

# 2016 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 eleven (11) cases were heard.

Eight (8) 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**

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

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

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

**Chris Willenken** was born in New York City, Willenken graduated from Collegiate School and Williams College. Chris is an ACBL Grand Life Master and a WBF Life Master. In 2011, he won the gold medal at the inaugural Sport Accord World Mind Games Individual Championship. In WBF competition, He reached the semifinals of the 2010 Rosenblum Cup and 2011 World Transnational Open Teams Championship and finished fourth in the 2014 World Open Pairs Championship.

**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>	Unauthorized Information	<b>Case:</b>	N1
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<b>Event</b>	Nail Life Master Pairs	<b>Event DIC</b>	Ken Van Cleve
<b>Date</b>	11/25/2016	<b>Session</b>	First Qualifying


### Auction

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

### Explanation of Special Calls and Points of Contention

1: Tossed nonchalantly, shrug

### Hand Record

Board	2	N	Frederick Wills
<b>Dealer</b>	<b>E</b>	♠ KQJ	
		♥ AK1042	
<b>Vul</b>	<b>N/S</b>	♦ Q1043	
		♣ 5	
<b>W</b>	Michael Polowan		
♠	1043		
♥	(void)		
♦	K75		
♣	AKQ10943	<b>E</b>	Jared Lilienstein
		♠	97
		♥	Q863
		♦	J82
		♣	J762
		<b>S</b>	Betty Parker
		♠	A8652
		♥	J975
		♦	A96
		♣	8

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

### Facts Determined at the Table

West called the Director at trick two, when clubs were continued and there was a ruff and discard. West claimed that North tossed the Double card to the table with a shrug. He felt it was clear North's hand would have extra values but not a penalty double. Since he felt that Pass was clear by South, he thought that showed South indeed gained from the unauthorized information. North said he didn't think that he Doubled any differently from other calls.

### Director Ruling

The Table Director discussed the table action with event staff. None found that the alleged toss and shrug demonstrably suggested Pass, so there was no legal basis to adjust the score. Therefore, the table result of 5♥ by North, making 5, N/S +650, was confirmed.

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

E/W requested a review of the ruling. They felt that South was indeed in possession of UI, and that it did indeed demonstrably suggest bidding 5♥, in spite of the Table Director's determination otherwise.

### Panel Findings

The Reviewer found five players who were playing in a top-bracket regional KO. He gave them the auction and the South hand. They all disagreed with the 4♥ bid, preferring something more constructive. All five of them chose Pass

after North's Double. The Reviewer then demonstrated the shrug-tossed Double card and asked what they thought they'd been suggested to do. Four said they couldn't make out what it meant. The fifth said he thought his partner would want him to think it was a penalty double, so partner wanted him to pass.

The Reviewer concluded that this did not meet the standard of a "demonstrable suggestion," so South's action could not be restricted by Law 16B1. The ruling was upheld. The appeal was deemed to have merit, because the TD did not poll actual players.

Experts Consulted: David Gold, David Bakhski, Mustafa Cem Tokay, Alfredo Versace, Antonio Sementa

<b>Panel Decision</b>
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<b>5♥ by N, Made 5, N/S +650</b>
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## Panel Members

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

**Goldsmith:** I disagree. I think the shrug suggests that North has extra values and doesn't know what to do, and that strongly suggests bidding over passing. Furthermore, I think it's clear that South thought the same thing and acted on it. South has substantially more defense and no more offense than she showed on the previous round; it is so obvious to pass the Double that the only way one would consider not doing it is by using UI.

Letting 5♥ make, however, seems so bad that I'd let E/W keep their -650. Without egregious mis-defense, E/W would have benefited from the E/W infraction, so N/S +300, E/W -650. N/S get a 1/4 board PP and a lecture. Had the UI been from tempo, I would not have given N/S a PP, but this sort of UI has no place in national events.

**Marques:** I agree with the decision. A poll would have been useful to consolidate the TD's decision and avoid the appeal, but I expect that at the time none of the TD's on the field thought that this decision would be appealed. Do we need to poll to decide that the gesture by North doesn't carry any useful information?

Even if I understand the Panel's decision not to award an AWMW, it's a bit disturbing that EW didn't call the Director at the time of the alleged shrug, but did so after giving a ruff and discard on the second trick!

**Wildavsky:** Ouch. It's difficult to determine what this shrug suggested. I'd be more comfortable adjusting the score had the TD been called at the time of the shrug. Here EW had a chance for a better result than they'd have achieved in 5♣X, so I am sympathetic to leaving the table result unchanged. I would not award a split score since I do not judge that the EW defense was so egregiously poor as to constitute an "extremely serious error" per law 12C1e.

I am surprised that a Panel of one is considered acceptable for an NABC+ event.

**Willenken:** The meaning of North's shrug seems clear to me: 'If they make it, they make it'. So, if South had pulled on a hand with zero defense, the score should have been adjusted. Here, the UI suggested a pass with South's two aces, so the ruling was correct.

**Woolsey:** Suppose North had Doubled with the speed of light, and South had passed and been right. South would have UI suggesting passing vs. 5♥. The Directors would take a poll, and when the vote to pass was unanimous the Directors would conclude that 5♥ was not a LA and allow the table result to stand.

That same poll was taken. We can't say that South's bid wasn't a LA, since he in fact made the call. However, we can infer from the poll that there was a very strong likelihood that South did, in fact, receive UI as E/W suggested. There are other forms of UI than a BIT, and to me the evidence of South's hand and the poll says that such UI did exist. Thus, I would be prepared to roll the contract back to 5♣ Doubled.

There are two things which bother me. One is the timing of the Director call. Apparently there was no acknowledgement of the shrug at the time of the Double. It was only after West knew that the defense had been blown that he spoke up. That doesn't look good at all.

The other issue is the actual defense. East led the jack of clubs -- a nice lead on the hand. What happened then? We aren't told exactly - all we are told was that clubs were continued. Did West overtake? If not, what club spot did West play? It looks pretty elementary for West to play his smallest club as a suit-preference signal, and for East to then shift to diamonds as there has to be some reason he was left on lead. Therefore, E/W could and should have defeated 5♣. They still have to play bridge, and they don't get a double shot when they had the easy opportunity for a better result and blew it. Does this mis-defense come under failing to play bridge? At this level of play I think it does.

Putting it all together, I would award a split score. E/W get the table result, since they had an easy chance to defeat 5♥. N/S get the adjudication in 5♣ Doubled, since South received UI and made a bid suggested by that UI when the alternative was not only a LA, it was a clear action.

<b>Subject of Appeal:</b>	Tempo/Unauthorized Information	<b>Case:</b>	N2
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<b>Event</b>	Nail Life Master Pairs	<b>Event DIC</b>	Ken Van Cleve
<b>Date</b>	11/25/2016	<b>Session</b>	First Qualifying


### Auction

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

### Explanation of Special Calls and Points of Contention

1: Break in Tempo

### Hand Record

Board	1	N	John Kranyak		
<b>Dealer</b>	<b>N</b>	♠	AKQ1096		
		♥	Q108		
		♦	42		
<b>Vul</b>	<b>None</b>	♣	54		
<b>W</b>	Gloria Bart			<b>E</b>	Les Bart
♠	(void)			♠	854
♥	K975			♥	A62
♦	KJ6			♦	AQ7
♣	AKQJ87			♣	10932
		<b>S</b>	Ken Kranyak		
		♠	J732		
		♥	J43		
		♦	109853		
		♣	6		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
6♣ by E	Made 6	E/W +920	♠ A

### Facts Determined at the Table

The Director was called at the end of the hand. North made a joke after West bid 4♠, and there was a break in the action. There was a dispute as to the length of time East took to bid 5♣. East said he is deliberate and taking medication, so he thought his 3-4 seconds was the normal tempo he uses for all bids. West did not give a specific time, but she did notice a break in tempo; she thought it was related to the distraction from North's joke. North described the length of time as 12-15 seconds. West said she chose 4♠ because she was considering bidding a grand.

