitiate the agreement.

The Panel considered whether the appeal had merit. South did not contest the contents of the system notes; South simply refused to accept the Director's ruling. South presented no new information or evidence that the ruling was incorrect. Thus, the Panel issued an Appeal without Merit Warning to North/South.

<b>Panel Decision</b>	<b>6♠ by E, Made 7, E/W +1460</b>
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## Panel Members

<b>Reviewer</b>	Scott Humphrey
<b>Member</b>	Eric Bell
<b>Member</b>	Kevin Perkins

## Commentary

**Goldsmith:** OK. I think E/W are playing "usually first-round control," not "always first-round control." Few players make such a distinction, so there wasn't really MI; E/W were just being vague, because it never occurred to them that they'd have some exceptions. Here, West was just trying to focus on the fact that he had no club control.

**Marques:** What a waste of the Panel's time! The AWMW looks like a too small slap on the wrist.

**Martel:** Here I think the Panel and Director got it wrong. What is written down, particularly for cue-bidding, is likely to not exactly match real agreements. The fact West bid 4♦ here and that East didn't bid 6♠ to look for 7♠ both suggest it was not unusual for 4♦ to not be first round control.

Thus, a better explanation by East would likely have been that it is usually a first round control, but might be bid on 2nd round control. In particular, a cue-bid of the 4th suit is attractive as a matter of bridge logic.

Of course, all this was bridge logic that was also available to South, who shouldn't have believed the agreement was a promise, so probably the final result was just.

**van den Meiracker:** No comments on this one.

**Wildavsky:** This appeal had merit. Just as South contended, West's 4♦ call is prima facie evidence that the E/W agreement was not as stated. If West thought that he could bid 4♦ even though it showed first-round control then perhaps E/W mean something different by "show" than the rest of us do. A player is entitled to violate his own system but we are likewise entitled to know why. Here I'd like to see the relevant quote from the E/W notes and also West's explanation as to why he chose 4♦ rather than 4♥. I'd also like to know whether E/W have cue-bid second round controls in the past in auctions where they promised first round control.

**Woolsey:** Obviously the ruling is correct for all the reasons given, and the AWMW was well deserved. It is a pity that more can't be done to prevent crybabies like South from wasting Director's time.

<b>Subject of Appeal:</b>	Misinformation	<b>Case:</b>	R4
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<b>Event</b>	10K Pairs	<b>Event DIC</b>	Charlie MacCracken
<b>Date</b>	07/23/2016	<b>Session</b>	First Qualifying

### Auction

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

### Explanation of Special Calls and Points of Contention

1: Constructive Spade Raise
2: No Alert

### Hand Record

Board	6	N	2500 MPS
<b>Dealer</b>	<b>E</b>	♠ J	
		♥ QJ84	
<b>Vul</b>	<b>E/W</b>	♦ Q72	
		♣ 109763	
<b>W</b>	6900 MPS		
♠	A10963		
♥	K32		
♦	1043		
♣	82		
		<b>E</b>	8800 MPS
		♠	KQ8752
		♥	A109
		♦	AJ8
		♣	J
		<b>S</b>	4600 MPS
		♠	4
		♥	765
		♦	K965
		♣	AKQ54

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
4♠ by E	Made 4	E/W +620	♣ A

### Facts Determined at the Table

Before making the opening lead, South asked about the 3♣ bid and West said it was a long suit game try, which East immediately corrected to a short suit game try, which West confirmed was the actual partnership agreement. South called the Director and said that if he had been told 3♣ was a short suit game try, he would have Doubled 3♣. North said after the hand that if his partner had Doubled 3♣, he would have bid 5♣ over 4♣.

### Director Ruling

The Director polled four players who said that they saw no difference between the two understandings. The Director allowed the table result to stand.

<b>Director's Ruling</b>	4♠ by E, Made 4, E/W +620
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### The Appeal

North/South appealed the ruling, and were the only players to attend the review. South said he did not want to Double a natural game try in hopes that his opponents were in the process of having an accident and about to bid a game off 2-3 quick club losers. He said that he did not have that problem over a short suit game try as an accident by East/West was no longer likely.

## Panel Findings

The Reviewer polled three players around 5000 masterpoints each. Two of the players Doubled and one passed given the explanation that 3♣ was a natural game try. When given the corrected information that 3♣ was a short suit game try, none of the players indicated that they wished to change their call. All said that their decision was not affected by the Alert or lack thereof. The Panel therefore ruled that there had been misinformation, but it had not resulted in damage to North/South according to the standard of Law 12B1. The Panel allowed the table result to stand.

<b>Panel Decision</b>	<b>4♠ by E, Made 4, E/W +620</b>
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## Panel Members

<b>Reviewer</b>	Eric Bell
<b>Member</b>	Marilyn Wells
<b>Member</b>	Kevin Perkins

## Commentary

**Goldsmith:** "The Director polled four players who said that they saw no difference between the two understandings." I don't believe that, but I think the write-up is just in error, not what happened.

I agree that there really isn't a reason not to Double 3♣ if you think something good can come of it, but it wouldn't really occur to me, being that I'm on lead. I'm fine with the ruling.

