

2018 Fall NABC

Appeals Casebook



American Contract
Bridge League

Foreward

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

A total of eight (8) cases were heard.

Five (5) cases were from unrestricted (by masterpoints) North American Bridge Championship Events. The names of the players involved are included.

Three (3) cases were from all other events. The names of the players involved are included when the event from which the appeal came was a Flight A/X event or was the top bracket of a bracketed knockout event. When the names of the players are not used, the player's masterpoint total is included.

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

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

ACBL Headquarters
Horn Lake, MS

Abbreviations used in this casebook:

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

Expert Panel

Tom Carmichael is an American Grand Life Master living in Mill Creek, WA. Originally from Middletown, NJ, Tom has had a successful partnership with Joel Wooldridge since both were Juniors. A Network Architect, Tom has won both the Lebhar IMP Pairs and the Wernher Open Pairs. He is married to Jenni Carmichael, also a successful bridge player and an ACBL Tournament Director. Tom serves on the ACBL Competitions & Conventions Committee.

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 and ACBL Laws Commission.

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

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

Tom Townsend lives in London, England. He is a full-time bridge pro and many-time England international. He writes a daily bridge column for the London "Daily Telegraph".

Adam Wildavsky was born in Ohio and grew up in Berkeley and Oakland, CA and London, England. A graduate of MIT, he is a retired software engineer and now spends winters in Keystone, CO and much of the rest of the year in New York City. Mr. Wildavsky has won numerous national championships, including the Blue Ribbon Pairs twice, the Reisinger BAM Teams once, and the USBF Open Team Trials twice. He won a bronze medal for the USA in the 2003 Bermuda Bowl and represented Switzerland in the 2012 World Bridge Games. Mr. Wildavsky is a member of the WBF Executive Council, 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 in 1964 and earned a master's degree in mathematics from the University of Illinois at Urbana-Champaign. He is a three-time World Champion and holds more than a dozen NABC titles. His most recent major victory was winning the Cavendish Invitational Pairs in 2011. He was elected to the ACBL Hall of Fame in 2005 and lives in Kensington, CA. He has been one of the panelists on *The Bridge World* Master Solvers Club since 1984. He also serves on the ACBL Competitions & Convention Committee and the Bridge Integrity Task Force.

Subject of Appeal:	Break in Tempo, Unauthorized Information	Case:	N1
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Event	Nail Life Master Pairs	Event DIC	Ken Horwedel
Date	11/23/2018	Session	First Qualifying

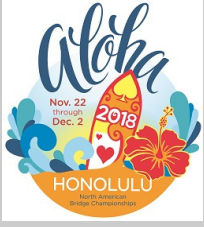
Auction

West	North	East	South
Pass	Pass	1NT ¹	Dbf ²
2♠ ³	Pass	Pass	3♥
Pass ⁴	Pass	3♠	Pass
Pass			

Explanation of Special Calls and Points of Contention

1: 14-16 HCP
2: Penalty
3: "Wants to play 2♠", Alerted
4: Disputed Break in Tempo

Hand Record

Board	12	N	Geoff Hampson		
Dealer	W	♠ J6			
		♥ J109			
Vul	N/S	♦ J107543			
		♣ 63			
W	Helena Fine			E	Louis Trautwein
♠	97532			♠	AK8
♥	2			♥	75
♦	98			♦	AQ6
♣	AKJ97			♣	Q10854
		S	Eric Greco		
		♠	Q104		
		♥	AKQ8643		
		♦	K2		
		♣	2		

Final Contract	Result of Play	Score	Opening Lead
3♠ by W	Made 4	E/W +170	

Facts Determined at the Table

The Director was called when East bid 3♠. N/S called the Director to state that they believed there was a break in tempo by West after South's 3♥ call.

N/S believed there was UI available to West from East's alleged BIT that suggested 3♠ would be more successful than Pass and that Pass was a LA.

E/W described their runout structure as "Brozel Escapes". They indicated that the reason for the Alert of 2♠ was that it showed values. They also felt that N/S were disrupting the flow of play at the table by doing things such as reaching across to arrange bid cards and that no break in tempo had actually occurred.

Additional Factors Determined Away from the Table

The Director polled five players with the East hand and the description that 2♠ "showed values". All five bid 3♠.

Director Ruling

As the player poll showed that Pass by East was not considered a Logical Alternative based upon the partnership methods described, the Director ruled there were no grounds for a score adjustment. The table result of 3♠ by West, making 4, E/W +170, was confirmed.

Director's Ruling	3♠ by W, Made 4, E/W +170
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The Review

N/S requested a review of the ruling. They felt the poll was flawed because the Director accepted E/W description of their agreements without verifying them. Further, they felt that the description of the 2♣ bid as "showing values" was misleading. They asserted that with the agreement as described, 3♣ was suggested by the alleged break in tempo, and Pass would clearly be found to be a logical alternative.

E/W also spoke to the Reviewer to explain their view of the perceived break in tempo and that they felt 3♣ was the right bid over 3♥. They explained Brozel Escapes, which is on their convention card. While they did not have notes specific to their partnership, an online search showed the details of this convention. A direct 2♣ (compared to Pass, forcing a redouble and a pull to 2♣) would show either a runout to 2♣ or a desire to compete to 2♣, depending on partnership understanding. E/W explained that when they Alerted and explained that 2♣ meant she "wanted" to play 2♣, they were trying to explain that this was the stronger action.

The Reviewer conducted his own poll. He polled five players with 3000-8000 MP and gave them the East hand. He described 2♣ as "competitive; partner could have 'run' to 2♣ via Pass and Redouble". All five players bid 3♣. Only one of the five thought a break in tempo suggested bidding 3♣.

Panel Findings

The Panel determined from the poll that there was no logical alternative to 3♣ and that the alleged break in tempo did not demonstrably suggest 3♣. As such, the table result (3♣ by West, making 4, E/W +170) was confirmed as there was no cause to adjust the score. The appeal was deemed to have merit.

Panel Decision	3♣ by W, Made 4, E/W +170
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Panel Members

Reviewer	Matt Koltnow
Member	Kevin Perkins
Member	David Metcalf

Commentary

Carmichael: I agree with this one. The crux of the case seems to be the definition of the explanation and the polling method. I think reviewing it was reasonable (hence the merit), but having multiple ways of bidding to 2♣ and using one to suggest competition is a reasonably common agreement (the details may vary). If West is suggesting further bidding is allowed, East's hand fits the bill.

Goldsmith: Was there a BIT? That was not established. If there was no BIT, then result stands is obvious. Let's say that this was established, that there was a clear BIT. In the methods E/W were playing (as I understand them, not just believing E/W), 2♣ encourages partner's competition to 3♣. (The web site I suspect the Directors found is ill-advised; the direct bid has to be more encouraging than the slow sequence just in case the opponents bid to the three-level before responder has clarified his hand.) So I agree that it's pretty clear for East to bid 3♣.

Why was 2♣ misexplained? Is it possible that East wasn't sure, and the BIT woke him up? That could easily be the case. Only East knows for certain, and if the TD didn't suggest it, I don't see how we can guess that it is true after the fact.

What about the MI? E/W clearly misexplained their methods. It may have deterred N/S from getting to 4♥. Would West have Doubled? I think she would have most of the time, and the rest of the time, she'd bid 4♣, so N/S was not damaged by the MI.

Since the Director never came to grips with this case, the appeal barely has merit.

Kooijman: It looks to me that having 'Brozel Escapes' on the convention card with the Alert and explanation, it all being consistent, should have been enough evidence. So, I cannot find the merit for this appeal by N/S. Maybe the status of this pair explains it?

Meiracker: Good decision from the TD and Panel. If 2♣ means values, 3♣ is ok to bid and the poll confirmed that. N/S were lucky that the appeal was with merit.