### Additional Factors Determined Away from the Table

The TD gave the West hand to four players from a top-bracket team event. They were all able to agree with or accept West's actions. Over 5♣, two bid 6♣ and two passed. The four players all thought a slow 5♣ showed doubt and that he was considering 6♣.

### Director Ruling

The TD agreed with East's assertion that he had showed extra values with his free 4♣ bid, but the poll results revealed that Pass was a logical alternative for West. Therefore, per Laws 16B1, 73C and 12C1c, the score was adjusted to 5♣ by East, making six, E/W +420.

<b>Director's Ruling</b>	<b>5♣ by E, Made 6, E/W +420</b>
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## The Review

E/W requested a review of the ruling. They felt that the break in tempo was not significant, and further that passing 5♣ would have been foolish. The Reviewer checked with South (who had not expressed an opinion at the time) as to the length of the break in tempo. He described it as 9-12 seconds. The Reviewer concluded that there had indeed been an unmistakable break in tempo. (Law 85)

The Reviewer presented the West hand to three players as a bidding problem. All three chose or accepted West's actions. Over 5♣, all three passed, although one said he thought slam was more likely to make than not.

## Panel Findings

West was in possession of UI from the unmistakable break in tempo which demonstrably suggested bidding 6♣. Passing 5♣ was found to be a logical alternative. The table ruling was upheld. The appeal was deemed to have merit only because of the possibility that the Table Director had not adequately collected all the facts before making his ruling.

<b>Panel Decision</b>	<b>5♣ by E, Made 6, E/W +420</b>
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## Panel Members

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

**Goldsmith:** I'm a little skeptical about the procedure here. If a player thought slam is more likely than not to make, how could he pass 5♣?

I also am not convinced that the TD was focused on the issues. Firstly, was there a BIT? He seemed tacitly to assume this, but there was a dispute about it. When that happens, take a look at the hands. I think East is worth 4NT over 4♣, and I think he's quite heavy for 5♣, so the hand suggests that he had a problem. If 4NT isn't 5-1/2 clubs, he has a real problem. So, it's likely that there was a BIT.

Does the UI from the BIT suggest 6♣ over 5♣? Certainly. Is passing 5♣ a LA? I think it's pretty close. Give East xxx QJx A10x xxxx. That's a fast 5♣. It's not even worth 4♣. Slam's very good. How about xxxx Qx Ax xxxxx? Would East think before signing off? In order for East to be close to his bids, and for slam to be bad, he has to have spade values, but then he'd bid 3NT, not 4♣ on the last round. I could easily be convinced that passing 5♣ is not a LA. The Director polls (as well as a poll that I conducted personally) however strongly suggest that it is, so I'll grudgingly agree with the ruling.

**Marques:** If only I had a penny for every time that this type of case happened and went into appeal! East broke tempo. West acknowledged it. West has two options: Pass, or "something else." The BIT suggests doubt, therefore suggests bidding on. West cannot choose an action that is demonstrably suggested over another (less favorable) by the break in tempo. It does not matter that this particular West thinks that, in his own words, "passing would have been foolish." For the same class of player, passing is not foolish, and even if it is a minority action, it's clearly a logical alternative, so West cannot choose "something else." Players should stop bringing these cases to appeal.

Good job by the Director and by the Panel. I think that not awarding the AWMW is very generous to the appealing side

**Wildavsky:** North seems to have contributed to this situation by telling a joke during the auction. I'd like to know if it was at least a funny one. That said, East has a good hand for slam in the context of the auction, so it does seem likely that he hesitated before signing off. It would be nice to know whether E/W play 4NT as a "last train" club slam try or as Blackwood. That said, I have no problem with the TD or Panel rulings. I am again surprised that a Panel of one is considered acceptable for an NABC+ event.

**Willenken:** Good ruling in an easy case. There are very important principles at play here. Unless West was able to make a compelling argument that her 4♣ bid was a try for 7♣, logically it must have been a try for 6♣. Therefore, we do not need a poll to determine whether pass of 5♣ was a LA for West-- we know that West's 'peers' for the purposes of this hand were players undecided between 5♣ and 6♣. We also know that for West herself, pass was a possible action, so a PP for violating 16(B)1 is probably in order.

From a directorial perspective, this situation should be analogous to a player discovering his wrong Blackwood response after partner's huddle. Obviously, we don't allow the Blackwood responder to use partner's huddle to wake up from his confusion. Similarly, even if we judged in this case that West's cards justified a slam drive, we would know that she was confused about that fact from her decision to try with 4♣, so we cannot allow her to wake up after partner's huddle.

**Woolsey:** The actual time East took doesn't matter. East is not expecting a 4♠ call and will certainly have to reconsider whether he has enough extras to make a move over it. A fast 5♣ bid would be far more significant than a slow 5♣ bid.

Still, rightly or wrongly, it was judged by the Director that there was a meaningful BIT, and East's actual hand does suggest that this is the case since East certainly has something to think about. The Director has to make this judgment call, and there is no reason to overrule that judgment.

The poll indicates (quite accurately IMO) that passing 5♣ is a LA. The UI clearly suggests bidding the slam. Thus, the ruling is correct.



<b>Subject of Appeal:</b>	Unauthorized Information	<b>Case:</b>	N3
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<b>Event</b>	Nail Life Master Pairs	<b>Event DIC</b>	Ken Van Cleve
<b>Date</b>	11/25/2016	<b>Session</b>	Second Qualifying


### Auction

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

### Explanation of Special Calls and Points of Contention

1: Natural, 14-20 HCP
2: Spade Raise
3: Relay
4: Two Keycards
5: Slam invitational

### Hand Record

<b>Board</b>	<b>13</b>	N	Larry Sealy	
<b>Dealer</b>	<b>N</b>	♠ 87	♥ KQ1094	
<b>Vul</b>	<b>Both</b>	♦ Q75	♣ Q94	
W	Gökçen Yilmaz			E
♠ 1094				♠ AQJ532
♥ 72				♥ A65
♦ AK2				♦ J9
♣ K8763			♣ A5	
		S	Jim Foster	
		♠ K6		
		♥ J83		
		♦ 108643		
		♣ J109		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
4♠ by E	Made 5	E/W +650	♥ J

### Facts Determined at the Table

The Director was called at the end of the hand. N/S had asked about each bid as the auction proceeded. E/W stated that 4♠ showed no extras (values for limit raise only) and no interest in slam. They clarified their system for the TD, stating that 2NT had been a mistaken bid. Their explanation of the auction (confirmed by system notes):

2NT shows a balanced spade raise with an even number of keycards.

3♣ asks for more information.

A 3♦ response would have shown any hand with no keycards; 3♥ showed two keycards and 8-9 points (the minimum for 2NT), whereas 3♠ would have shown two keycards with 10-11 points.

3♠ by East showed slam interest, but 4♠ showed the hand to have nothing extra.

### Director Ruling

The TD found the explanation of the E/W system adequate, and thought West had made a mistaken bid when he bid 2NT. He judged there was no reason to adjust the score.