**Marques:** If N/S were informed about the results of the Director's poll, I fail to see any merit in this appeal.

**Martel:** I'd have thought N/S had a decent case for doing better with the correct information. With the Doubler on lead it would be normal for a Double of a short suit try to suggest competing in that suit. However, I would accept the poll as probably giving a better indication for the players' peers.

**van den Meiracker:** Clearly, the meaning of the 3♣ bid by East doesn't influence the bidding by South, so misinformation but no damage

**Wildavsky:** "The Director polled four players who said that they saw no difference between the two understandings." This boggles the mind. No difference between the short suit and long suit game tries? I cannot imagine what question was really asked – this is one reason we require written polls.

The Panel's poll is likewise suspect. Given that South will be on lead there is zero reason for him to Double a long suit or help suit try – what could the pollees have been thinking? Not every South would Double a short suit try, even at favorable, but the correct information surely makes doubling more attractive.

East ought to have corrected his partner's failure to Alert after the close of the auction, but fortunately, that caused no damage since South asked anyway.

I am curious how declarer scored ten tricks, but that is a separate matter. The decisions here constitute a miscarriage of justice.

**Woolsey:** It sure seems to me that there is a difference. The chances finding a good 5♣ save are way better if 3♣ is a short suit game try, and the potential significance in the play of revealing club length and strength is much less important if 3♣ is a short suit game try.

I don't think the pollees saying it affected their decision matters. That is not the right question for them to be answering. For example, suppose a pollee thought passing was 90% with the wrong information, but 55% with the correct information. The MI did not affect that pollee's decision, since he was passing in both cases. However, it definitely made a difference in his thinking.

The proper question for the Panel to ask is: Would you be more inclined to Double 3♣ if you had the explanation that 3♣ was a short suit. Unfortunately, Directors don't seem to understand this.

<b>Subject of Appeal:</b> Misinformation	<b>Case:</b> R5
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<b>Event</b> 10K Pairs	<b>Event DIC</b> Charlie MacCracken
<b>Date</b> 07/23/2016	<b>Session</b> Second Qualifying

### Auction

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

### Explanation of Special Calls and Points of Contention

1: 11-14 HCP
2: Explained as DONT
3: Stayman

### Hand Record

<b>Board</b> 27	N	3550 MPS		
<b>Dealer</b> S	♠	AJ103		
	♥	K103		
	♦	KJ		
<b>Vul</b> None	♣	7642		
W	5800 MPS		E	
♠	984		♠	Q5
♥	J8652		♥	Q94
♦	105		♦	A86432
♣	KJ9		♣	A8
		S	2900 MPS	
		♠	K762	
		♥	A7	
		♦	Q97	
		♣	Q1053	

Final Contract	Result of Play	Score	Opening Lead
4♠ by N	Down 2	E/W +100	

### Facts Determined at the Table

The Director was called after play was over and East disclosed the actual partnership agreement of 2♣ as showing a one suited hand. North said that he would not have bid 3♠ had he been given a correct explanation of 2♣. He said that the auction with the given explanation marked his partner with very short clubs, which was no longer true with the correct explanation

### Director Ruling

The Director ruled that E/W had gained an advantage because of the misinformation and awarded an adjusted score per Law 21B3 and Law 12. The Director ruled that if North had passed 3♣, East would be required to pass because of the unauthorized information. It was judged that East would take four tricks in that contract. The score was adjusted to 3♣ by East, down 5, N/S +250.

<b>Director's Ruling</b>	<b>3♣ by E, Down 5, N/S +250</b>
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### The Appeal

East/West appealed the ruling and were the only players to attend the review. They said that North had no reason to assume his partner had four spades from the actual auction. They added that South did have the four spades that North had hoped for and that North/South were still too high because North overbid.

## Panel Findings

The Reviewer polled 4 players between 3000 and 5000 masterpoints each. With the information given at the table, three of the players bid 3♣ with the North hand and one passed. When given the correct information, the three players who bid 3♣ with the North hand all changed their call to pass. All four players indicated that bidding with the North hand was much more attractive with the original explanation because South was now marked with short clubs. The Panel therefore upheld the Director's original ruling of 3♣ by East, down 5, N/S +250.

Because there was no player polling involved in the original ruling, and because the Reviewer was not able to poll players until after he met with East/West, the Panel judged the review to have merit.

<b>Panel Decision</b>	<b>3♣ by E, Down 5, N/S +250</b>
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## Panel Members

<b>Reviewer</b>	Eric Bell
<b>Member</b>	Marilyn Wells
<b>Member</b>	Kevin Perkins

## Commentary

**Goldsmith:** I'm not sure I like polling the same players with two different sets of information. The change is almost leading them to the conclusions we are trying to test. Better in this case would be to ask about 3♣ with the incorrect explanation and hope to hear, "3♣ is an overbid, but partner is marked with short clubs, so the hands will likely mesh very well."

Despite that, the poll seems very clearly to support North's case. Good ruling, and a good illustration of how polling can create a convincing result.