Townsend: Would adjust to 3♥ making, N/S +140. There are numerous versions of Brozel described online; immediate 2♣ constructive is by no means universal. Considering also that East described 2♣ as simply "wants to play 2♣", it is hard to accept that it was systemically constructive. Facing a non-constructive 2♣, Pass by East of 3♥ is clearly a LA.

Wildavsky: I don't like these rulings. I find no reason to accept EW's description of the meaning of 2♠ since it is directly contradicted by their explanation at the table. They cannot fail to tell their opponents that the bid promises values and then ask to be granted the benefit of the doubt regarding their actual agreement when opener makes a marginal call. Further, if West had indeed already promised values then she'd have less reason to hesitate over 3♥ and East might have raised 2♠ to 3♠.

Woolsey: As to whether or not there really was a BIT, I think it is clear from looking at the West hand that there was. West definitely has a problem. If N/S claimed there was a BIT, they weren't imagining it.

As to the true meaning of the 2♠ call showing values, I agree with the E/W explanation. That is a common treatment when playing these sorts of runouts. In addition, the fact that 2♠ was alerted is further evidence that they are playing this treatment, since otherwise there would have been no reason to alert the call.

As whether the BIT suggested bidding 3♠, IMO it definitely does. West has already shown values. If West had some balanced 6-count he wouldn't have a problem, since he would have already shown that. The BIT says that he has more, either strength-wise, distributional, or both. The knowledge of this certainly makes bidding 3♠ more attractive. Those polled players who thought otherwise clearly didn't appreciate the position.

As to whether or not passing is a logical alternative, personally I think it is. I would say that East has a very close choice between Passing and bidding 3♠. Thus, if I were making the decision by myself I would not allow the 3♠ call. However, this is just my opinion. The polling appears to have been conducted properly, and the results of the poll are quite clear. Thus, while I disagree with the result, I believe the ruling is the proper ruling with the information available.

Subject of Appeal:	Unauthorized Information	Case:	N2
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Event	Nail Life Master Pairs	Event DIC	Ken Horwedel
Date	11/23/2018	Session	First Qualifying


Auction

West	North	East	South
		1♠	Dbl
Pass	2NT ¹	Pass	3♣
Pass	3NT	Pass	Pass
Dbl	Pass	Pass	Pass

Explanation of Special Calls and Points of Contention

1: Alerted

Hand Record

Board	10	N	Gene Saxe		
Dealer	E	♠	Q83		
		♥	42		
Vul	Both	♦	10984		
		♣	AKQ8		
W	Roger Lee			E	Ida Groenkvist
♠	K7			♠	A109654
♥	QJ85			♥	K107
♦	652			♦	KJ73
♣	10642			♣	(void)
		S	Rita Shugart		
		♠	J2		
		♥	A963		
		♦	AQ		
		♣	J9753		

Final Contract	Result of Play	Score	Opening Lead
3NTX by N	Made 3	N/S +750	♠6

Facts Determined at the Table

The Director was called at the end of the hand. E/W indicated that they believed North was in possession of Unauthorized Information from the unexpected Alert of 2NT. North intended 2NT as natural, which would not be Alerted; South thought it showed minors, which would be. This UI made bidding 3NT more attractive than other possible choices.

Additional Factors Determined Away from the Table

The Director polled five players with the North hand, and the auction through 3♣ with no Alerts. Three players bid 4♣, one bid 3NT, and one passed.

Director Ruling

The Director concluded that the UI from South's Alert suggested 3NT would work out better than 4♣ (by extension, Pass would as well) and by Laws 16B1 and 12C1 adjusted the contract and result to 4♣X by South, down one, E/W +200.

Director's Ruling	4♣X by S, Down 1, E/W +200
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The Review

N/S requested a review of the ruling. North spoke to the Reviewer. He felt that the defense made a serious error by not switching to a heart at trick two. He felt the only possible alternative to 3NT was Pass, but that would be taking advantage of the Alert.

The Reviewer was able to speak to West as well. He clarified that no one asked about the Alert of 2NT during the auction and added that 3♣ was bid with some haste.

The Panel concluded that they did not have enough information to review the ruling. The Director did not ask pollees what they thought 3♣ was or what was demonstrably suggested by the unexpected Alert of 2NT. The Reviewer asked the Director in Charge of the event to do more polling.

The DIC spoke to five players. Initially, he gave them the auction without the North hand and asked them what partner thinks 2NT is and what they think 3♣ shows. There was not a consensus about 2NT, with two players suggesting it would be natural, and two suggesting it would show minors. The fifth said it depends on the partnership. For the players who thought 2NT showed minors, 3♣ was preference. For the players who thought 2NT could be natural, 3♣ was less clear. Two thought it showed extra values. He then gave the North hand as a bidding problem. One player bid 3NT, two passed, and two bid 4♣. Lastly, he asked what would be demonstrably suggested by the UI. The pollees gave several different answers, but in sum they showed that the UI demonstrably suggested 4♣ would fare worse than other choices.

The Reviewer had three players analyze the defense to 3NT, to test the argument that the failure to switch to a heart at trick two was a serious error. They all concluded that if Declarer holds up twice in hearts, he will be able to take nine tricks. Furthermore, even if this were an error by the defense, it would not meet the standard of a serious error, the standard of which is something such as a revoke or failure to take the setting trick.

Panel Findings

Based on this data, the Panel upheld the table ruling of 4♣X by South, down one, E/W +200, per Laws 16B1 and 12C2. The appeal was judged to have merit.

Experts consulted: Chip Martel, Allan Falk, Rebecca Rogers, Eric Rodwell, and Peter Boyd

Panel Decision	4♣X by S, Down 1, E/W +200
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Panel Members

Reviewer	Matt Koltnow
Member	Jenni Carmichael
Member	David Metcalf

Commentary

Goldsmith: 3♣ is forcing, so Pass is certainly not a LA. How else does South bid with a strong jump overcall in clubs? Raising to 4♣ is a LA, though I think bidding 3♣ is a much better choice, regardless of UI. If 5♣ shows this hand, a slam try with good trumps, then it looks to be a pretty good choice. So at first glance, the ruling seems OK.

Was West's double of 3NT a gambling action (L12C1e) which if unsuccessful might have been hoped to recover through rectification? I think so. It looks to me as if South should have long good clubs and a good hand, and North, warned away from 3NT, has a solid stopper. If were not having a misunderstanding, I would expect N/S to make 3NT 100% of the time, so I think the double qualifies as a "gambling action." But the difference between +100 and -600 is the vast majority of the damage to E/W, and I don't know how to adjust for this. Law 12C1eii says, "the non-offending side does not receive relief for such part of its damage as is self-inflicted." So, do we rule that E/W have the difference between -600 and -750 deducted from their score after we adjust?

Would West have Doubled 4♣? Maybe some of the time, but certainly not most of the time. A poll needs to be taken to award a weighted score in 4♣. 100% of +200 is way too generous. I suspect 20% +200 and 80% +100 is about right.

Kooijman: Complicated case. I am not really happy with the summary of the poll. The main question is what the systematic meaning of 3♣ is for North (bidding a natural 2NT on a takeout Double). Though the answer might be self-serving, that question should be asked. The decision looks reasonable to me. I don't like players messing up things and then blaming their opponents for poor play.

Meiracker: Under normal circumstances, a player doesn't walk away from a limit bid to another limit bid, so 3♣ shows something extra. North should bid 3♣ (and not 3NT using U.I.) asking for a stopper and South will bid 4♣. Adjustment to 4♣ seems fine, but why Doubled?

Townsend: North's 3NT bid used UI and cannot be allowed, but 4♣X is an odd "result". For one thing, is anyone really Doubling it? For another, if North showed minors with 2NT, and then raised 3♣ to 4♣, why wouldn't South try 5♣? That would be Doubled, for 500.