<b>Director's Ruling</b>	<b>4♠ by E, Made 5, E/W +650</b>
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### The Review

N/S requested a review of the ruling. They believed that the TD had received a different explanation of the E/W system from what they heard at the table. What they heard at the table suggested that West gained an advantage from the UI contained in E/W's answers to N/S's questions about their system.

The Reviewer obtained the E/W system notes, and he found them to agree with what E/W had told the TD. He spoke to two expert players, who helped him draw a different conclusion from these facts. The specific part of the UI was that East expected one more keycard than West had, which demonstrably suggested not cooperating with a slam try by making a control bid of 4♣ or 4♦. That control bid would likely have led to a slam - East already expects the ♠K and ♦A to be in West's hand. East would have been able to find out about West's minor suit kings and bid to 6♠.

## Panel Findings

West was in possession of UI from the explanations of 2NT and 3♥ as showing two keycards. This information suggested that bidding 4♠ would be more successful than 4♣ or 4♦, which were logical alternatives. Therefore, per Laws 16B1, 73C, and 12C1c, the contract was changed to 6♠ by East, down one, N/S +100. The appeal was deemed to have merit.

Experts Consulted: Jan Martel, Paul Lewis

<b>Panel Decision</b>
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<b>6♠ by E, Down 1, N/S +100</b>
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## Committee Members

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

**Goldsmith:** I don't argue with 4♣. I think 3♠ pretty much has to be looking for shortness, as West has two key cards and 8-9 HCP. Opener knows there is a random queen or jack lying around. But even with the perfect shortness and a max, Kxxxx x AQxx xxx, slam isn't cold, so why is opener inviting slam? Maybe we have the auction wrong?

Assuming we have the correct facts, which I doubt, why did West chose to rebid 3♥ instead of 3♠? Probably because he was short a key card, so he made the bid that will turn partner off from slam investigation. I think that was a clear violation. If opener invited after 3♥, he'd not take no for an answer over 3♠, so I agree with the TD/Panel, though not for the same reasons. I also think that 3♥ was an actively-made choice based entirely on UI, and for that, E/W get a 1/2 board PP, a good lecture, and a recorder form.

How on Earth did South find the ♥J lead? North must have Doubled 3♥, though the write-up does not mention it. Does that change the meaning of 3♠?

**Marques:** IMHO, the Director's ruling is correct on this one, but probably for different reasons. It does not seem that the TD got to analyze the UI issues arising from East's explanation of 3♥. West seems to have acted on it. It would be useful to know what did West think that 3♥ showed, but knowing that partner thinks that there are two key cards in his hand and having only one, when partner tries for slam with 3♠, the 4♣ bid is clearly suggested by this discrepancy. In other words, had partner alerted 3♥ as one key card, and something like 8-9 presumably, wouldn't West cooperate with the slam investigation? The Panel got this part right. However, if West bids 4♣, for example, East now knows that West has 2 keycards, 8-9, and the ♠K (2NT was a balanced raise, so 4♣ does not show shortness). Where is East going to park his red suit losers? Same argument if West bids 4♦. Where are the rounded suit losers going? I suspect that a poll about East's actions would easily determine that there are no logical alternatives to 4♠.

**Wildavsky:** I am torn. The TD ruling fell short. The Panel was more thorough, but would East have continued to slam had West found a cue over 3♠, as the Laws require? In the end, I have to go with the Panel. East does not have enough for slam over a cue, but on the facts as presented he also did not have enough to try for slam with 3♠. On that basis, I cannot predict what he might have done. It does not seem likely that E/W would have reached slam 100% of the time - a weighted score seems more appropriate.

BTW, kudos to Jeff Goldsmith for noticing that heart lead and the implication that there is a Double missing from the auction.

Another Panel of one. This cannot be desirable, regardless of the acumen of the single member.

**Willenken:** Great job by the Panel here. Generally, after a player forgets that he is in a relay scheme (or forgets how the relay scheme works), his next chosen bid might easily show something light-years away from what he holds. I have seen a pair end in a Doubled grand slam in at 3-1 fit after a relay accident. So, Directors should consider that virtually unlimited downside when making any score adjustment

**Woolsey:** First of all, kudos to E/W for producing documentation of what their bids meant in their system. That solves a lot of problems.

I agree that West had UI. I agree that the UI suggests West's 4♠ call, since West doesn't have the two keycards the UI tells him that he has shown. I also agree that a cooperative cue bid by West is a LA. Thus, I would not allow West's 4♠ call.

In spite of this, the ruling was awful. East doesn't have any UI. As far as he is concerned, by their system agreements West has shown 8-9 points with 2 keycards. Look at the East hand. Is that even worth a slam try opposite what West has shown? I don't think so, since West can't have a side king or he would have been too strong to bid 3♥. East did make a slam try, which is certainly his right. However, having made the most minimal of slam tries with 3♣, East will be putting on the brakes at every moment after that. West certainly isn't going to drive to slam on his own -- in fact, West won't do more than make his cooperative cue bid. This auction will stop at 4♠, or at the absolute most 5♠. The adjudication of 6♠ down 1 is very wrong.

I don't know if the Reviewer showed the experts consulted the whole deal, or just the West hand. I would expect any expert to come to the same conclusion I came to if they looked at the East hand and considered the auction in the context of what East believes West has shown. This case illustrates the danger of Reviewers making blind decisions without showing everything to experts. I'm sure that had there been a committee somebody would have seen that East wouldn't have driven to slam.

<b>Subject of Appeal:</b>	Permissible Convention	<b>Case:</b>	N4
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<b>Event</b>	Mitchell Open BAM Teams	<b>Event DIC</b>	Candace Kuschner
<b>Date</b>	11/27/2016	<b>Session</b>	First Qualifying


### Auction

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

### Explanation of Special Calls and Points of Contention

1: Hearts, weak (alerted)
2: Spades & minor

### Hand Record

Board	17	N	Ron Pachtman		
<b>Dealer</b>	<b>N</b>	♠ 43	A108652		
<b>Vul</b>	<b>None</b>	♥ 10	QJ107		
W	Oleg Rubinchik			E	
♠	K8			♠	Igor Milman
♥	93			♥	Q10652
♦	AKJ8543			♦	7
♣	86	♣	Q7	♣	AK942
		S	Piotr Zatorski		
		♠	AJ97		
		♥	KQJ4		
		♦	962		
		♣	5\3		

Final Contract	Result of Play	Score	Opening Lead
5♠ by E	Down 3	N/S +150	

### Facts Determined at the Table

The Director was called at trick one. The 2♦ bid is legal in this event, but it requires a pre-Alert and a printed suggested defense. Neither was provided. West intended 5♦ as to play; East thought he was being given a choice between diamonds and spades.

### Director Ruling

E/W were disadvantaged by N/S's failure to pre-Alert and provide a defense to 2♦, as required by ACBL regulation and governed by Laws 40B4 and 40B5. The TD ruled that E/W would not have had the accident if N/S had complied with the regulations and adjusted the score to E/W: Average Plus, N/S: Average Minus, per Law 12C1d. He did not give a procedural penalty for N/S's lack of compliance with regulation.

<b>Director's Ruling</b>	<b>N/S: Average- E/W: Average+</b>
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### The Review

N/S requested a review of the ruling. They thought that the opponents could have called the Director at the time of the 2♦ opening if they wanted protection. They used Michaels, a convention they play in other auctions, but East made an error later in the auction, which suggests it was not the lack of a pre-Alert or printed defense (it did not cover this continuation after a 2♥ takeout bid) which caused E/W's damage.