A minor detail: this looks like a Law 12C1c application. I think some of the time, declarer will take five tricks, so the ruling would be better as 20% of 200 and 80% of 250 or something like that.

**Marques:** Good decision. Just as a matter of method, unless we are trying to judge if North made a serious error by bidding 3♣, I don't see much use in starting the poll with the information that North had at the table. I very much prefer to start it with the right information and confront the pollees with the mistaken information as the second question. However, this does not affect the conclusions in this case, and it's a little bit six of one and half a dozen of the other. But I believe that it works slightly better.

**Martel:** It seems the Director and Panel correctly determined that the correct info makes it much more attractive for North to Pass. It does seem wrong to then conclude that South would pass it out rather than Double, resulting in either 3♣X, down 5, or 3♦X, down 2. Probably not much of a match point difference between the two adjustments.

**van den Meiracker:** There should have been a poll by the TD in the first place. When the Reviewer polled four players and all four of them changed their bid after the correct information, it was easy to uphold the decision of the TD.

**Wildavsky:** This appeal had no merit. E/W were lucky the TD adjusted their score to -250 and not -1100, though those might have garnered similar amounts of matchpoints.

**Woolsey:** The argument that North's 3♣ call is less attractive with the correct explanation is quite sound, as indicated by the poll. The Director and Panel were quite correct to adjudicate on the assumption that North would have passed.

The wrong side was appealing. Do you really think that South would have passed out 3♣ when his partner has a balanced 11-14? Not in a million years. South has as big a penalty double as one could imagine. The adjudication of +250 was a joke, although maybe it didn't make much matchpoint difference. The proper adjudication is +1100. E/W were lucky the Panel didn't spot this. If the error had been spotted, E/W would have been appropriately punished for their frivolous appeal.

This hand illustrates that the Reviewing Panel needs to talk to an expert before making their ruling. Not as a poll, but to make sure there isn't something bridge-related which has been missed. Any thinking expert would see the error in the adjudication.

<b>Subject of Appeal:</b>	Tempo/Unauthorized Information	<b>Case:</b>	R6
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<b>Event</b>	1 <sup>st</sup> Saturday ABC Pairs	<b>Event DIC</b>	Dianne Barton-Paine
<b>Date</b>	07/23/2016	<b>Session</b>	Second Session

### Auction

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

### Explanation of Special Calls and Points of Contention

1: Break in Tempo

### Hand Record

Board	5	N	7030 MPS
<b>Dealer</b>	<b>N</b>	♠ 1093	
		♥ A108	
<b>Vul</b>	<b>N/S</b>	♦ AQ1087	
		♣ 74	
<b>W</b>	3100 MPS		
♠	Q874		
♥	62		
♦	5		
♣	AQ9853		
		<b>S</b>	10,360 MPS
		♠	AJ2
		♥	K7543
		♦	K932
		♣	K
		<b>E</b>	16,800 MPS
		♠	K65
		♥	QJ9
		♦	J64
		♣	J1062

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

### Facts Determined at the Table

The Director was called during the auction, and again at the end of play. East felt that there was a break in tempo prior to South's second call. East stated he believed there was a five to six second break before the pass. N/S agreed on the time, but felt that it was not a BIT, considering the level of the auction.

### Director Ruling

The directing staff determined that, even though the BIT was only five to six seconds, for this auction it was a BIT. They polled players with similar masterpoint holding as North who would either bid 3♣ with the hand or would be comfortable doing so. From the poll, the Directors determined that the BIT suggested that action would be more profitable than inaction, and that pass was a LA. They adjusted the result to 4♣ by West, down two, N/S +100.

<b>Director's Ruling</b>	<b>4♣ by W, Down 2, N/S +100</b>
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### The Appeal

N/S appealed the ruling, believing that the minimal hesitation was not a significant BIT at this level of the auction.

### Panel Findings

The Panel deferred to the table Director's determination that, for this auction, the five to six second break was a break in tempo. Once the Panel determined that, it considered the polling results. Of the eleven players polled

(masterpoints between 4000 and 18,000), two were not counted as they could not "buy into" this auction, five passed with the North hand when the auction came back to them, and four Doubled.

The Panel determined that pass was a LA and bidding 4♦ was demonstrably suggested by the tempo of South's pass (Law 16B). North's 3♣ bid was intended to show a limit raise of South's 1♥ opener and when South passed 4♣ "slowly", he was declining the invitation. The North hand has no more than it said that it had originally. The Panel upheld the original table ruling of 4♣ by West, down 2, N/S +100.

<b>Panel Decision</b>
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<b>4♣ by W, Down 2, N/S +100</b>
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### Panel Members

<b>Reviewer</b>	Marilyn Wells
<b>Member</b>	Eric Bell
<b>Member</b>	Kevin Perkins

### Commentary

**Goldsmith:** I don't understand the Panel's actions. N/S's argument was that five to six seconds wasn't a BIT. The Panel did not address that, just that passing was an LA. At least the write-up has to say, "everyone knew there was a break in tempo." Does South's hand suggest he had a problem? He has a club stiff, and partner made a limit raise, so he was probably thinking about bidding. Also, at matchpoints, if South thought he had a +140 to protect, what to do over 4♣ is a decision. North's bid is obviously impossible without UI. So there almost certainly was an unmistakable BIT.