Wildavsky: The rulings seem reasonable but one thing bothers me. I'm having trouble picturing a hand that would double and then bid 3♣ over a natural 2N, presumably too strong a hand to overcall 2♣, without a top club honor. Maybe something like this?

♠A
♥AKx
♦AK
♣JT9xxxx

But that doesn't leave any high cards for opener.

Is 4♣ the only call that's not suggested by the UI? 5♣ comes to mind. Not everyone plays fast arrival, especially when partner is unlimited. How else could one show excellent trump with no side control? And South might well bid 5♣ over 4♣.

That said, it doesn't seem clear that anyone would Double 4♣. Certainly it would not happen 100% of the time. A TD must always consider a weighted score when adjusting, per Law 12.

Woolsey: Even with no questions asked, the Alert itself gave North the information that his 2NT call was mis-interpreted. Thus, North definitely had UI.

Does the UI suggest bidding 3NT? Definitely. With no UI partner would be assumed to be have a distributional hand since with a balanced hand partner would either Pass or bid 3NT. The UI that partner has mis-interpreted 2NT makes bidding 3NT a lot more attractive.

Are there logical alternatives to 3NT? For sure, and 4♣ is one of them as the poll indicates. This makes the ruling quite correct.

Subject of Appeal:	Unauthorized Information	Case:	N3
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Event	Kaplan Blue Ribbon Pairs	Event DIC	McKenzie Myers
Date	11/27/2018	Session	First Qualifying

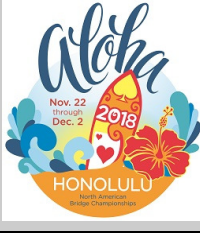
Auction

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

Explanation of Special Calls and Points of Contention

1: Artificial, 16+ HCP
2: Alerted tentatively as ♦ & ♥
3: Game Forcing Values

Hand Record

Board	5	N	Eric Greco
Dealer	N	♠ AK642	
		♥ AK85	
		♦ Q	
		♣ J83	
Vul	N/S		
W	Bruce Lang		
♠	9		
♥	9742		
♦	KJ1087		
♣	K74		
E	Corey Krantz	♠ J753	
		♥ QJ1063	
		♦ 54	
		♣ 102	
		S	Brad Moss
		♠ Q108	
		♥ (void)	
		♦ A9632	
		♣ AQ965	

Final Contract	Result of Play	Score	Opening Lead
3♠ by N	Made 5	N/S +200	

Facts Determined at the Table

When East bid 2♣, West alerted. When prompted for an explanation, he stated that he thought it showed Diamonds and Hearts, but made it clear he was unsure. According to N/S, East then volunteered that "this was not correct" and said that West should leave the table so he could give the opponents the correct explanation. West did leave the table, and East did correct the explanation to either Diamonds or both Majors (Suction).

North passed 3♠, even though he was aware they were in a game forcing auction.

Additional Factors Determined Away from the Table

The Director was concerned that West, at favorable vulnerability, and with an alleged double fit, never took a call. He polled the West hand with four top experts, and all four bid 5♦ over South's double. The experts, when shown the full hand, felt the auction was likely to continue with a takeout double from North, passed by South.

Director Ruling

The Director determined that West was in possession of Unauthorized Information, which suggested that the logical call of 5♦ was unlikely to work out. Based on Law 16B, the result, accordingly, was changed to 5♦x by West, down 6, N/S +1400.

Director's Ruling	5♦X by W, Down 6, N/S +1400
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The Review

E/W appealed the ruling, and the Reviewer met with both pairs. He first interviewed N/S. They claimed that West acted flustered by the question, and reiterated that East “volunteered a correction.” They felt they had only asked one or two questions, and were not “badgering”.

The Reviewer then met with E/W, who stated that when South asked the meaning of the 2♣ bid, West thought for a bit, then answered that he thought it showed Diamonds and Hearts. N/S badgered him, and asked, “what do you mean ‘thinks’ it’s Diamonds and Hearts?” At this point East proposed, “If you like, he can step away from the table and I’ll tell you what it means.” North then stated, “You just told your partner that his explanation was wrong.” East denied this, and said he was only offering to give a definitive explanation, should N/S wish. It appears that, at this point the Director was summoned, and West left the table so East could explain the bid.

The Reviewer also asked West why he didn’t bid with great support for both of partner’s suits. West said he was sufficiently unsure of the meaning of the 2♣ bid that he didn’t want to bid.

The Reviewer asked the Director about the dialogue described in the “Facts Determined at the Table” section, and he confirmed that the description was given by N/S, not E/W.

Panel Findings

The Panel first considered the differing accounts of events - did East offer to correct his partner’s misexplanation (thereby informing West he was wrong), or did he merely offer clarification if North-South wanted a definitive statement of E/W’s agreements? Testimony differed, but it was felt that East was much less likely to jump in if West’s explanation were correct, so even if East was not intending to tip off partner, it could well have had that effect. This was supported by West not being willing to enter the auction at favorable vulnerability with a double fit. The Panel decided, even only considering the testimony of E/W, there was a high likelihood that West received UI. Since the Director’s poll found 5♦ to be a logical alternative (indeed, the only call considered), the Panel forced that call on West.

However, the auction would not end there. Systemically, most people play that a bid by West is “Pass or Correct”, meaning that East, holding the majors, must bid 5♥ over 5♦. So the result was adjusted to 5♥X, by East, down 4, +800 for N/S.

The Panel then considered the Pass of 3♠ by North in a game forcing auction. Legally, if the non-offending side contributes to its own damage by an extremely serious error unrelated to the infraction, then the non-offending side does not receive relief from the damage caused by that error (Law 12C1e). Here, N/S had received a correct explanation from East, and so did not have any misinformation. The Panel felt that, at first glance, passing 3♠ in a game-forcing auction seemed like a pretty bad mistake, but “extremely serious error” is a very high standard. The Reviewer was dispatched to re-interview the North player regarding his choice.

North testified that he felt that his partner’s auction was likely based on only 2-card support, since his partner had not bid 3♠ at his 2nd turn. Furthermore, partner’s diamonds might not be useful, especially if East had diamonds. And if East had majors, then Declarer was heading for bad splits. Finally, partner, with a club stopper, might have preferred 3NT to a 2-card 3♠ call. The Reviewer presented North’s arguments to several top players, and, while none were willing to choose the same call, they felt that the arguments were at least rational, and might well have worked out (in fact, those self-same bad splits doomed 6♠ at many tables). The Panel decided that a rational (even if “bad”) bid did not meet the standard of “extremely serious” (a standard that is described as “a failure to play bridge”, at the level of a revoke).

The Panel changed the result for both pairs to 5♥X by East, down 4, for +800 NS.

Panel Decision	5♥X by E, Down 4, N/S +800
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Panel Members

Reviewer	David Metcalf
Member	Kevin Perkins
Member	Jenni Carmichael
Member	Matt Koltnow

Commentary

Goldsmith: The Panel is using an old guideline for L12C1e. Now, such an action has to be only a gambling action that the perpetrator might hope to have overturned by rectification. It seems to me that passing 3♠ fits this bill. Passing in a game forcing auction has to meet this standard; otherwise, nothing short of a revoke does, and I’m confident the LC did not intend the standard to be so strict.

I think West’s explanation was, “We have an agreement, but I don’t know it. I’m going to give you my best guess.” I think that’s sufficient to believe that there wasn’t anywhere near a 100% chance that West would bid at the 5-level. I tend to believe that East said something like, “He said he doesn’t know. If you want, we can send him away from the table, and

you'll get to know for sure." I don't buy that this implies strongly that the explanation was wrong; it would if West had said he knew the agreement, but if he clearly didn't know it, I don't think it's at all clear or even substantially implied. It's possible that West suggested more confidence in his understanding, but the write-up does not suggest this.