## Panel Findings

The Reviewer spoke with the DIC in order to get a better understanding of the application of Laws 40B5 and 40B4, in light of ACBL regulations regarding Mid-Chart conventions. The DIC ruled that ACBL convention regulations should not extend to redressing the damage caused by a pair's misuse of a convention they play regularly. 40B5 provides for potential redress to a damaged side, and it states a penalty may be given to a contestant in breach of regulation concerning permissible conventions.

The Reviewer found that N/S were indeed in breach of this regulation, as they did not pre-Alert or provide a written defense, but he also found that E/W's damage was not a result of N/S's use of this agreement. As such, the Reviewer restored the table result of 5♠ by East, down 3, N/S +150, and he gave a 1/4 board procedural penalty to N/S.

<b>Panel Decision</b>	<b>5♠ by E, Down 3, N/S +150 N/S: 1/4 Board Procedural Penalty</b>
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## Panel Members

<b>Reviewer</b>	Matt Koltnow
<b>Advisor</b>	Steve Bates

## Commentary

**Goldsmith:** Good job by the Panel. I'd like some confirmation that 1/4 board is the routine PP for not supplying written defenses. I hope the TD mentioned that N/S cannot play the method until they get printed defenses.

A key point that needs to be made is that if the NOS want redress for not having written defenses available, they have to ask for them before taking action. If they don't know that the methods needed written defenses, why are they asking right after the hand? If they find out later, then they have to convince the TD that they had no idea that defenses were available. Good luck with that in this case.

For what it's worth, the written defense doesn't use 2♥ as Michaels; it's takeout, and Michaels seems better for E/W on this hand, so until their error, they were doing better without the defenses.

The TD's ruling is just silly. There are not numerous possible results, and the ones that exist are pretty obvious.

**Marques:** Huh? N/S did not pre-alert, did not provide a printed defense, did not comply with the regulations, so they deserve a procedural penalty. However, E/W did not call the TD at the time, and I strongly suspect that they had no problem with defending against this convention. Had N/S pre-alerted and given them a proposed defense, they would probably have bid the same way. The damage came from a misunderstanding of their own, later in the auction. Unless the regulations provide an automatic "Average minus or worse" for the offenders in these situations, I don't see any basis for the TD's decision. Good work by the Panel.

**Wildavsky:** Excellent work by the Panel on both counts.

The Panel has doubled in size and now contains two members. That's a start!

**Willenken:** Great job by the Panel, both in realizing that the E/W Michaels accident did not affect the result here and also in ensuring that N/S remember their disclosure requirements in the future.

**Woolsey:** Assuming the facts are correct that the convention is legal but requires a pre-alert and a written defense, the PP is quite correct and should be given regardless of anything else.

E/W were apparently on firm ground about the 2♥ call being Michaels. Thus, they were not injured from lack of a written defense, as they are supposed to know their follow-ups after Michaels. They simply had a mix up about their agreements. Very correct ruling by the Panel. Awful job by the Director.

<b>Subject of Appeal:</b>	Misinformation	<b>Case:</b>	N5
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<b>Event</b>	Kaplan Blue Ribbon Pairs	<b>Event DIC</b>	Harry Falk
<b>Date</b>	11/29/2016	<b>Session</b>	First Qualifying


### Auction

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

### Explanation of Special Calls and Points of Contention

1: Spades and a minor

### Hand Record

<b>Board</b>	<b>13</b>	N	Freida Dohrman		
<b>Dealer</b>	<b>N</b>	♠	AK85		
		♥	QJ		
<b>Vul</b>	<b>Both</b>	♦	Q742		
		♣	1043		
W	Larry Cohen			E	Steve Weinstein
♠	QJ1097			♠	432
♥	3			♥	87652
♦	K8			♦	A96
♣	AJ762			♣	K9
		S	Barbara Steffek		
		♠	6		
		♥	AK1094		
		♦	J1053		
		♣	Q85		

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

### Facts Determined at the Table

The Director was called during the next hand. This is the point where East figured out N/S use upside-down carding. The play had gone: after the ♥A held trick one, South led the ♦J, which declarer won with the ace. Declarer led a trump, and North won. North led another diamond to dummy's king. Declarer led another high trump; North ducked and South discarded a heart. Declarer led a small club to the king; North played the 4, South the 5. Declarer now led a small club toward the jack; South played the 8, North the 3. Declarer looked at North's convention card (he was planning to play this defender for having given true count). The card was marked for no carding agreements, so he assumed they played standard. He ruffed a club and took nine tricks. If he had led trumps instead, he could have taken 10 tricks by playing for clubs to break 3-3, which they did.

### Additional Factors Determined Away from the Table

The TD polled four players who said they didn't care what the carding agreement was; they would play for clubs 3-3 or 4-2 based on other information available to them. North's convention card had no markings for defensive carding; South's was completely filled-out, including the check box for upside-down count and attitude.

### Director Ruling

The TD ruled that the misinformation did not cause the damage, so he could not adjust the score per Laws 21C3 and 40B4.

<b>Director's Ruling</b>	2♠ by E, Made 3, E/W +140
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## The Review

E/W requested a review of the ruling. East said that he had every reason to expect North would give true count, and she did. The only reason he went wrong was that he was misinformed as to the N/S carding agreement. He said a poll of players was irrelevant. The Reviewer spoke to six national and world champions to ask what they would do if they picked up a convention card and saw no markings for defensive carding. All of them said they would either look for the other defender's convention card or ask a question. When asked whether it was reasonable to assume the opponents were using standard carding methods, all six said it was not.

## Panel Findings

N/S were in violation of regulations and conditions of contest which require two completely filled-out convention cards. At the same time, the Alert procedures require players to protect themselves. East did not protect himself adequately; he would have received the correct information with a question or by looking at a filled-out convention card. The table ruling was upheld. The appeal was deemed to have merit. While the appellants' argument was not successful, they accurately described the flaw in the Table Director's ruling - he had not polled the correct element of the ruling.

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

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

**Goldsmith:** OK. I'm not convinced that North will give true count looking at AJxxx in dummy (what for?), but she did, and East knows his opponent better than I do.

**Marques:** Declarer should know better than this, but also the planning and development of TD's poll could (should) have been better than it was. Although we don't know what questions were asked by the TD, we know that they didn't address the very likely argument by declarer, that South's CC misled him. Apparently, the questions completely missed this point, and on that basis, it is correct to not award an AWMW on the hand.

**Wildavsky:** The ACBL convention card is designed such that there is no default carding method – one must mark the checkbox for either Standard or Upside-Down. Since neither was selected, East needed to seek out further information if it mattered to him.

It's not clear to me that the appeal had merit, but I can go along with the lack of an AWMW. After all, the Panel might have assessed a procedural penalty against NS.

We are back down to a Panel with a single member. That's unfortunate, and I suspect it's not what the ACBL Board of Directors was led to believe would happen when they voted to use TD Panels for NABC+ events.

**Willenken:** Excellent ruling.

**Woolsey:** If defensive carding is filled out, either Standard or Upside-down will be checked. There is no reason to assume the default is Standard if nothing is filled out -- in fact, in today's world probably more experts play upside-down than Standard. Declarer clearly could and should have found out by either asking or looking at the other card if he wanted to know. He made an invalid assumption and gets no redress. The table result stands.