What did the BIT demonstrably suggest? South was either thinking of doubling 4♣, perhaps to protect his +140, or of bidding game. In either case, the BIT suggests action over inaction.

For North, I think at matchpoints, Double is pretty clear. He has two aces and is relatively short in hearts. If South opened light for a lead, the ♥A lead will do well. If South has a real opening bid, the four-level is probably too high for the opponents, especially on a trump lead. And if they make it, it's only one board. The opening lead, however, is a problem. UI from South's BIT suggests a trump over a heart, not that it matters much this time, but I wonder if North Doubled and led trump, a trump lead was the winner, and it was judged that Double is such a huge favorite that it's not an infraction, then would the UI force a heart lead instead of a club?

Bidding 4♦ is a clear infraction. While I think doubling is right, the poll suggested that there is a decision between passing and doubling, and bidding is not in the picture. Bidding is abuse of UI, and should cost North 1/4 board.

This is an appeal without merit.

**Marques:** This case is a good example that a hesitation is not necessarily a pause of more than 10 seconds, or some other conventional time limit. For example, when an auction proceeds at a fast pace, 5 seconds is an eternity. On the other hand, when every call takes about 30 seconds, a 20 seconds pause looks like just the normal tempo.

Here, the TD at the table established that five or six seconds was indeed a BIT. The Panel did well by deferring to this determination. The TD at the table is always the person best placed to establish if a hesitation occurred or not. The initial poll was also apparently well prepared and documented, and that is very good to see. No second poll was needed because of that. I would just have added a third question to the pollees about what they think the hesitation is showing, to help build a more solid case. But a good decision overall.

**Martel:** The conclusions that a slow pass suggested bidding and that Pass by North was a LA all seem correct. The only issue is whether there was a BIT. In theory the South player should not Pass quickly over 4♣, so it would be reasonable for a short pause to be considered in-tempo. However, I would trust the Director at the table to have made the best the judgement as to whether UI was passed.

**van den Meiracker:** Nothing to add.

**Wildavsky:** Good work as far as it goes, but current ACBL procedures require weighting an adjusted score using Law 12C1c while granting some benefit of the doubt to the non-offenders. The poll would help to show this.

**Woolsey:** Assuming the time for the pass was agreed to be five or six seconds, I strongly disagree that this is a BIT. In fact, any bid faster than five

seconds would be a BIT, telling partner that you have no problem. In this particular auction the 4♣ bid can't particularly be anticipated, so South is going to have something to think about regardless of his hand. I think the Director is completely out of line considering this a BIT, and I think the Panel is wrong to defer to the Director's determination when this determination is so mistaken.

<b>Subject of Appeal:</b>	Misinformation	<b>Case:</b>	R7
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<b>Event</b>	10K Pairs	<b>Event DIC</b>	Charlie MacCracken
<b>Date</b>	07/23/2016	<b>Session</b>	Second Qualifying

### Auction

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

### Explanation of Special Calls and Points of Contention

1: 14-17 HCP
2: Transfer to clubs
3: Alerted as "likes clubs"

### Hand Record

Board	24	N	1200 MPS		
<b>Dealer</b>	<b>W</b>	♠ 83	♥ AQJ53		
<b>Vul</b>	<b>None</b>	♦ J9853	♣ 5		
<b>W</b>	6500 MPS			<b>E</b>	9500 MPS
♠ Q109	♥ 97			♠ A752	♥ K1082
♦ 106	♣ J109764			♦ K2	♣ AK2
				<b>S</b>	550 MPS
		♠ KJ64	♥ 64		
		♦ AQ74	♣ Q83		

Final Contract	Result of Play	Score	Opening Lead
3♥X by N	Down 4	E/W +800	♣ K

### Facts Determined at the Table

The Director was called after the play of the hand. West explained that the 3♣ bid by East was "likes clubs". When asked what that meant he said that he answered "at least an honor with three." Both North and South only heard "at least an honor."

After 8 tricks, declarer had determined that East had a 4-4-2-3 or 4-4-3-2 hand. He asked about the lead of the ♣K. There was nothing marked on the E/W card. West said that they generally lead A from AK. He was then asked when his partner would lead the K from AK and was told "generally from AK doubleton." North played East for the AK doubleton and went down 4 Doubled. He felt he was misled or not given the best information that he could have been. When he was asked later why he led the K and not the A, East said he really didn't think about it. They were the same, so he just pulled one.

The five card end position was

♠ —	♠ —	♠ 7
♥ —	♥ 5	♥ 10
♦ 10	♦ 9 8 5 3	♦ 2
♣ 10 9 7 4	♣ —	♣ A 2
	♠ J	
	♥ —	
	♦ Q 7 4	
	♣ Q	

North was on lead at trick nine. He led the ♠9 and, believing that East has started with K10x, floated the 9 to West's 10. At that point he lost control of the hand and went down 4 Doubled.