All in all, I'd leave N/S's score alone. I think I'd adjust E/W's score based on a poll that included, "you think 2♣ means the reds, but ...". I suspect very few, if any, would blast to the five-level with that information, so I'll rule result stands for each side.

Kooijman: Mr. Greco once more. Remembering Case 1, I immediately invented the definition that Pass in a game force position indeed is an extremely serious error, the more so when the hands are worth bidding slam. Though North's explanation is not convincing, I discovered some merit here. Am I right that there is not much consultation between TDs? How can you adjust to 5♦X? Consultation hopefully prevents such blunder.

Meiracker: This is a difficult one. West didn't remember the meaning of 2♣ and now East wanted to send West away, so he could explain. There will be UI, because West knows his explanation is probably wrong. But I have problems with N/S not bidding game. I know there was a poll as to what to do with the North hand after the 3♠ bid!

Townsend: I don't think it normal for 5♦ over 2♣ to request correction, so I prefer the TD's ruling to the Panel's.

Wildavsky: The TD's ruling is fine for the offenders, but he ought to have considered Law 12c1e for N/S:

If, subsequent to the irregularity, the non-offending side has contributed to its own damage by an extremely serious error (unrelated to the infraction) or by a gambling action, which if unsuccessful it might have hoped to recover through rectification, then:

(i.) The offending side is awarded the score it would have been allotted as the consequence of rectifying its infraction.

(ii.) The non-offending side does not receive relief for such part of its damage as is self-inflicted.

South clearly considered the auction 101% forcing. North's Pass, even if not an egregious error, is certainly a gamble, one he might indeed have hoped to recover through rectification, as happened here.

I doubt there was much of a matchpoint difference between the panel's N/S+ 800 and the TD's N/S +1400. For that matter 5♦X might easily have been set 8 tricks for N/S +2000, again for little or no matchpoint difference.

I cannot agree with the Panel's presumption that East would pull 5♦ to 5♥ 100% of the time. Many pairs using these methods play that such jumps are natural, and we should not give the offenders the benefit of the doubt without evidence that their agreement is otherwise.

Woolsey: What West would have done if East had shut up we will never know. West said he wasn't on firm ground about the meaning of 2♣, so he might have hedged and not blasted to 5♦. However, what East said made it clear to West that there was an interpretation problem, which makes West's inaction much more attractive. Without the UI, if West believes partner has the red suits bidding 5♦ is a very logical alternative, if not a pretty clear action. Thus, it looks correct to adjudicate the result on the assumption that West had bid 5♦. The adjudication to 5♥X, down four, looks very reasonable.

As to whether or not North made a "serious error", he did not. While you might not like his decision since South is unlimited, he had reasonable bridge reasons for making that decision and there isn't enough evidence to ensure that he didn't take a percentage action which turned out badly. Furthermore, he had no way of knowing that he was getting a double shot, since he didn't know that West had anything unusual.

Subject of Appeal:	Disputed Claim	Case:	N4
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Event	Kaplan Blue Ribbon Pairs	Event DIC	McKenzie Myers
Date	11/27/2018	Session	Second Qualifying

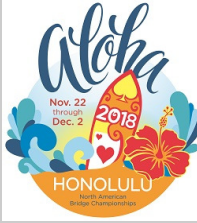
Auction

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

Explanation of Special Calls and Points of Contention

1: 15-17 HCP
2: Transfer to Hearts

Hand Record

Board	18	N	Michael Rosenberg		
Dealer	E	♠	10764		
		♥	J75		
Vul	N/S	♦	K		
		♣	107543		
W	Amal Dasgupta			E	Ben Yang
♠	K85			♠	AQ92
♥	A10432			♥	96
♦	1075			♦	Q863
♣	Q8			♣	AK9
		S	Guy Gecht		
		♠	J3		
		♥	KQ8		
		♦	AJ942		
		♣	J62		

Final Contract	Result of Play	Score	Opening Lead
3NT by E	Made 3	E/W +400	♦2

Facts Determined at the Table

The play of the hand had gone as follows:

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

At this point, with South on lead, Declarer claimed the rest of the tricks, showing his hand:

- | | | |
|--------------|------------|---------|
| | ♠ 10 7 6 4 | |
| | ♥ J 7 | |
| | ♦ — | |
| | ♣ 10 7 | |
| ♠ K 8 5 | | ♠ A Q 9 |
| ♥ A 10 4 3 2 | | ♥ 9 6 |
| ♦ — | | ♦ Q |
| ♣ — | | ♣ A |
| | ♠ J 3 | |
| | ♥ K Q 8 | |
| | ♦ 9 4 | |
| | ♣ J | |

The defenders objected, pointing out that Declarer had a heart loser, to which Declarer acquiesced, and the hand was scored as making three. Nobody noticed that Declarer had only shown seven cards, and the ♠2 was hidden in his hand.

Sometime during the following round, N/S started discussing the hand, and realized that Declarer had only eight winners. The Director was summoned, and the play was reviewed.

Director Ruling

While it is true that Declarer had a spade loser, if he cashed the ♠A and ♠K, and saw the ♠J from South, the percentage play would be to play a spade to the 9, winning four spade tricks. If a claim is contested at the time, or before the start of the next hand, then Law 70 reads, in part, "...any doubtful point as to a claim shall be resolved against the claimer" and "The Director shall not accept ... any unstated line of play which depends on finding one opponent with a particular card." It is pretty clear that if this standard were to be applied, Declarer would be forced to lose another spade trick. However, if a claim is contested after the start of the next board, Law 69 states, that agreement to a claim may be withdrawn "if a player has agreed to the loss of a trick that his side would likely have won had play continued." This is a much higher standard. Given that the "normal" play would allow declarer to win four spade tricks, it was assumed that there was a reasonable chance he would discover his missing spade in time, and make the percentage play. Therefore it was not deemed likely that the defense would get a spade trick, and the agreed result of nine tricks for declarer was allowed to stand.

Director's Ruling	3NT by E, Made 3, E/W +400
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The Review

N/S appealed the ruling, claiming that they did not feel that it was "likely" that the Declarer would have found the missing spade in time, guessed the spade suit correctly, and still have communication to make the play.

The Reviewer met with N/S only, as the appeal was filed sufficiently late that E/W could not be located. They said they had resolved the claim quickly, as they were behind on time, and were focused on the heart loser. North assumed that declarer had started with five diamonds. It was not until the following round when North asked his partner about his lead that they worked out the true shape of declarer's hand.

They argued at first that the spade suit was just a guess, but conceded that Restricted Choice applied, so a finesse would be the better play. Nevertheless, they felt that the combination of circumstances that needed to occur for Declarer to make this play did not reach the level of "likely".

Panel Findings

The Panel considered the various ways that, if play had continued, a declarer, thinking his hand was good (and not seeing the missing spade) might take his tricks had he not claimed. It was felt that he would not have tried to cash his losing heart - at some point he would have recognized that it was not high. Nevertheless, he seemed sufficiently not in touch with the hand that he might not find the extra spade in his hand until he had already started cashing spade winners.

If the defense returned a heart, which seemed reasonable, then Declarer, in the dummy, would need to play a spade to his hand, then a spade to dummy, and then, at that moment, discover the extra spade in his hand. He would also need to recognize the significance of South's play of the Jack on the 2nd round. It was felt that this was not a particularly natural way to cash three winners from a suit that declarer thought was Kxx opposite AQx, and that the odds that he might happen to play them in a different order was sufficiently high that the correct play did not reach the standard of "likely."

The Panel adjusted the result to 3NT by East, down one, N/S +50.

Panel Decision	3NT by E, Down 1, N/S +50
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Panel Members

Reviewer	David Metcalf
Member	Jenni Carmichael
Member	Kevin Perkins
Member	Matt Koltnow

Commentary

Goldsmith: Not only would I rule as the Panel did, I would submit a Player Memo. The TD needs a crash course in fair play.