<b>Subject of Appeal:</b> Misinformation	<b>Case:</b> N6
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<b>Event</b>	Whitehead Women's Pairs	<b>Event DIC</b>	Brian Russell
<b>Date</b>	11/29/2016	<b>Session</b>	Second Qualifying

### Auction

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

### Hand Record

<b>Board</b>	19	N	Susan Jackowitz		
<b>Dealer</b>	S	♠	8542		
		♥	A8		
<b>Vul</b>	E/W	♦	AKQ5		
		♣	A43		
<b>W</b>	Marjorie Michelin			<b>E</b> Ellen Anten	
♠	K10			♠	A76
♥	J10742			♥	K96
♦	7			♦	9843
♣	KQ962			♣	J107
		S	Kari Nolletti		
		♠	QJ93		
		♥	Q53		
		♦	J1062		
		♣	85		

### Explanation of Special Calls and Points of Contention

1: 15-17 HCP
2: Clubs (no alert)
3: Auction reopened

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
3♣ by E	Made 3	E/W +110	

### Facts Determined at the Table

The Director was called after 2♣ was passed out. West explained that Double should have been alerted as showing clubs. The Director reopened the auction, allowing North to change her final Pass to a different call. Once the auction concluded, the Director instructed the players to summon him after play if they believed that any damage had not been sufficiently addressed.

Following play, North summoned the Director back. Her view was that, with proper information, she would have taken direct action over the Double, resulting in a different outcome in the auction.

### Additional Factors Determined Away from the Table

The TD polled several players, giving them the North hand. Most bid 2♦ directly with the information that Double showed clubs. A projected auction continued 2♦-P-P-2♥. Some pollees now chose 2♣. A 3♣ bid was assigned to East, after either Pass or 2♣ by North. In the auctions where North bid 2♣, the TD now polled players with the South hand; all competed to 3♣.

### Director Ruling

Per Laws 21C and 12C1c, the result was changed to 30% of 3♣ by North, making 3, N/S +140, and 70% of 3♣ by East, making 3, E/W +110.

<b>Director's Ruling</b>	<b>30% 3♣ by N, Made 3, N/S +140</b> <b>70% 3♣ by E, Made 3, E/W +110</b>
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## The Review

E/W requested a review of the ruling. They believed that North did nothing to protect herself - if she had wanted to know what a passed-hand Double of 1NT was, all she had to do was ask.

### Panel Findings

The Reviewer agreed that the Double was practically self-alerting. In an event of this caliber, North was expected to ask a question if she wanted to know the meaning of Double in this auction. Once the auction had been reopened, North had had the opportunity to show her spade suit in addition to her diamond suit and had elected not to do so. Therefore, the supposition about a spade contract was not supported by an indication from the player that she had considered advancing the suit in the actual auction. The Reviewer overturned the Director's ruling and restored the table result of 3♣ by East, making 3, E/W +110, to both sides. The appeal was deemed to have merit.

<b>Panel Decision</b>	<b>3♣ by E, Made 3, E/W +110</b>
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### Panel Members

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

**Goldsmith:** I'm with the Panel. Good job. Why didn't E/W mention their point at the table before the TD ruled? Split scores don't apply when the player made the relevant choice at the table.

**Marques:** I am a strong believer in the principle of self-protection, but I think that in this case it was taken a bit too far. North's asking about the Double "if she wanted to know the meaning" automatically creates UI for NS, namely that North is interested in that meaning and therefore that his bid might be different according to that meaning! In this day and age, where the game is all about not creating UI whenever possible, asking North to protect himself is a bit too much. East knew it was conventional and did not alert. "In an event of this caliber...", I have no sympathy whatsoever for E/W's arguments.

Good job by the table TD.

**Wildavsky:** Both the TD's and the Panel's rulings are reasonable. I'm surprised that neither cited this sentence from the ACBL alert procedure:

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

I don't care for this rule since in general asking about a call that is not alerted might make UI available to partner. Here, though, that possibility seems remote. That said, East seems to have known she should have alerted but did not. If there was to be no score adjustment, it looks as though E/W were at least liable for a procedural penalty.

Kit's point that South would likely have Doubled 2♣ had she known the meaning of the Double is a good one. On the other hand, the 2♣ call was not alerted so South could have presumed it was natural and Doubled for takeout anyway, assuming that was the NS agreement.

A single Reviewer again. Darn.

**Willenken:** Good Panel overrule on the rationale that North reached an identical position despite her initial pass of the Double. However, I am extremely concerned about the statement that "the Double was practically self-alerting...North was expected to ask a question if she wanted to know the meaning of Double." A simple thought experiment will show why this type of reasoning is misguided:

Imagine that West had balanced with an unalerted natural 2♣ and North held five good clubs. Double of an artificial 2♣ would show clubs, but Double of a natural 2♣ would be takeout, so North 'protects herself' by asking the meaning of the unalerted bid. When she discovers that 2♣ is natural, she passes. Now South reopens with a shaky takeout double, perhaps 3 HCP with 4-4-4-1 distribution, and North/South collect a big penalty. Does anyone have doubt that the Director would adjust the score based on the UI from North's asking and passing?

Players cannot be required to 'protect themselves' by asking about the meaning of an unalerted bid if partner is still potentially involved in the auction. The solution to this type of situation is for E/W to alert their alertable bids

**Woolsey:** While there is no "standard" meaning for a passed-hand Double of 1NT, if E-W have the special meaning that it shows clubs then the Double should be alerted. East's actions make it clear that she knew it showed clubs. This means that East intentionally failed to alert when she should have done so. This is quite different from failing to alert because one forgets the convention or thinks the partnership is playing something else. East should have been given a PP regardless of the adjudication on the board since East knowingly made an infraction.

It is interesting that there was no discussion about whether South would have done something different if she knew the Double showed clubs. Assuming Double by South would be takeout, as most play, it looks like South has a normal takeout double. If that happens, North will surely compete to 3♣. For this reason, I would modify the weighted ruling given by the Director to a higher percentage for 3♣ than 30% -- probably about 75%.

What is frightening is what the Panel did. The Double is not self-alerting, certainly not with this meaning. North is not expected to ask if she wants to know -- in fact, such a question could easily lead to UI to her partner as well as revealing her hand to the opponents. N/S were definitely damaged. While the proper adjudication could be debated, restoring the table result is terrible. The Reviewer was completely out of line here.

<b>Subject of Appeal:</b>	Misinformation	<b>Case:</b>	N7
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<b>Event</b>	Kaplan Blue Ribbon Pairs	<b>Event DIC</b>	Harry Falk
<b>Date</b>	11/29/2016	<b>Session</b>	Second Qualifying


### Auction

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

### Explanation of Special Calls and Points of Contention

1: 14+ - 17 HCP

### Hand Record

<b>Board</b>	4	N	Jason Feldman		
<b>Dealer</b>	W	♠	A964		
		♥	72		
<b>Vul</b>	Both	♦	Q104		
		♣	AKJ7		
W	Larry Robbins			E	Maurizio Di Sacco
♠	10732			♠	Q8
♥	103			♥	AQJ95
♦	AJ3			♦	952
♣	9543			♣	1062
		S	Mark Feldman		
		♠	KJ5		
		♥	K864		
		♦	K876		
		♣	Q8		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
3NT by N	Down 1	E/W +100	♥ Q

### Facts Determined at the Table

North called the Director at the completion of play. Following the opening lead, North asked E/W about their leads and carding. He was told they play Rusinow leads and coded 9s and 10s. Since the ♥K was in dummy, he asked what combinations the queen could be from. Specifically, he asked about AQJ and was told from that combination, East would lead the jack, which is what was marked on the convention card. North played the king at trick one, hoping to break communication between the defenders. When it turned out that East had led from AQJ95, the defense was able to score a diamond and four hearts for down one.