## Director Ruling

With West showing clubs, and East "liking" clubs and having at least 14 HCP, North should be in a position to know that East held the AK of clubs. With West not raising clubs over 3♥, it is unlikely he has seven of them, so therefore East must have three. North made the wrong decision about the layout on his own not due to the explanation of when either A or K is led. The damage was therefore self-inflicted.

Director's Ruling	3♥X by N, Down 4, E/W +800
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## The Appeal

N/S appealed the ruling. The Panel spoke with the North player who explained his point of view and how ambiguous answers to the lead question and the answer given when he asked for information about "liking clubs."

## Panel Findings

The Panel found that E/W failed its responsibility to make sure that N/S were given correct, full and accurate explanations of their partnership agreements. In that neither North nor South heard the "with three" part of the explanation for 3♣, it was difficult for declarer to "get it right." If he knew that East had three clubs with an honor, he would make the hand. The Panel changed the ruling for both sides to 3♥X by N, making 3, N/S +530.

Panel Decision	3♥X by N, Made 3, N/S +530
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## Panel Members

Reviewer	Marilyn Wells
Member	Eric Bell
Member	Kevin Perkins

## Commentary

**Goldsmith:** The correct explanation is, "he would accept an invitation to 3NT in clubs." "He likes clubs" is generally understood to mean that, or at least that's what I always hear when I ask that question, so I don't buy there was any MI.

As far as the opening lead goes, if declarer was given the partnership agreement (what was it?), then there was no MI; a player is allowed to deviate from his agreements at whim, and when his partner is marked with a terrible hand, that's a normal time to do so. If that was not the partnership agreement, then there may have been MI. I'll assume not. As usual in this set of cases, the Directors seemed not to have checked. Guys, Rule #1 in a possible MI case is to establish the correct agreement.

I find it pretty shocking that a player with 9,600 masterpoints would answer the questions about the lead as he did. "They were the same," and, "I didn't really think about it," from a player that experienced? That suggests to me that he was unsure about their agreement, not that he was intentionally trying to deceive, in which case, there may have been MI. It seems more likely that he was misquoted.

If there was no MI, then the result ought to stand. Even if there was, I think declarer just took a normal guess by playing the long clubs for short diamonds, so he was going to go down regardless. I think the Panel got this one wrong. Discussing it with a few players might have prevented that. Perhaps a poll on the play would have been sufficient.

"After 8 tricks, declarer had established that East had a 4-4-2-3 or a 4-4-3-2 hand." Playing against a strong West, after getting this wrong, you might hear, "but I have another spade."

**Marques:** I'm with the Director on this one. The ruling revolves around what West meant when he said that East "likes clubs." Even assuming that West explained only as "at least an honor" I don't think that it is likely for East to "like clubs" and suggest bypassing 3NT with only a doubleton, even if it is AK. Declarer tried to use the length of East's club suit by making the wrong question. Instead of asking about the lead of the ♣K he could have asked about the minimum length of the club support. I think that it was only the fact that East apparently decided to deviate from the lead agreement that made declarer go astray.

**Martel:** Ruling was probably a bit harsh to E/W who probably explained 3♣ properly. As the Director noted, N/S did have a good chance to know that East had 3 clubs. Still, I don't disagree with the Panel decision. E/W didn't fill out their leads which is bad, and probably West gave a bad explanation of the lead (Perhaps E/W don't lead Ace from AK in partner's suit, or at least don't always lead the Ace as we saw), so they did make it harder on declarer.

**van den Meiracker:** This is a difficult one. E/W should be clearer in their explanation of the 3♣ bid and from leading from AK doubleton. But should the declarer investigate more about the statement: "likes clubs"? I would have asked some players what they think "likes clubs" means, and can you bid 3♣ with AK doubleton, as a proposal for 3NT when East has no third club to reach the dummy.

**Wildavsky:** A close case. Both rulings seem reasonable but both overlook something. If East, in fact, leads either A or K from AKx, depending which is closer to his thumb, then N/S were entitled to that information.

I am curious why the Panel did not quote the policy regarding granting deference to the TD's ruling.

**Woolsey:** Certainly East can lead either honor he wants, particularly since he holds all the defensive high cards and it won't matter to his partner. There is nothing there.

I would be inclined to believe West said the "with three" and that N/S weren't paying close attention. Logically showing liking the suit with AK tight doesn't make sense, since the issue is whether or not the suit will run at notrump.

Even if not clear, North could have asked for clarification at the point where he realized that it might make a difference.

I would have to see the exact play, card for card, to make a decision about whether declarer was potentially damaged. Just showing the end position is not sufficient. This should not be too much of an effort for the Directors and Panel to produce, since they should have the information when making their ruling.

All things considered, I would probably go with the Director's ruling, not the Panel's ruling. But I would need to know more.