Kooijman: This is a disturbing case for more than one reason. The minor one being that it seems profitable to hide a card when putting them on the table in a claim. The major one is that the Panel completely ignored the arguments used by the TD and went its own unlawful way. The question is not whether it is likely that Declarer would have made all the tricks, but whether it is likely that the defenders would make one more had play continued. The TD should not have accepted this ruling, using his authority on a point of law (Law 93B3). I am not saying that the ruling would necessarily have been different, though I personally would not have overruled the TD.

Meiracker: I agree with the Panel. Declarer claimed wrong, he had an obvious Heart loser and had one card fewer than the other players. When would he find his 4th Spade?

Townsend: I concur with the Panel.

Wildavsky: Both the TD and the Panel rulings were reasonable. Just what is likely in a situation that did not occur is a matter of judgment. I find it most unjust, though, to worsen the score of a pair who were not notified that there was an appeal. For all we know their testimony, had they been granted the opportunity to present it, might have convinced the Panel to rule as the TD had.

Woolsey: I agree that there is no reason to think that Declarer would have noticed his fourth spade in time to take the restricted choice play. A further point is that if the restricted choice play is wrong Declarer will take one fewer trick than if he had played spades from the top and was wrong, which can make a difference at matchpoints. The Panel's ruling looks fine to me.

One important lesson we can all take from this hand is: When Declarer makes a claim, count the winners he is able to take rather than his losers. If his winners don't add up to the number of tricks he is claiming, you can contest the claim. Had N/S followed this procedure, they would have caught the bad claim in a timely manner.

Subject of Appeal:	Break in Tempo, Unauthorized Information	Case:	N5
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Event	Kaplan Blue Ribbon Pairs	Event DIC	McKenzie Myers
Date	11/29/2018	Session	First Final Session

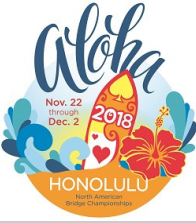
Auction

West	North	East	South
			Pass
1♥	Pass	1♠	Pass
3♠	Pass	4♣ ¹	Pass
4♦ ¹	Dbl	Pass ²	Pass
4NT ³	Pass	5♠ ⁴	Pass
7♠	Pass	7NT ⁶	Pass ⁵
Pass	Pass		

Explanation of Special Calls and Points of Contention

1: Cuebids
2: Denied first round control
3: RKC Blackwood
4: Two keycards and ♠Q
5: Agreed Break in Tempo
6: Comment during BIT

Hand Record

Board	23	N	Brian Glubok		
Dealer	S	♠ 73	♥ 642		
Vul	Both	♦ KJ843	♣ 1042		
W	Bobby Levin			E	Joe Grue
♠	K92			♠	AQJ1065
♥	KQJ95			♥	A107
♦	(void)			♦	Q95
♣	AQJ75	♣	K		
		S	Harold Antonson		
		♠	84		
		♥	83		
		♦	A10762		
		♣	9863		

Final Contract	Result of Play	Score	Opening Lead
7NT by W	Down 2	N/S +200	♦4

Facts Determined at the Table

The Director was called to the table after the end of play. West stated that South hesitated for a long time before his last pass. South agreed that he broke tempo. West thought that the BIT suggested a diamond lead. On the other side of the screen, North said that the BIT was not that long; East said about one minute. North stated that he did not think there was a significant hesitation. He felt South's failure to double 4♣ suggested a non-club lead. Furthermore, East made the comment, "Maybe I should not have done that because partner might be void," while they waited for the bidding tray to return from the other side of the screen. North concluded a diamond lead was the only reasonable choice.

Additional Factors Determined Away from the Table

The Event Directors spoke to both sides and concluded that there had been an unmistakable BIT and that East did make the comment North described. The comment was considered authorized information per Law 16D. As such, the Directors gave the comment as part of the facts when they asked players which lead they would choose. Six players were polled. The questions asked were: "With the auction and comment, what would you lead?" and, "What lead does the hesitation (without the comment) suggest?" In response to the first question, three of the pollees said that they would lead a diamond and the same players said that the hesitation suggested a diamond lead. The other three players said they would not lead a diamond. Two of these pollees said the hesitation suggested nothing; the third said that partner would have doubled 4♣ with the ♣A and doubled 7NT with the ♦A, so he would not lead a diamond anyway, and that the comment was irrelevant for him.

Director Ruling

The Directors concluded that, in isolation, the information contained in East's comment or South's BIT suggested the possibility of defeating 7NT. Answers to their questions about the information conveyed in the BIT led them to

conclude that the UI did not demonstrably suggest a diamond lead would be more successful than a club. Lastly, they felt that the information contained in East's comment was authorized.

Director's Ruling

7NT by W, Down 2, N/S +200

The Review

E/W appealed the Director's ruling. They felt that the poll results suggested that the comment by East was not relevant in North's selection of an opening lead. They thought that the UI demonstrably suggested South had an Ace. They thought a club lead was a logical alternative. The diamond lead (away from the King) was dangerous against a grand; the UI that partner could hold an Ace made that lead much more attractive. They felt North's obligation under Law 73C1 meant that he had to carefully avoid gaining any advantage from partner's UI, and that North's choice of a diamond lead did not fulfil that obligation.

Panel Findings

The Reviewer conducted a separate poll. He focused on the BIT, in order to test the appellants' assertion that the UI by itself suggested South held an Ace. He gave the hand to five players. The players were asked to bid the hand, and all of them matched the auction at the table. They were asked to choose an opening lead. Two chose a diamond, one of whom led the King. One considered a spade or a diamond; one a spade or a club, and one chose a spade. When they were asked what information was conveyed in a slow return of the tray, they all said this suggested leading a diamond.

The Reviewer brought his poll results back to the Panel. The Panel agreed that the poll conducted by the Directors established that there were logical alternatives to a diamond lead, even for players who were given East's comment. The Panel felt that the Reviewer's poll showed that the information from the BIT demonstrably suggested a diamond lead. In sum, players who had the information contained in the comment did not all choose a diamond lead, and players who were asked what information was conveyed in the BIT all thought it suggested one. Therefore, by Laws 16D, 73C1 and 12C1, the score was changed to 7NT by West, making 7, E/W +2220.

Panel Decision

7NT by W, Made 7, E/W +2220

Committee Members

Reviewer	Kevin Perkins
Member	Matt Koltnow
Member	Gary Zeiger
Member	David Metcalf

Post Tournament Findings

Glubok and Antonson, through legal counsel, requested a review of the Appeal by the ACBL Laws Commission. This is allowed per Law 93C and the ACBL Elections 7 & 8, as approved by the Board of Directors vote at the Toronto Summer 2017 NABC meetings (<http://web2.acbl.org/documentLibrary/about/172TorontoMinutes.pdf>).

The Laws Commission weighed the evidence presented in the filing and on February 23, 2019, notified the parties that it had declined to conduct a review. The Commission was not persuaded that the applicants had presented an arguable issue of bridge law.

As this was only the second instance in the last 25 years where the Law 93C provisions were invoked, the Laws Commission formalized the procedures for such appeals during the 2019 Memphis Spring NABC meetings. These new procedures (<https://web2.acbl.org/documentLibrary/laws/LCSpring2019ex.pdf>) detail the mechanics of such an appeal as well as defined the scope under which the Laws Commission will consider a review.

Commentary

Carmichael: The most controversial ruling of the set. The question to me boils down to how much weight do you give to the AI of the comment by East vs. the UI by the BIT. I feel that the original Director ruling put too much weight on the AI, but likewise the appeal seems to have ignored that aspect all together and put the whole decision on the UI.

I do agree that the BIT suggests a diamond over a club due to the lack of double of 4♣. As against that, the AI comment suggests that the opponents may be having a misunderstanding and a diamond lead is the only successful lead.

