

APPEAL	Non-NABC+ Six
Subject	Card Played
DIC	Dan Plato
Event	Side Game
Session	Morning
Date	November 27, 2007

BD#	2
VUL	N/S
DLR	East

1,030 Masterpoints	
♠	K Q J 6 5 2
♥	
♦	8 6 3
♣	Q 8 6 4

668 Masterpoints		Fall 2007 San Francisco, CA	800 Masterpoints	
♠	9 7 3		♠	8
♥	J 8 7 5		♥	A K T 2
♦	T 5 4 2		♦	Q J 9 7
♣	J 5		♣	K 7 3 2

857 Masterpoints	
♠	A T 4
♥	Q 9 6 4 3
♦	A K
♣	A T 9

West	North	East	South
**			

Final Contract	4♠ by North
Opening Lead	♥A
Table Result	Made 5, N/S +650
Director Ruling	4♠ by North making 5, N/S +650
Panel Ruling	4♠ by North making 5, N/S +650

** No auction provided since it was not material to the decision.

The Facts: The director was called at trick two. Declarer had trumped the opening lead in hand and led a small spade. The declarer called “spade” from dummy and then changed to “Ace.” Away from the table, the declarer acknowledged that he was a trick ahead of himself. It was his intent to win the spade in dummy and then call for a “spade” back to his hand.

The Ruling: In accordance with law 46 B 2, a small spade was ruled played to trick two. This resulted in a table result of 4♠ by North making five, N/S plus 650.

The Appeal: The West player said that North ruffed the opening lead and led the ♠5 to the ♠8 and then said, “spade.” Although South had played no card, West played the ♠3 when declarer said, “No, up.” South said that after East played the ♠8, North said “spade.” There was a short break then declarer said, “Up, I mean the ace.” Dummy had put no card in play.

Declarer did not show up for screening.

Declarer’s partner confirmed that there was only a short break between “spade” and “Up, I mean the ace.” South said that she believed playing the ace was always declarer’s intention. North did tell the table director that he had intended to play the ace and then a small spade to his hand.

E/W were unsure of what declarer’s intentions were, but thought it possible that declarer had considered playing a big trump from his hand and had gotten confused.

The Decision: Law 46 B 2 reads that if declarer designates a suit but not a rank he is deemed to have called the lowest card in the suit indicated. As to whether declarer’s different intention is incontrovertible, the table director clearly felt that in his conversation with the declarer, it was established that declarer had gotten confused. Nothing presented by South contradicted this. North did not appear, and we were not able to locate him.

Therefore, the panel upheld the table director’s decision that determined a table result of 4♠ by North making five, N/S plus 650.

The Panel: Ron Johnston (Chair), Mike Flader and Candy Kuschner.

Commentary:

Polisner If ever there was a case for an appeal without merit warning (AWMW), this was it.

Rigal These cases are always slightly more ambiguous than those in other areas of the rule-book. I’m prepared to let N/S get away without an AWMW although in my heart I believe they deserve one. As soon as North says he got a trick ahead of himself, he’s toast.

Smith Harsh perhaps, but the correct ruling and panel decision. When North told the table director that he was a trick ahead of himself, his call of “spade” can no longer be seen as incontrovertibly not intending a small one.

Wildavsky Good work all 'round.

Wolff Sadly, I agree with the decision because to rule differently would not allow us to play bridge properly.