<b>Subject of Appeal:</b>	Tempo/Unauthorized Information	<b>Case:</b>	R8
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<b>Event</b>	A/X Swiss Teams	<b>Event DIC</b>	Dianne Barton-Paine
<b>Date</b>	07/28/2016	<b>Session</b>	First Session

### Auction

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

### Hand Record

Board	30	N	Suman Agarwal		
<b>Dealer</b>	<b>E</b>	♠	1073		
		♥	K10		
<b>Vul</b>	<b>None</b>	♦	A109632		
		♣	87		
<b>W</b>	Rose Meltzer			<b>E</b>	John Mohan
♠	Q984			♠	AK
♥	Q874			♥	6532
♦	75			♦	Q4
♣	953			♣	AJ642
		<b>S</b>	Vijay Vasudevan		
		♠	J652		
		♥	AJ9		
		♦	KJ8		
		♣	KQ10		

### Explanation of Special Calls and Points of Contention

1: 14-16 HCP
2: Break in Tempo

Final Contract	Result of Play	Score	Opening Lead
3♥X by E	Down 3	N/S +500	♦ 8

### Facts Determined at the Table

The Director was called after North bid 2♦. Both sides agreed to the BIT by South. The Director was called back at the end of play, and was asked to examine North's 2♦ bid, in light of the UI from South's out of tempo pass. E/W play Garbage Stayman, and West's plan was to correct a potential 2♦ Stayman response to a non invitational 2♥. South said that if North had passed 2♣, he would have Doubled 2♥ to show values. He did not have a bid available over 1NT, as they play Meckwell, which does not have a value showing call directly over 1NT.

### Additional Factors Determined Away from the Table

The TD polled six players in the A/X Swiss, to find out whether they would bid 2♦ with the North hand without the UI. Four players passed. Two players bid 2♦, but said it was close.

### Director Ruling

Based upon the player poll, Pass was established as a LA to bidding. Proceeding from South's declared Double of 2♥, the Director adjusted the contract to 3♦ by North, making 3, after a proposed auction of 1NT-P-2♣-P-2♥-Dbl-P-3♦-P-P, N/S + 110.

<b>Director's Ruling</b>	<b>3♦ by N, Made 3, N/S +110</b>
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## The Appeal

N/S appealed. Before the review, the Reviewer noted that 3♦ would always make four if declarer found the ♦Q. North, South, and West attended the review. North stated that he would always bid 2♦, for the lead. South stated that West's 3♥ bid was poor, and that if North had been forced to pass over 2♣, he definitely would have Doubled 2♥, and following North's 3♦ bid, he might have bid 3NT. Further, even if he didn't bid 3NT, West might have made the same unsuccessful 3♥ bid that she did at the table.

West agreed that her 3♥ bid was very poor, but said that if she had been able to pass 2♥, she would never have bid 3♥ later, because East would have first had the chance to do so himself.

## Panel Findings

The Reviewer conducted several additional player polls. He confirmed that roughly half of North's peers would have passed over 2♣. He also confirmed that a BIT by South suggested that bidding would be more successful than passing. No player, after being shown the South hand, and told no systemic call was available to come in over 1NT, wanted to enter the auction after 2♥. Of the players who passed with the North hand over 2♣, 2/3 passed after 2♥-P-P.

For N/S, the Panel decided that South's BIT over 1NT demonstrably suggested that North not pass over 2♣, and that Pass was clearly a LA. Since the polling also demonstrated that South might not Double 2♥, and that a subsequent pass by North was a LA, the Panel assigned a contract of 2♥ by East, down 2, N/S +100, per Laws 16B3 & 12C

For E/W the Panel decided, per Law 12C1b, ("when the non-offending side has contributed to its own damage... by a wild or gambling action, it does not receive relief in the adjustment for such part of the damage as is self-inflicted."), that the 3♥ bid qualified as a such an action. The table result was restored for E/W, 3♥X by East, down 3, E/W -500

<b>Panel Decision</b>	<b>N/S: 2♥ by E, Down 2, N/S +100 E/W: 3♥X by E, Down 3, E/W -500</b>
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## Panel Members

<b>Reviewer</b>	Gary Zeiger
<b>Member</b>	Matt Koltnow
<b>Member</b>	Kevin Perkins

## Commentary

**Goldsmith:** I agree with the Panel, except that North's 2♦ overcall was egregious, and that the appeal had no merit.

I am surprised that only half the players bid 3♦ over the revealed Garbage Stayman. I would have guessed balancing to be closer to 90% than 50%.

**Marques:** Good job by the Panel. Not much to add.

**Martel:** While I agree with most of the Panel's conclusions, I don't agree that the BIT over 1NT demonstrably suggested bidding over 2♣. Partner might well have been considering bidding with an unbalanced hand short in diamonds. Also, the main gains for bidding 2♦ are to direct the lead versus a game when partner is weak. If partner is strong, they may well bid too much and get your side overboard.

The issue of whether the BIT suggested bidding isn't even addressed in the Director's writeup.

I would add that the BIT was a "bad" break in tempo as South really had nothing to think about other than to give away info to his partner.

**van den Meiracker:** I totally agree with the fact that North cannot bid 2♦ because of UI and that South will not Double the 2♥ bid by East. But I don't agree with the fact that E/W keeps the score of 3♥X because of a wild and gambling action, because, if North is not allowed to bid 2♦, the bidding will end in 2♥ by East and West is never tempted to bid anymore.

After thinking about this, this was also one of my own rulings. I know the partner of the 3♥ bidder agrees with the Panel, that 3♥ was wild and gambling and I should have asked more peers of West about the 3♥ bid.