The contention by the appellants that a diamond lead is dangerous seems self-serving to me. While in the abstract it is true that leading away from a King against a grand slam is dangerous, it doesn't seem likely to be true to me in this auction. Correcting 7♠ to 7NT suggests that East feels it is overwhelmingly likely that there are 13 top tricks given the ♦A. (The hand in question is very much in line with that – 6 spade tricks, 5 hearts given that West feels his hearts are

good enough opposite just the Ace, 2 other aces.) This suggests that the lead either (a) doesn't matter or (b) they corrected to NT when West cuebid a void. That suggests a diamond lead based on nothing but the auction.

I prefer the original ruling, but I could see applying 12C1c if we felt that we couldn't separate the UI from the AI. In either case I don't like the decision of the Panel.

Goldsmith: "The Directors concluded that, in isolation, the information contained in East's comment or South's BIT suggested the possibility of defeating 7NT." Say what? Is a defender supposed to assume that 7NT cannot be defeated? Is he supposed to try to hold down overtricks?

If I were North, I'd tend to believe East's comment. I admit that even with the BIT, it wouldn't have occurred to me that they were off the ♦A until East suggested it, and then I'd lead a diamond with the written comment, "OK, you told me to lead a diamond; this is on your head!"

The judgment call on this hand is how much the AI from East's comment duplicates the UI from partner's BIT. For me, it overwhelms it, but the TD and Panel have to decide that for the actual players. It's a tough problem.

The LC's call is clear-cut. This is a judgment decision, not a laws application.

Kooijman: Yes, a remark by an opponent related to his own play is authorized information of course. If not, making such a remark could be very helpful, restricting the choices of the opponents in possession of unauthorized information. So, we have a battle here, between AI received from the opponents and UI coming from partner, both suggesting to lead a diamond. I am flabbergasted that some players do not see the remark by East that partner might have a void (most probably in diamonds) and implicitly also telling that he himself does not have that ace, as a suggestion (advice) to lead a diamond. The AI wins, table result stands.

Meiracker: There was an unnecessary remark by East about a void in West's hand. South didn't Double 4♣ and if he had the Ace of Hearts or Spades, he will make that ace always. S couldn't double 7NT, because a diamond was the normal lead and a Double will probably ask, lead something else. Agree with the TD.

Townsend: A cause celebre. East blew it with his gratuitous remark, leaving North in no doubt what to lead. Concur with the TD. Absent the remark, to be perfectly clear, a routine 7NT made.

Wildavsky: This case seems to have consumed two months of my life, and here it is again! While I learned more about it when the ruling was appealed to the Laws Commission I will here address only what's in the casebook write-up. That's a good point to keep in mind, that we panelists are commenting on the cases as presented to us and that we might not be fully informed. One cannot expect that every write-up will be 100% correct and complete.

The application of Law 16 is relatively straightforward here. It tells us that we should adjust the score if and only if the answers to three questions are all affirmative. Was UI present? Did the UI suggest the action taken over an alternative that would have been less successful? And would the less successful alternative have been logical?

The answer to the first question is easy. Yes, there was UI. Normally everyone passes 7NT quickly, and since the rules forbid West from acting it could only have been South who was thinking.

Did the UI suggest one lead over another? A Double of 7NT is normally lead-directing and by inference promises an ace, telling partner that he should avoid making the safe lead that would be typical against a grand slam. So I'd think that a slow Pass implies an ace but that the player was unwilling to Double. The TD's poll showed otherwise, though, and we ask TDs to rely on polling for matters of bridge judgment.

The Review Panel is not bound by the TD's findings regarding bridge judgment so it conducted its own poll. This poll indicated that the UI did demonstrably suggest a diamond lead. The Panel went on to implicitly conclude that a club lead would have been logical and so adjusted the score per Law 16.

The TD made the correct ruling based on the information he obtained regarding bridge judgment and the Panel made the correct ruling based on the information it obtained. Which judgment was more accurate? You, dear reader, get to decide that.

Regarding the "Does the AI outweigh the UI" argument posed by some other commentators, I think it overcomplicates matters. AI is present in every UI case, since the information from the auction and a player's own cards is always authorized. East comment here was one additional piece of AI. It is certainly relevant, but only to the extent that it affects our third question, whether alternatives would have been logical. Looked at that way, there is no sense in which we are required to weigh one set of information against another.

Woolsey: The length of the delay doesn't matter here. If South wasn't thinking about Doubling, the tray would have been shoved back in 2 seconds. This is a situation where any delay at all gives clear UI.

Without the UI, there is no reason for North to think that his partner has an ace. With that ace, his partner would be expected to Double. Even if in theory North could work out that the opponents making this kind of mistake was his only chance to defeat the contract, and that his partner might not have Doubled because he was afraid it would suggest a different lead, in practice our instincts when leading vs. 7NT are: "What is the safest lead I can find?" The BIT makes it clear to North that something is not right. Once North realizes this, it isn't difficult to work out what probably happened. Therefore, the UI definitely suggests the diamond lead. The poll results showed that other leads were logical alternatives. In fact, the poll itself is a bell-ringer which may have influenced those who chose to lead a diamond. At the table with no UI, I can't imagine any expert leading a diamond.

It is true that East's comment might have alerted North to the possibility of this accident, and that comment is AI. However, that is not sufficient grounds to make a diamond lead clear-cut. Excellent ruling by the Panel.

Subject of Appeal:	Misinformation	Case:	R1
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Event	0 – 10,000 Fast Pairs	Event DIC	Terry Lavender
Date	11/30/2018	Session	First Final

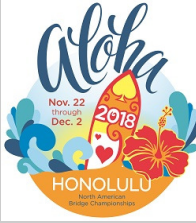
Auction

West	North	East	South
			Pass
1♣	Pass	1♦	Pass
1♥ ¹	Db1 ²	3♦	3♠
Db1	Pass	Pass	Pass

Explanation of Special Calls and Points of Contention

1: Explained as short in ♦ or ♠
2: Intended as showing ♥

Hand Record

Board	19	N	900 MPS		
Dealer	S	♠ A6	♥ 10982		
Vul	E/W	♦ K742	♣ A62		
W	6,450 MPS			E	6,750 MPS
♠ KQJ4	♥ AJ64			♠ 108	♥ K
♦ Q	♣ J754			♦ AJ98653	♣ K98
				S	5,250 MPS
		♠ 97532	♥ Q753		
		♦ 10	♣ Q103		

Final Contract	Result of Play	Score	Opening Lead
3♠X by S	Down 4	E/W +800	

Facts Determined at the Table

North asked about 1♥ before her first call and received the explanation “guarantees shortness in diamonds or spades.” Thinking that the 1♥ bid was artificial, she Doubled 1♥ to show her heart suit. Before her partner bid over 3♦, he clarified with East that West’s bid actually showed hearts and was told it did. He bid 3♠, whereupon North called the Director.

The Director allowed the auction to continue. 3♠X went down four for +800 to E/W. North called the Director back, stating that North would never have Doubled 1♥ if she had been told that West actually had promised hearts with his bid.

Director Ruling

The Director cautioned E/W to give a better explanation of the 1♥ bid, suggesting that an explanation including “shows an unbalanced hand” was unlikely to be misunderstood. She allowed the table result to stand.

Director’s Ruling	3♠X by S, Down 4, E/W +800
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The Review

N/S appealed the ruling and all four players met with the Reviewer. South insisted that he and North had been given completely different explanations of the 1♥ bid and that this misinformation had caused the poor result. North stated that she had no idea the 1♥ bidder actually held hearts after the explanation she was given.

Panel Findings

The Reviewer polled nine players with the North hand as to their action over 1♥. The first six were given the explanation provided by East at the table. All six players passed, either realizing that West had to have a heart suit or choosing to ask about West's possible heart holding before bidding. The other three players were told explicitly that West's 1♥ was artificial (as North claimed she thought) and promised shortness in either spades or diamonds. All three of these players also passed, citing the poor quality of the heart suit and the fact that they did not want a heart lead if they ended up defending.