### Director Ruling

The Director determined that North had been given a correct explanation of the E/W lead agreements. East had simply not followed them. Therefore, there were no legal grounds to adjust the score.

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

N/S requested a review of the ruling. South maintained that North's play was correct based on the information he had, but that it would have been right to duck if he had known that East was leading from AQJxx. He was playing for a combination such as QJ10 alone in the East hand.

East said he did not think that Rusinow applied to AQJ, so he thought their agreement was to lead the Queen from this combination. West thought it did, and that they lead the jack, which is what the E/W convention card said.

## Panel Findings

The Reviewer found several groups of experts in order to help him determine whether the information North received about the E/W lead agreements caused the damage. There were some different card combinations where experts differed on whether the king at trick one would be correct, but the combination which was common to all the expert testimony was that it would always be correct to play the king at trick one if the lead had been from QJ alone. The experts unanimously felt it was extremely unlikely a defender had led from QJ alone in this auction, so they all determined the opening lead had been from another combination where holding up was correct. The Panel's analysis of the appellants' statements and the expert consultants led them to conclude that the description given did not cause the damage, and the table result was allowed to stand.

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

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

## Commentary

**Goldsmith:** There's a fine line between mistaken action and lack of agreement. I'll buy that there was an agreement, so this is a mistaken action. That completely short-circuits the ruling to result stands, which is how and why the Director ruled.

**Marques:** For me, this is a clear AWMW. I risk being called heretic here, but EW agreed on playing "Rusinow." Rusinow leads are perfectly typified, and if East thinks that Rusinow is something else, because of his misunderstanding of the convention, for me that does not change their agreement to play "Rusinow." If so, declarer was given the correct information, and as in N5 declarer should know better. Good decision for the right reasons by the table TD.

**Wildavsky:** The Panel's ruling seems more thorough than the TD's, though it led to the same result. Through its procedure, the Panel was able to avoid addressing the more difficult question of whether W in fact provided MI. I would have liked to see some consideration of adjusting the EW score since they seem to have gained from what may have been an infraction.

The Panel is now at or over full strength with four members. Let's hope the trend continues for future NABCs!

**Willenken:** A messy fact pattern. I am guessing from personal knowledge that E/W were a first-time partnership, so I really dislike West's answers to North's questions about specific holdings. When asked about AQJ specifically, West should have responded (if true as I suspect), "We agreed to play Rusinow, but we didn't discuss that specific combination." Having something marked on both convention cards definitely does not make it a partnership agreement-- what if one partner filled out both cards? On the other hand, it is hard to think of a case where covering at trick one is categorically correct-- even if East has QJ doubleton, ducking is winning against most layouts- so I agree with the ruling.

I am a bit worried about the quality of the players consulted for this ruling. They testified that "it would always be correct to play the king at trick one if the lead had been from QJ alone" when in fact ducking would usually be the best play. They "unanimously felt it was extremely unlikely a defender had led from QJ alone in this auction" when a strong player might easily have chosen such a lead if he had length in both minors. I understand the difficulty of finding peers to poll during the first day of the Blue Ribbon Pairs, but it is better not to poll at all than to apply a poll of non-experts to an expert.

**Woolsey:** The E/W agreements were clear and documented on their convention card. East is entitled to not follow them for whatever reason, whether forgetting, thinking they don't apply here, or an intentional violation. Letting the table result stand is definitely correct.

What I am bothered about is the Panel findings. The writeup says that the misinformation did not cause the damage. What misinformation? Declarer got the correct information. There is no need for any kind of bridge analysis. At least the Panel came to the proper conclusion, but it was the Director who understood why it was the proper conclusion.


<b>Subject of Appeal:</b>	Tempo	<b>Case:</b>	N8
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<b>Event</b>	Kaplan Blue Ribbon Pairs	<b>Event DIC</b>	Harry Falk
<b>Date</b>	11/29/2016	<b>Session</b>	Second qualifying

**Auction**

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

**Hand Record**

<b>Board</b>	21	N	Carl Berenbaum		
<b>Dealer</b>	N	♠	Q95		
		♥	10642		
<b>Vul</b>	N/S	♦	64		
		♣	QJ64		
W	Merril Hirsh			E	Monique Smith
♠	J76			♠	AK832
♥	A7			♥	J8
♦	AKQ9			♦	852
♣	A1053			♣	982
		S	Barbara Kepple		
		♠	104		
		♥	KQ953		
		♦	J1073		
		♣	K7		

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

1: 16-18 HCP

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
4♠ by E	Made 4	E/W +420	♥ K

**Facts Determined at the Table**

The Director was called at the completion of play. N/S alleged that East broke tempo at trick eight. East said she "reacted" but did not think it was significant. The play had gone: opening lead of the ♥K was won by the ace. Declarer played the ace and king of spades; everyone followed. Declarer played the ace, king, queen of diamonds, with North trumping the last with the ♠Q. North continued with a club to the king and ace. Declarer now led the ♥7 from dummy, North played the 10, Declarer allegedly hesitated before playing the jack, then South won with the queen. South played a club, won by North's queen, leaving:

	♠ —	
	♥ 6 4	
	♦ —	
	♣ J 6	
♠ J		♠ 8 3 2
♥ —		♥ —
♦ 9		♦ —
♣ 10 5		♣ 9
	♠ —	
	♥ 9 5 3	
	♦ J	
	♣ —	

North returned a heart, giving declarer a ruff and sluff.

## Director Ruling

The Director determined that North was an innocent player who had been damaged by East's break in tempo when she had no demonstrable bridge reason for that action. Per Law 73F, he adjusted to the score which would have been achieved had North played his last club, 4♣ by East, down one, E/W -50

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

E/W requested a review of the ruling. They did not think the hesitation was significant. Further, they stated that North's play could never be right. Declarer is known to have three remaining trumps. Since dummy has no hearts remaining, the play of a heart will lead to a cross-ruff and no tricks for the defense.

## Panel Findings

The Reviewer agreed with E/W's assertions. Law 73F could not apply - no damage resulted from the false inference North drew. North chose a play which could never have been correct. Law 73D1 further states that players draw inferences from unintentional variations in their opponents' tempo at their own risk. The table result of 4♣ by East, making four, E/W +420, was restored.

<b>Panel Decision</b>	<b>4♣ by E, Made 4, E/W +420</b>
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## Panel Members

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

**Goldsmith:** I'm with the Panel. Good job. Why didn't E/W mention their point at the table before the TD ruled? They could have stated the point even more strongly, "if East had three trumps and a heart left, he would have claimed, so that's not a possible layout."

**Marques:** Apparently, the play of the hand was determined at the table by the TD. If so, it's just a matter of reconstituting it up to the critical position to realize that North stopped thinking when he played the "final" heart. Good decision by the Panel.

**Wildavsky:** Good work by the Panel of one.

**Willenken:** Good ruling, mainly because if East broke tempo (as seems likely from all the testimony), she had no earthly reason to think that N/S might be deceived. I'm OK with ruling in this case that North's no-win play broke the causal connection between the huddle and the damage, but we need to be careful with how far we extend this reasoning-- North isn't required to count a bridge hand to enjoy the protection of the Laws.

