

APPEAL	NABC+ THREE
Subject	Misinformation (MI)
DIC	Steve Bates
Event	Open BAM Teams
Session	First Qualifying
Date	November 25, 2007

BD#	26
VUL	Both
DLR	East

Leszek Rabiega	
♠	Q 9
♥	8 7 5 2
♦	A Q J 9 8 6
♣	3

Steven Johnson		Fall 2007 San Francisco, CA	Mark Teaford	
♠	8 6 3		♠	K J T 7
♥	A K Q		♥	6 3
♦	K T		♦	5 4
♣	A T 7 6 5		♣	K Q J 9 4

Gabriela Rabiega	
♠	A 5 4 2
♥	J T 9 4
♦	7 3 2
♣	8 2

West	North	East	South
		Pass	Pass
1NT ¹	2♣ ²	Dbl ³	Rdbl
Pass	2♦	Dbl	Pass
Pass	Pass		

Final Contract	2♦ dbl by N
Opening Lead	♦5
Table Result	Made 2, N/S +180
Director Ruling	3NT W made 3, E/W +600
Committee Ruling	3NT W made 3, E/W +600

(1)	15-17 HCP.
(2)	Explained as clubs plus a higher ranking suit.
(3)	Stayman.

The Facts: The director was called after the hand was played. The explanation of 2♣ was incorrect. The actual agreement is an unspecified one-suited hand. East said that with the correct information, he would not have doubled 2♦.

The Ruling: It was deemed that there was MI. With the correct information it was likely that East would bid 3♦ over 2♦. West would bid 3NT. North would lead the ♦Q. Therefore, in accordance with laws 40C and 12C2, the result was adjusted to the most favorable result that was likely for the non-offending side and the same result for the offending side – 3NT by West, making three, E/W plus 600.

The Appeal: North asserted that had E/W arrived at a 3NT contract he would never lead the ♦Q. He also did not correct the incorrect explanation prior to the opening lead because the damage had already been done.

E/W did not try to suggest how the auction might have gone if they had been given the correct explanation to the 2♣ bid, other than stating that East would not double 2♦. The double of 2♦ was based on the assumption that West had to have diamonds given no club length or a four-card major.

The Decision: The committee concluded that the most likely auction given correct information was a forcing 3♣ bid rather than the final double by East. West would most likely respond either 3♥ or 3NT. If West bid 3♥, East might bid 3♠ followed by 3NT by West. The committee ruled that the most favorable result that was likely had the irregularity not occurred, for the non-offending side, and the most unfavorable result that was at all probable for the offending side would be 3NT making three. In accordance with law 12C2, the results of plus 600 for E/W and minus 600 for N/S were awarded. The committee found no merit to the appeal; therefore, an appeal without merit warning (AWMW) was issued to N/S and the team captain. There was some discussion as to imposing a procedural penalty (PP) to N/S for failure to disclose the correct explanation prior to the opening lead, but the committee chose not to.

The Committee: Bob Schwartz (Chair), Shannon Cappelletti, Jeff Goldsmith, Eugene Kales and Richard Popper.

Commentary:

Goldsmith Looks good. Because the failure to announce the misexplanation before the opening lead did not lead to an adjusted score (the opening lead wasn't affected and the director couldn't roll back the bidding far enough), a procedural penalty (PP) is probably not appropriate by the spirit of law 90. By the way, wouldn't East have bid 3♣, not 3♦?

Polisner The ruling and decision were correct and the issuance of an AWMW was appropriate. North should have disclosed the correct explanation; however, since this did not affect the adjusted result, the non-issuance of a PP was a good one.

- Rigal** Good ruling as to AWMW. Maybe a PP would have been over-egging the cake, but North (I don't know about South) IS experienced enough to know better. A really bad appeal and I'm disappointed that the TDs could not have convinced North by simply consulting the recap sheets on this deal (where 3NT plus 600 was common) not to appeal.
- Smith** E/W seem to have been deprived of a reasonable possibility of bidding and making 3NT by the misinformation, and their reasoning seems sound. N/S should have known this, so the AWMW is appropriate. I think a PP should also have been assigned to North for not disclosing the misinformation at the end of the auction. It would have been too late to mitigate the damage, but he didn't know that. I don't think it is too much for a player to know that he should say something at the end of an auction (when he is dummy or declarer) when his partner has given MI. This is especially true of experienced players in NABC+ events.
- Wildavsky** The chain of reasoning described in the tournament director (TD) ruling is not consistent with the laws, but I suspect the problem lies with the write-up and not the ruling. The TD's job is not to determine what would have happened absent the infraction, but rather what the likely and at all probable results were. Per the appeals committee decision they are both 3N making nine tricks for E/W plus 600. North's "The damage had been done" contention was wrong as a matter of law, mistaken as a matter of logic since the lead and defense could be critical, irrelevant, and insulting to his opponents and to the committee. It would not surprise me if North simply hoped that E/W would fail to call the TD if he kept silent. I'd have assessed a PP. This appeal had no merit.
- Wolff** OK ruling.