The Panel ruled that the explanation of West's 1♥ bid was incomplete and therefore misinformation. The objective of score adjustment is to redress damage to a non-offending side and to take away any advantage gained by an offending side through its infraction. Three criteria must be satisfied to award an adjusted score. 1) There must have been an irregularity, 2) there must have been damage and 3) the damage must be as a result of the irregularity.

From the comments of the players consulted the Panel ruled the third requirement was not satisfied, so Law 21B3 was not invoked. The table result of 3♣X by South, down 4, E/W +800 was confirmed.

The appeal was judged to have merit.

Panel Decision	3♣X by S, Down 4, E/W +800
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Panel Members

Reviewer	Eric Bell
Member	Jenni Carmichael
Member	Ken Horwedel

Commentary

Goldsmith: Merit? What merit? North was confused and did something silly. It happens. Yes, East ought to have said, "natural, non-forcing, suggests an unbalanced hand," but 900 masterpoints should understand basic bridge jargon. Even if there had been a misexplanation, North's Double was so silly that the MI had no connection to the other side's (I just can't write "non-offending" about someone who Doubles a contract when her hand should give her no confidence about holding down the fourth overtrick) poor result.

Kooijman: This is a mess by TD and Panel. The explanation should be: 'it shows hearts with shortness in either diamonds or spades'. The suggestion the TD gave: 'an unbalanced hand' is even worse than the explanation given. Apparently, the TD did not see an infraction even, upholding the table result. This is the most terrible TD-decision I've met in years.

So, it is good that we have a Panel, but not in this case. They are one step better and establish an infraction, but then are misled by a poll, which we do not need at all to resolve this case. How is it possible to conclude that the damage is not a result of the irregularity? Without the irregularity North will not double and South will not bid 3♣. Is that logic too complicated? I am really upset.

As soon as we agree that the explanation caused an irregularity there are two possible ways to decide that N/S keep their bad result. The first is using the extremely serious error approach per Law 12c1e: North should never have Doubled anyhow, but that approach fails since the Double for sure is related to the infraction.

The second is that North should have called the TD as soon as he understood that he received incorrect information, before South bid 3♣. But the question is whether there was any time for that. If there was, or if the TD decides that South should have given his partner that time, which is a rather formal approach, North could have changed his Double using Law 21B1.

Both approaches lead to a split score, taking away the outrageous +800 for E/W.

Meiracker: I agree with the decisions! The explanation was incomplete, but that didn't cause the poor result for N/S.

Townsend: Judged by her MP holding, misunderstanding of the (poor) explanation, and Double of 1♥, North was not a strong player at all. The Double may seem absurd by most standards, even to other 900 MP players, but she would surely not have made it without the irregularity. The poll does not demonstrate otherwise. The damage was as a result of the irregularity as in Case 3, and score adjustment was appropriate.

I would be comfortable with North/South keeping their score and East/West losing theirs, if permitted under Law 12C1e. Regrettably, I don't see that it is permitted since the error was related to the infraction.

Here's 12C1e:

If, subsequent to the irregularity, the non-offending side has contributed to its own damage by an extremely serious error (unrelated to the infraction) or by a gambling action, which if unsuccessful it might have hoped to recover through rectification, then:

(i.) The offending side is awarded the score it would have been allotted as the consequence of rectifying its infraction.

(ii.) The non-offending side does not receive relief for such part of its damage as is self-inflicted.

Wildavsky: I see no merit to this appeal. North was damaged though her own error, not the (arguable) misinformation. This is a suitable situation for a poll. In order to adjust we have to find at least one pollee who would Double with the explanation given but not with a clearer one.

Woolsey: In my mind there would be no doubt about what the explanation meant. Furthermore, North doesn't have anything resembling a Double of 1♥ whatever 1♥ means. North just plain made an awful call, and one which was likely to be misinterpreted.

I don't agree with the Panel that North had any MI. But at least the Panel properly let the table result stand.

Subject of Appeal:	Incomplete Designation	Case:	R2
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Event	0 – 10,000 Fast Pairs	Event DIC	Terry Lavender
Date	11/30/2018	Session	Second Final

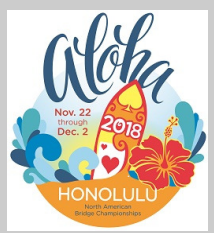
Auction

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

Explanation of Special Calls and Points of Contention

1: RKC Blackwood
2: 1 or 4 Keycards

Hand Record

Board	22	N	250 MPS		
Dealer	E	♠	J5		
		♥	AQJ105		
Vul	None	♦	J1093		
		♣	64		
W	900 MPS			E	5,250 MPS
♠	Q94			♠	10872
♥	843			♥	K976
♦	2			♦	K754
♣	Q98753			♣	J
		S	40 MPS		
		♠	AK63		
		♥	2		
		♦	AQ86		
		♣	AK102		

Final Contract	Result of Play	Score	Opening Lead
6♦ by S			♦2

Facts Determined at the Table

The Director was called at trick 10. The play of the hand had gone as follows:

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

This was the end position, lead in Dummy:

- | | | |
|-----------|--------|-------|
| ♠ — | | ♠ 10 |
| ♥ — | ♥ J 5 | ♥ 9 |
| ♦ — | ♦ 10 | ♦ K 7 |
| ♣ Q 9 8 7 | ♣ 6 | ♣ — |
| | ♠ — | |
| | ♥ — | |
| | ♦ A Q | |
| | ♣ K 10 | |

West was known to be out of diamonds. Declarer now called for a spade from dummy. Informed that there was not a spade in dummy, she called "heart." Dummy picked up the 5 and East played the 9, whereupon Declarer said, "I wanted the Jack." The Director was called.

Director Ruling

The Director ruled that the Jack of Hearts was played since the low heart was incontrovertibly not Declarer's intent per Law 46B2 (*"In the case of an incomplete or invalid designation, the following restrictions apply (except when declarer's different intention is incontrovertible):... If declarer designates a suit but not a rank he is deemed to have called the lowest card of the suit indicated."*). Declarer made 6♦, N/S +920.

Director's Ruling

6♦ by S, Made 6, N/S +920

The Review

East/West appealed the ruling and were the only players to meet with the Reviewer. They felt that Declarer's call of the nonexistent spade from dummy (which they claimed happened at trick 8 and again at trick 9, not just at trick 9 as recorded by the Director) was evidence that Declarer was not 100% "in the hand." The entire hand was played under time warnings and E/W claimed that South was quite obviously flustered by this. East argued that Declarer may have been expecting her King of Clubs to stand up, as she did not know at that point in time that clubs were 6-1, or that Declarer may have miscounted hearts and thought the heart suit was established, since she did not say anything about the Jack of Hearts until after she had seen his Nine.

Panel Findings

The Panel felt that both the call for a spade (whether it happened once or twice) and the fact that Declarer waited until after she had seen the Nine of Hearts played to attempt to correct the card played from dummy to the Jack were evidence that it was not incontrovertible that Declarer had intended to play the Jack from dummy. They ruled that the standard cited in Law 46B had not been met, and that therefore the low heart had been played from dummy. The Panel adjusted the score to 6♦ by South, down 1, E/W +50.

Panel Decision

6♦ by S, Down 1, E/W +50

Panel Members

Reviewer	Eric Bell
Member	Jenni Carmichael
Member	Gary Zeiger

Commentary

Goldsmith: Declarer's different intention was incontrovertible - what she intended was obvious. Per Law 46B the ♥J should be played.

South has 40 masterpoints. Would it surprise anyone if she never played another ACBL event after seeing E/W get away with this? Not only would I give E/W an AWMW, I'd treat them to a lecture on sportsmanship.