**Wildavsky:** The Panel did better than the TD, especially in not accepting South's assertion that he would have Doubled 2♥. While many players would, it is far from clear cut and there is no reason to grant the benefit of the doubt to the offenders.

South's hesitation is especially troubling since he knew that his system required a pass with his hand. What was he thinking about? I would assess a procedural penalty to N/S in addition to the adjusted score.

I agree that West's 3♥ call was egregiously poor and that the Panel was correct to apply law 12C1b to the E/W score. I'm surprised that neither the TD nor the Panel assigned a weighted score to N/S per Law 12C1c.

**Woolsey:** While I can accept the poll result that pass is a LA on the North hand (although I know it wouldn't be on my radar), I do not agree that the UI suggests bidding 2♦ versus passing. South's strength does not determine the success or failure of the 2♦ call. It is South's shape that matters. Considering the N/S methods, it appears from the BIT that South was considering entering with some marginal distributional hand. If that distribution involves diamond shortness, the 2♦ call could be a disaster. If South is balanced, the 2♦ call figures to come out okay. Thus, I think the BIT suggests passing, not bidding 2♦.

Having said that, what is South's huddle about? South presumably knows his methods and knows that with a balanced 15-count, there is no option other than passing. South has no problem. The only excuse for the huddle was to let North know that South has a good hand. For that reason, I do agree with the adjustment for N/S.

I also agree that E/W got what they deserved. In particular, West knew about the BIT and that if the 3♥ call was a disaster, West might be able to argue that North didn't have his 2♦ bid and get the disaster removed. Thus, West was taking somewhat of a double shot.

In short, both pairs deserved a terrible result. Since this was a team game where the results are zero-sum, I guess all that can be done was the split which the Panel chose. However, I would be interested in what this meant for the actual scoring. Both results would have to be IMPed against the result at the other table. Since this was a Swiss team, I think these results should result in different IMP scores in the match for the two teams, and these scores converted into VP's, so the total VP's from the match would be less than 20. I don't know whether this was done.

<b>Subject of Appeal:</b>	Unauthorized Information	<b>Case:</b>	R9
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<b>Event</b>	Red Ribbon Pairs	<b>Event DIC</b>	Jay Bates
<b>Date</b>	07/29/2016	<b>Session</b>	First Qualifying

### Auction

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

### Explanation of Special Calls and Points of Contention

1: 12-14 HCP
2: Alerted as transfer

### Hand Record

<b>Board</b>	<b>13</b>	N	1180 MPS		
<b>Dealer</b>	<b>N</b>	♠ KQ	♥ K3		
<b>Vul</b>	<b>Both</b>	♦ K103	♣ QJ9542		
<b>W</b>	360 MPS			<b>E</b>	680 MPS
♠ J983				♠ A	
♥ A52				♥ J10864	
♦ AQ2				♦ 765	
♣ K103				♣ A876	
		S	2140 MPS		
		♠ 1076542			
		♥ Q97			
		♦ J984			
		♣ (void)			

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
3♥ by E	Made 3	E/W +140	♠ 5

### Facts Determined at the Table

East thought that 2♥ was natural after North's 2♣ rebid. The Director asked what 2♠ by West would show in this sequence and East said she thought it would be natural. East/West play that a direct jump to 3♥ would have shown 5/5 in the majors.

### Additional Factors Determined Away from the Table

The Director polled four players and all four felt that 3♥ should be showing a 6-card suit and would have rebid 2NT over 2♠.

### Director Ruling

Based upon the player poll, the Director judged that East made use of the UI of West's Alert and explanation in choosing between LAs. Continuing from the information gleaned in the poll, he then assigned a continuation of 2NT by East, 3♠ by West (who still thinks his partner has spades, but realizing that East failed to overcall 1♠ over 1♣). The Director felt that South would Double 3♠ and East would run to 3NT. Accordingly, the Director assigned a result of 3NT by West, down 1, N/S +100, per Laws 16B1a and Law 12.

<b>Director's Ruling</b>	<b>3NT by W, Down 1, N/S +100</b>
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## The Appeal

East/West appealed the ruling and were the only players to attend the review. West said that when he bid 2♠ over 2♥, this would create an impossible auction for his partner who would realize he couldn't have five spades and have balanced with 1NT over 1♣. East/West felt the auction itself gave East the information she needed to realize that an accident was in progress and thus the 3♥ bid should have been allowed.

### Panel Findings

The Reviewer asked the table Director and confirmed that she had not asked any of the players she had polled if they recognized that something was wrong with the auction. The Reviewer then polled four additional players between 1000-3500 masterpoints and all of them bid 2NT over 2♠. None of the four players questioned the auction given.

When prompted by the Reviewer, two of them did allow that they thought the auction was rather unusual and two gave no indication of such. None of the polled players stated that they thought West might have interpreted the 2♥ bid as a transfer. Surprising as it was to the Panel, when eight players in the appellants' peer group were not awakened by the strangeness of the auction, the Panel had to reject West's claim that the auction was sufficient to "wake up" East at this point.