**Woolsey:** This is very clear. Even if there were a hesitation, which seems doubtful anyway, North made a total nullo play. Not only had South opened 1♥, but if declarer's last card were a heart declarer has a claim. The Panel is clearly correct. The Director should look at the hand before making such a silly ruling

<b>Subject of Appeal:</b>	Unauthorized Information	<b>Case:</b>	R1
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<b>Event</b>	10K Swiss Teams	<b>Event DIC</b>	Peter Wilke
<b>Date</b>	11/26/2016	<b>Session</b>	Second Qualifying


### Auction

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

### Explanation of Special Calls and Points of Contention

1: Alerted, four ♠, Limit Raise

### Hand Record

Board	9	N	1140 MP		
<b>Dealer</b>	<b>N</b>	♠ KJ			
		♥ 42			
		♦ 854			
<b>Vul</b>	<b>E/W</b>	♣ AK9432			
<b>W</b>	7480 MP			<b>E</b>	3840 MP
♠	A10985			♠	Q2
♥	AQ7			♥	J98
♦	106			♦	AQJ3
♣	1076			♣	QJ85
		<b>S</b>	9050 MP		
		♠	7643		
		♥	K10653		
		♦	K972		
		♣	(void)		

Final Contract	Result of Play	Score	Opening Lead
3NT by E	Made 3	E/W +600	♦ 2

### Facts Determined at the Table

This was the fifth board of a seven board match. The Director was approached after the match had been compared and reported. He was asked to consider whether East's 3NT bid was legal in light of hearing West's explanation that his 2NT bid was a four card limit raise. East told the Director that at the point he bid 2NT he forgot that his agreement was as West described.

### Additional Factors Determined Away from the Table

The Director polled three players with East's hand without mentioning the alert or explanation of 2NT. All three players passed 3♠. Additional players were polled who confirmed the explanation suggested bidding rather than passing.

### Director Ruling

According to law and regulations pursuant to it, the request for a ruling was timely since it was requested within 30 minutes of the scores being made available for inspection (Law 92B). Based upon the player polls, the Director determined that pass was a logical alternative to bidding 3NT, and further decided that the unauthorized information from the explanation suggested not passing 3♠. The score was changed to 3♠ by West, down one, N/S +100, per Laws 12 & 16B.

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

E/W appealed the Director's ruling. East and North attended the review, as did the entire Director Panel. E/W's written reason for the appeal was: "We think that the 3NT call was not made because of the alert of 2NT, but because it was likely that South had a shapely hand and could get a ruff." During the review, East added that 3NT rated to be as likely to make as 3♠ since partner did not make a weak jump overcall of 2♠ at his first turn so he rated to have a good hand.

The Panel confirmed with East that at the point he bid 2NT he had forgotten his methods and his bid was intended as natural and invitational. The actual agreement was that 2NT was a spade raise.

The Reviewer explained the law, how the Director arrived at the ruling, and the appeal process to East and asked him what errors he thought were made or what was wrong with the ruling. He said he did not find any error in what the Director did, but believed that bridge logic dictated that 3NT was the correct bid. When the Reviewer explained that the ruling assumed that the unauthorized information suggested not passing 3♠, East did not rebut that assumption.

The Panel asked about the play to 3NT and was told that the diamond lead went to declarer's jack; the ♠Q was led and lost to North's king; a high club was cashed after which North switched to a heart won in dummy; declarer cashed the ♠A from dummy dropping North's jack.

## Panel Findings

The Panel found that East had not offered any relevant arguments as to why the Director's ruling was erroneous. The Panel confirmed that the Director had asked appropriate questions of appropriate peers, the process easily established pass as a logical alternative, and the secondary conducted poll confirmed that the unauthorized information suggested not passing 3♠. The Panel considered that the Director's assignment of eight tricks in 3♠ seemed correct, but did not poll that point. The Director's ruling of 3♠ by East, down one, N/S +100, was therefore upheld. Since E/W essentially brought nothing new to the hearing, E/W and the team captain were assessed an Appeal without Merit Warning.

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

<b>Reviewer</b>	Matt Smith
<b>Member</b>	Eric Bell
<b>Member</b>	Gary Zeiger

## Commentary

**Goldsmith:** An easy and correct ruling, and an AWMW thoroughly deserved.

**Marques:** A good lesson for East, and a very well deserved AWMW. Nothing to add.

**Wildavsky:** Textbook approach by the TD. I agree that the appeal had no merit. East was lucky to escape without a procedural penalty in addition.

While the 3NT call was clearly illegal, Chris makes a good point that Pass might also be demonstrably suggested by the UI and that 4♠ was the only legal call. The Panel missed a chance to apply poetic justice.

**Willenken:** A blown call by the Table Director, who should clearly have adjusted to 4♠ down two (some combination of doubled and undoubled). To East who bid a natural 2NT, West's 3♠ shows a decent hand with 6+ spades absent any special agreement about super-light overcalls at unfavorable vulnerability. Therefore, with Qx of spades instead of a possible small singleton, continuing to 4♠ was clearly a LA for East.

**Woolsey:** Director and Panel were obviously correct. Everything was done properly. This is an open and shut case. The AWMW is well-deserved.



<b>Subject of Appeal:</b>	Claim	<b>Case:</b>	R2
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<b>Event</b>	Sunday Daylight Pairs	<b>Event DIC</b>	Terry Lavender
<b>Date</b>	11/27/2016	<b>Session</b>	Second Session


**Auction**

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

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

1: 15-17 HCP
2: Transfer to ♥

**Hand Record**

<b>Board</b>	10	N	1100 MP		
<b>Dealer</b>	E	♠	A10		
		♥	762		
		♦	QJ9		
<b>Vul</b>	Both	♣	Q6542		
W	1600 MP			E	50 MP
♠	9865			♠	QJ74
♥	Q10985			♥	A4
♦	84			♦	A1072
♣	KJ			♣	A87
		S	700 MP		
		♠	K32		
		♥	KJ3		
		♦	K653		
		♣	1093		

Final Contract	Result of Play	Score	Opening Lead
2♥ by E			♣ 10

**Facts Determined at the Table**

At trick 12, with North on lead, South claimed the last tricks. E/W called the Director. The end position was:

	♠ —	
	♥ 7	
	♦ —	
	♣ 6	
♠ 6		♠ Q
♥ Q		♥ 4
♦ —		♦ —
♣ —		♣ —
	♠ —	
	♥ K J	
	♦ —	
	♣ —	

**Director Ruling**

The Director ruled that South's claim with partner on lead gave North extraneous information that the lead of the trump would be more beneficial to their side than a club. Law 70D2 states: "The Director shall not accept any part of a defender's claim that depends on his partner's selecting a particular play from among alternative normal plays." "Normal" is defined as including "play that would be careless or inferior for the class of player involved." The Director assigned the result of 2♥ by East, making two, E/W +110.

<b>Director's Ruling</b>	2♥ by E, Made 2, E/W +110
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## The Review

N/S said that North's lead under any circumstances based on the past tricks would be the heart. N/S said that the play of the hand had shown North that he was the only one to still hold clubs. Clubs had been played three times with a ruff in dummy. North had held five clubs so all the clubs had been accounted for. A club lead would result in a ruff and sluff, which would be illogical.

N/S also testified that they had been behind for the previous several rounds, and South claimed to help catch the partnership up.

E/W stated that without the comment by South, North could not know South had two trumps or that South had the high trump

## Panel Findings

After hearing N/S, the Panel was satisfied that North knew that the club was the last club and leading it would give a ruff and sluff. The Panel accepted that leading the club could never win, and thus it could never be the right choice. Therefore, the Panel ruled that the play of the club was not a "normal" play per Law 70D2, so N/S was awarded the last two tricks. The result changed to 2♥ by East, down one, N/S +100.