Kooijman: I agree that the qualification 'incontrovertible' cannot be applied to the Declarer's behavior. The slam goes down.

Meiracker: Declarer was confused and could have thought that the ♣K was a trick and was not sure about the ♥. Agree with the Panel.

Townsend: Spade in the first place sounds like a slip of the tongue. Still, Declarer may have thought the ♥5 was good, or that the ♥J was not. Concur with the TD Panel.

Wildavsky: "Incontrovertible" is a high standard. I prefer the Panel's ruling to the TD's.

Woolsey: All the evidence indicates that Declarer wasn't in touch with the hand. Declarer might have been planning on ruffing the heart, thinking there was only one trump out. Or Declarer might think the hearts are good, and it doesn't matter which one he plays. In order to allow Declarer to play the ♥J here it must be very clear that this was his intent, and that is not the case. Good ruling by the Panel. The Director should not have made the mistake he did.

Subject of Appeal:	Misinformation	Case:	R3
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Event	2 nd Sunday AXY Swiss Teams	Event DIC	Jay Bates
Date	12/02/2018	Session	First Session

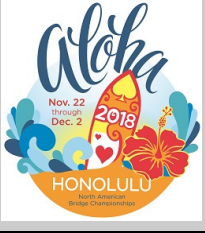
Auction

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

Explanation of Special Calls and Points of Contention

1: 15-17 HCP
2: Clubs and a major
3: Transfer
4: Forces 2NT, Not Alerted
5: Forced, Not Alerted
6: 5-8 HCP, ♦ & ♥, shapely

Hand Record

Board	30	N	Michael Gladfelter
Dealer	E	♠ 10852	
		♥ K3	
		♦ 52	
Vul	None	♣ J10863	
W	Brad Bart		
♠	J43		
♥	Q9765		
♦	KQ1086		
♣	(void)	E	Cristal Nell
		♠	Q9
		♥	A108
		♦	A9743
		♣	AQ9
		S	Mary Jane Gladfelter
		♠	AK76
		♥	J42
		♦	J
		♣	K7542

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

Facts Determined at the Table

West announced the failure to Alert prior to the opening lead. He said he did not Alert East's 2NT because he did not want to wake her up. [ACBL Alert Regulations require an Alert even if your partner has forgotten to Alert.] Away from the table, the Director asked North if he would have done anything differently had he been correctly Alerted. North said he would have done nothing until E-W bid 4♥, then he would bid 4♠. He said he did not want to push them to game by bidding 2♠ at his first turn. North said West's 2♠ bid appeared to show five hearts and four or so spades, likely weak. After he was told of the failure to Alert he wanted to bid 4♠. Per Law 21B1a, since South had called subsequent to North, he was not allowed to change his last call at this point. Therefore, East declared 4♥.

Additional Factors Determined Away from the Table

Six players with more than 4,000 MPs were polled to see what East would do over 4♠. Four said they would bid 4♥ over 3♦. The difference in the auction was enough to eliminate their counsel. The other two bid 3♥. When asked what they would do if North bid 4♠ over West's 4♥, both said they would pass.

Director Ruling

There was an irregularity, and damage as a direct result of the failure to Alert because North could not bid 4♠. Law 21B3 requires the Director to award an adjusted score when it is too late to change a call based on misinformation and he deems the offending side gained an advantage from the irregularity. Since the two players who had bid only 3♥ also passed 4♠, the contract was changed to 4♠ by North, down two, E/W +100.

Director's Ruling	4♠ by S, Down 2, E/W +100
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The Review

E/W appealed the ruling, saying that West would have doubled 4♠ and that the hand will always go down three. When asked what she would have led against 4♠X by North, East said she did not know which red ace she would have led.

Panel Findings

The Alert Procedures say, "Players who, by experience or expertise, recognize that their opponents have neglected to Alert a special agreement will be expected to protect themselves."

Of the eight players asked how they would bid the North hand, only four were comfortable with the actual auction. Of those four, two bid 4♠ and two passed. Six asked what the bidding meant at some point before they made their final call.

The Panel judged from the strangeness of the auction and the results of the poll that North did not do enough to protect himself. The result at the other table was 5♦ by West, down 1, N/S +50. Half the consultants passed 4♥ with the North hand. E/W had a net of 470, so they received 50% of 10 IMPs won. The other 50% was apportioned as shown below.

Of the eight players asked how they would bid the West hand, only four were comfortable with the actual auction. Of those four, two went to the five level over 4♠ and two doubled.

Law 12C1c allows weighting of different results. The polling shows that North would bid 4♠ 50% of the time. Three results can come after that. Two of the consultants with the West hand bid on, so half of the remaining 50% of the score is a push at 5♦, down one. Defending 4♠X, half the time E will lead the ♥A, resulting in a net of 350, or 8 IMPs. 12.5% of 8 is 1 IMP. The defense can always come to six tricks after the lead of the ♦A for a net of 550, or 11 IMPs. 12.5% of 11 is 1.375.

With the result at the other table being 5♦ by West, down 1, a weighted score was calculated in the following manner:

Contract	Result	Comparison	IMPS	Percentage	Net IMPS to E/W
E/W 4♥	+420	+470	10	50	5
E/W 5♦	-50	0	0	25	0
N/S 4♠X	+300	+350	8	12.5	1
N/S 4♠X	+500	+550	11	12.5	1.375

Final Adjusted Score: E/W +7.375 IMPS

Panel Decision	E/W +7.375 IMPS
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Panel Members

Reviewer	Charles MacCracken
Member	Matt Smith
Member	Gary Zeiger

Commentary

Carmichael: The Panel ruling seems fine, I think that it makes no sense for E/W to bid a game to make and then pass out 4♠. There are many different possible outcomes so using 12C1c seems applicable. I might quibble about the details of the split, but the essence of the ruling seems correct.

Goldsmith: Whoops. This ruling missed the point. West invited game with 3♦. East signed off. West had UI telling him that partner didn't know that his action was not game forcing, and that his partner thinks 3♥ is forcing. His bidding 4♥ was an infraction. The auction has to end at 3♥. Reciprocal 170s and a 1/4 board PP to E/W for abuse of UI. If West argues that he was always planning to bid game, double the PP; 3♦ was not forcing.

Kooijman: A disappointing ruling by the TD, not realizing that the contract will certainly not be 4♠ undoubled. Really lazy. Good that the Panel knew what to do this time.

Meiracker: Agree with the Panel, but why did West bid 4♥ after East described his hand exactly; 5-8 HCP with ♦ and ♥?

Townsend: The TD asked North before the lead what he would have bid over 4♥, and he said 4♠. Why not take him at his word? East may bid 5♦ over that, but West will surely Double after a Pass. My numbers: N/S +50, -300, -500, one third each. That's 6.33 IMPs to E/W.

Wildavsky: The TD did not do a thorough job of assessing the variety of possible results had N/S been correctly informed. The Panel ruling was an improvement. Neither, though, addressed the UI aspect of the case. West had shown his hand with 3♦. Why did he overrule his partner and bid on over 3♥? Should the UI he had from the failure to Alert constrain his legal options?

Woolsey: Why would North suspect anything? It sounds like West has 5 hearts and 4 spades. If that is the case, North knows that his partner's major is hearts, not spades. I don't agree that North should protect himself here. If anything, asking about a presumably natural call would only give partner the UI that you have that suit.

Does North have a clear 4♠ call? Not really. From his point of view their hands could be completely mirrored, and 4♠ could easily go for too much. However, it is true that he might have bid 4♠. Had he bid 4♠, who knows what would have happened then.

Given all this, a weighted ruling is appropriate. While I might quibble with the weights chosen, they are reasonable enough.

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In closing, I would like to say that I was impressed by the rulings made by the Panels. While there were some small differences, I basically agreed with every ruling. The Panel consistently followed proper procedure. This is an indication that the Panel approach vs. the old Committee approach may be working.