

APPEAL	NABC+ FIFTEEN
Subject	Played Card
DIC	Henry Cukoff
Event	Lebhar IMP Pairs
Session	Second Final
Date	March 16, 2007

BD#	24
VUL	None
DLR	West

Bryan Maksymetz	
♠	Q J
♥	T 3
♦	K T 7
♣	K Q T 6 3 2

Karl Cohl		Spring 2007 St. Louis, Missouri	Neil Kimelman	
♠	A 9 8 4		♠	K T 6 5 3
♥	6 2		♥	A 9 4
♦	J 8 6 5 2		♦	A 9 4
♣	5 4		♣	A 9

Vish Viswanathan	
♠	7 2
♥	K Q J 8 7 5
♦	Q 3
♣	J 8 7

West	North	East	South
Pass	Pass	1♠	Pass
3♠	Pass	4♠	Pass
Pass	Pass		

Final Contract	4♠ by East
Opening Lead	♥K
Table Result	4♠ E made 5, E/W +450
Director Ruling	4♠ E made 5, E/W +450
Committee Ruling	4♠ E made 5, E/W +450

The Facts: The director was called after the play of the hand. After winning the ♥A and drawing trumps, declarer led the ♦4 towards dummy (the West hand). South played the ♦3 and declarer called the ♦8. North thought declarer said high. Both west and South heard declarer say “eight.”

The Ruling: In accordance with laws 9 B1a and 45 C4a, the director allowed the table result to stand.

The Appeal: North was somewhat confused by the arrangement of dummy’s hand. Three players agreed that the ♦8 was called from dummy by declarer. North thought the ♦J had been played
E/W did not appear.

The Decision: Since this is a matter of law and there were no different facts presented. The director's decision to allow the table result was upheld.

While the committee judged that the appeal had no merit because it was a matter of law with no contradictory facts presented, an appeal without merit warning (AWMW) was not issued. The reason for this is that the committee understood that N/S were appealing to restore the normal result for E/W to protect the field.

The Committee: Dick Budd (Chair and Scribe), Abby Heitner, Jeff Meckstroth, Chris Moll and Eddie Wold.

Commentary:

Goldsmith If this is just a case of law, then the appeal should have been sent to the Chief Director (L93B1). If the case was not sent to him first, then the appeals committee (AC) has no power to rule, so no AWMW is legal. If the case was sent to him, and was appealed, the appealing side would have been told that the AC can't overrule the director, but can only suggest he change his ruling, and that he wasn't going to change it, so there's no way they would have appealed. If they did anyway, AWMW.

Polisner If no AWMW was issued here, the entire system should be scrapped.

Rigal I hate these 'protect the field' (PTF) appeals. Take the money and run – okay take the AWMW and walk don't run. Groundless case - no merit.

Smith This kind of appeal must be met with an AWMW. Otherwise other appellants will be encouraged to appeal issues that are simple matters of law that they have no chance of winning.

Wildavsky This appeal had no merit, and N/S's claimed motive cannot create merit where none existed.

Wolff Another mechanical mistake, but there is no reason to even consider changing the play. If N/S really brought this action to not have their own score adjusted, but rather to adjust the score to PTF, I think it noble. Perhaps even more than that it proves the players are aware of how important it is to PTF.

Zeiger Oh, come on. As long as you appeal on behalf of "the field", you can bring as asinine a case as you wish and still not get an AWMW?? Surely you jest. My apologies to East from NABC+ case 14. I thought that appeal was very poor. Shows what I know. Let's make a new rule. If an appellant has zero case, should have known he had zero case, was warned in screening he had zero case, he gets a prize. We'll call it an AWMW.