<b>Panel Decision</b>	<b>2♥ by E, Down 1, N/S +100</b>
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## Panel Members

<b>Reviewer</b>	Jeff Jacob
<b>Member</b>	Mike Roberts
<b>Member</b>	John Gram

## Commentary

**Goldsmith:** Without knowing the play of the hand, we can't judge. In claim appeals, please include the complete play.

Was North thinking about his play when South claimed? If so, then a club play has to be considered normal for North. If not, why didn't South wait the one second before North played his card?

Claims are not supposed to short-circuit partner's decision-making, only the opponents', so I'm prone to believe the TD on this one.

**Marques:** I'm always suspicious of people that claim in defense to "save time" when it's partner's lead. Here, I understand the reasoning of the Panel, but I think that there is one key fact missing: The tempo. North was on lead. Did North get the lead and started thinking? Or was it a continuous thing, North making the trick and South immediately claiming? If the first, I would definitely judge that North might go wrong. After the fact it's very easy to never miscount a suit! If the second, I might be more easily persuaded by the Panel's arguments, but it does take a lot to convince me in these situations.

**Wildavsky:** I much prefer the TD's ruling to the Panel's. This testimony is compelling: "N/S also testified that they had been behind for the previous several rounds, and South claimed to help catch the partnership up." The implication is that when North was on lead he was unsure about which card to lead and so taking his time. Clearly, then, he was considering both cards. Claims by a defender are fraught with peril and are properly held to an extremely high standard.

**Willenken:** Great ruling by the Director, very bad Panel ruling. A ruff and discard from North could be winning if (for instance) declarer held the stiff eight of trumps and South remained with the stiff jack. Making the correct play requires North to remember what has happened in trumps, not just clubs-- how do we know that he did?

More generally, if North had made the 'obvious' heart play instantaneously at trick twelve, South likely would not have had an opportunity to make his premature claim. If North was considering his options, there was a chance he would make a mistake. We cannot let players get away with claiming on defense just because their partner's correct play would be obvious to a clear-thinking player. Sometimes even world champions get confused and make a nullo defensive play.

**Woolsey:** I totally disagree with the Panel. The bar on what the partner of a defensive claimer might do is very high. Sure, North should know that leading a club could never be right. But players do make mistakes, and the Panel ruling said that North is deprived of the opportunity to make a mistake. Look at case N8 to see just how bad a play a defender might make -- and that was in the Blue Ribbon Pairs. The partner of the claimer isn't required to do something totally absurd, such as discard an ace to hold a deuce, but anything less clear than that he is required to do if it makes a difference. Certainly, if he has a choice of suits to lead and isn't a question of leading a winner vs. a loser, he should not be permitted to do the right thing. The Director was right, the Panel wrong.

<b>Subject of Appeal:</b>	Improper Designation	<b>Case:</b>	R3
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<b>Event</b>	Mini-Blue Ribbon Pairs	<b>Event DIC</b>	Terry Lavender
<b>Date</b>	11/29/2016	<b>Session</b>	First Qualifying


### Auction

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

### Explanation of Special Calls and Points of Contention

1: RKC 1430
2: One or Four Key Cards

### Hand Record

<b>Board</b>	<b>26</b>	N	1600 MP		
<b>Dealer</b>	<b>E</b>	♠	J72		
		♥	10874		
		♦	(void)		
<b>Vul</b>	<b>Both</b>	♣	KJ8754		
W	3000 MP			E	2500 MP
♠	Q95			♠	AK63
♥	Q96			♥	A52
♦	AJ972			♦	KQ543
♣	32			♣	A
		S	2000 MP		
		♠	1084		
		♥	KJ3		
		♦	1086		
		♣	Q1096		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
6♦ by W			♣ 7

### Facts Determined at the Table

The opening lead of a club was won in dummy. Declarer played a diamond to the ace in her hand, then a small diamond towards dummy and called for a diamond. Dummy claimed declarer was pointing up indicating a high diamond, confirmed by declarer but disputed at the table. The opponents both claimed that dummy queried "diamond?" before declarer pointed upward to indicate playing a high card. The Table Director asked dummy if that fact was accurate. Dummy confirmed but later modified her statement to include that declarer was indicating a high card as she was asking the question.

### Director Ruling

The Table Director applied law 46B2: if a suit is designated, but no rank specified, declarer is deemed to have called for the lowest card of the suit indicated (except when declarer's different intention is incontrovertible). Based on the evidence presented, he was not satisfied that declarer's different intention was incontrovertible, so he ruled a low diamond played from dummy. The table result was 6♦ by West, down one, N/S +100.

<b>Director's Ruling</b>	<b>6♦ by W, Down 1, N/S +100</b>
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### The Review

E/W appealed the ruling. The Table Director had indicated that both appellants were agitated during the ruling process. This was a first session appeal which was not addressed until after the break. When the appellants were interviewed by the Reviewer, both believed that the opponents had dominated the table discussion. Dummy asserted that her statements to the Director were consistent, an opinion forcefully shared by declarer.

## Panel Findings

The Panel decided that if East had time to query partner about which diamond she wanted played from dummy, that was enough evidence to suggest pause for thought and that declarer's intention was therefore not incontrovertible to play a high diamond from dummy. The table ruling was upheld.

The Panel did not award an Appeal without Merit Warning. E/W believed they had not been heard during the initial ruling. It was determined that the Director handled the ruling correctly and spent extra time with the appellants, but they genuinely believed they had not been heard.

<b>Panel Decision</b>	<b>6♦ by W, Down 1, N/S +100</b>
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## Panel Members

<b>Reviewer</b>	Marc Labovitz
<b>Member</b>	Bernie Gorkin
<b>Member</b>	Mike Roberts
<b>Member</b>	David Metcalf

## Commentary

**Goldsmith:** Anyone who thinks that Declarer's intention was not incontrovertible (Law 46B) has never played bridge before.

The problem on this hand is that dummy illegally interfered with declarer. If dummy had said nothing, but just played a small diamond as he was required to, it is almost certain that declarer would have said, "no, king." That would have been without pause for thought, because declarer was surely unaware that she said, "diamond," not "king." That's within the letter and intent of the laws, as declarer could gain no unfair advantage by such action. In that case, she would have been allowed to change her designation. But dummy violated Law 43A1c by participating in the play of the hand. Dummy had not violated 43A2 (seeing cards he's not supposed to), however, so in general penalties for such a violation are PPs via Laws 43B1 and 90. If dummy had seen any hidden cards, I think it's appropriate (by extrapolation from 43B2 and 43B3) for declarer to give up her rights, but dummy hadn't, so the only penalties available are PPs.

Therefore, today we must rule +/-1370. The only question is whether to award a PP against dummy for interfering with the play of the hand. My guess that dummy's statement was an accidental show of surprise ("you really want to play low?"), not an attempt to take unfair advantage, and since the action ought not have resulted in an adjusted score, no PP is warranted. If the TD/Panel thinks that East was actively trying to gain, not just reacting, then a 1/4 board PP is reasonable to encourage dummy never to do that again.

**Marques:** After gathering the facts, the TD made a judgment of whether a small diamond was called or not. Assuming the facts are correct, that's a decision for the TD to make. The TD was not satisfied that "different intention was incontrovertible," so that is it (or should have been).

**Wildavsky:** This one is not clear to me. It's difficult to imagine that declarer intended to play a low diamond from the dummy.

**Willenken:** A harsh ruling, but clearly correct under the law.

**Woolsey:** This is a factual issue. Rightly or wrongly, the Director determined that a small diamond had been called for. There is no basis for changing this ruling, or even examining it.