The auction continuation was discussed as it was mentioned that West might have bid 4♠ over 2NT and that if he bid only 3♠, South might not have Doubled. Three players were polled and rebid only 3♠ over the 2NT rebid. However, a poll of three additional players of the East hand revealed that they would run to 3NT before waiting for South to Double 3♠, stating that 3♠ could not possibly be the right place. The assigned result of 3NT by West, down 1, N/S +100, was therefore confirmed.

Because the question of whether the auction was self-alerting was not considered in the original ruling, the Panel judged the appeal to have merit.

<b>Panel Decision</b>	<b>3NT by W, Down 1, N/S +100</b>
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### Panel Members

<b>Reviewer</b>	Eric Bell
<b>Member</b>	Gary Zeiger
<b>Member</b>	Jenni Carmichael

### Commentary

**Goldsmith:** Why isn't 2♠ a super-accept of hearts? Bidding 3♥ is clearly a violation. East ought to bid 3♦, a retransfer (get the opening bidder on lead), then either bid 3NT or 4♥. Over 3♦, West will bid 3♠ to set spades as trump and now East knows the wheels have come off, since partner was 100% required to bid 3♥. His best shot is to pass 3♠. Then, if South Doubles (he probably won't), he can run to 4♥, and West will get the message. Many Easts, however, will not think of passing 3♠ and will go for a number.

For what it's worth, I'm not sure N/S can beat 3NT, and it seems likely that declarer will make it if he ends up there. I think I'd award something like 20% -300 in 3♠, 20% -400 in 3♣, 15% -100 somewhere, 15% -200 somewhere, 10% -500 somewhere, 10% -800 somewhere and 10% +600 in 3NT making. -100 is available in 4♥ or 4NT. Maybe that should be a more common result, but sometimes West goes down two in 4NT.

In general, with Law 12C1c in play, it is almost never the case that Directors ought just follow one possible line in the auction. Lines will diverge, and many possibilities will arise. Evaluating how frequent each will be is really quite difficult, but that's what has to be done now.

Why were players with 1,000-3,500 masterpoints polled as E/W's peers when E/W have 680 and 360 masterpoints?

**Marques:** Another good Panel analysis. Agreed.

**Martel:** I'd have thought the 2♠ would suggest either 2♥ was taken as a transfer or that partner was showing a good raise of hearts (perhaps bidding 2♠ as a safety bid on the way). However, will defer to the poll as to better indicating what players at that level would think.

I do however have a concern that masterpoints may not be a great way to judge peers, particularly as the knowledge of bidding will vary greatly.

**van den Meiracker:** Agree with the ruling of TD and Panel, nothing to add.

**Wildavsky:** "The Director felt that South would Double 3♠ and East would run to 3NT. Accordingly, the Director assigned a result of 3NT by West, down 1, N/S +100, per Laws 16B1a and Law 12."

Neither the TD nor the Panel applied the Law correctly. The ACBL BOD has decreed that we now use 12C1c and its weighted adjustments. I won't hazard a guess as to what a reasonable weighting might be, but 3NT down one 100% of the time cannot be correct.

**Woolsey:** Assuming the meaning of East's 2♥ call is natural, what does West's 2♠ bid mean? The 2♥ call is a signoff. That makes the 2♠ bid nearly impossible. The only remotely sensible possibilities are either that West thinks the bid is a transfer or West is making an unusual cue-bid super-acceptance. The fact of the 2♠ call is AI to East.

I consider the cue-bid interpretation as extremely unlikely. If West wanted to make a super-acceptance, he probably would have simply bid 3♥. However, let's suppose that the super-acceptance interpretation is reasonable. Due to the UI, East would be required to take that interpretation, since the transfer interpretation is what was suggested by the UI. What would East bid under those circumstances? He isn't strong enough to make game opposite a 12-14 hand, so his proper call is clearly to reject with 3♥. That is exactly what East bid.

I understand that East said that 2♠ would be natural in this sequence. However, I think East was answering without thinking. How could 2♠ be natural? West didn't overcall 1♠, and East signed off in 2♥. There is no such hand. Yes, the pollees all say they would have bid 2NT, but they either weren't thinking about the hand properly, or, more likely, were given the auction with the information that West had Alerted the 2♥ call as a transfer. I would bet that they weren't given the proper question, which is: You bid 2♥ naturally, and your partner bids 2♠ (no mention of an Alert).

The part of the auction I question is not East's 3♥ call but West's Pass. Given that East's 2♥ call is a transfer, how can West possibly pass 3♥? The only possible answer is that West picked up at the table that East meant 2♥ as natural, possibly from East's reaction to the Alert, possibly from the way East bid 3♥. Even though we don't know what the UI was, the evidence of West's pass makes it clear that he had UI.

Had West made the obvious 3♠ call, I agree that East would bid 3NT. At that point, I agree that West would just shrug his shoulders and pass, since he is 4-3-3-3 and has already shown spade support. Thus, the Director and Panel did fall into the right adjudication, but for all the wrong reasons.

This is another example illustrating what the Panel needs to talk to some knowledgeable players. An expert would understand what was really going on.