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| Subject of Appeal: | Unauthorized Information | Case: | N5 |
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| Event | Kaplan Blue Ribbon Pairs | Event DIC | Harry Falk |
| Date | 11/28/2017 | Session | First Qualifying |


Auction

| West | North | East | South |
|------------------|-------|------|-------|
| 1NT ¹ | Pass | 2♣ | Pass |
| 2♥ | Pass | Pass | Pass |
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Explanation of Special Calls and Points of Contention

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| 1: 15-17 HCP |
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Hand Record

| Board | 20 | N | David Bakhshi |
|---------------|-------------|--|---------------|
| Dealer | W | ♠ 9742 | |
| | | ♥ K96 | |
| Vul | Both | ♦ A8 | |
| | | ♣ KJ72 | |
| W | Alex Hudson |  | |
| ♠ | Q53 | | |
| ♥ | AQ85 | | |
| ♦ | QJ10 | | |
| ♣ | AQ10 | | |
| | | S | Stan Tulin |
| | | ♠ | AK |
| | | ♥ | 107 |
| | | ♦ | 97543 |
| | | ♣ | 9843 |

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|---|--------------------|
| E | Jonathan Steinberg |
| ♠ | J1086 |
| ♥ | J432 |
| ♦ | K62 |
| ♣ | 65 |

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| Final Contract | Result of Play | Score | Opening Lead |
| 2♥ by W | Down 1 | N/S +100 | ♠4 |

Facts Determined at the Table

The director was called after E/W had left the table. E/W claimed South had asked a question about spades prior to the opening lead. South cashed both top spades, and North broke tempo slightly, following with the Nine. South continued a diamond to the Ace and trumped the spade return. North later scored the ♣K and the ♥K for down one.

The director spoke to each partnership three times. Each time, E/W said that South asked about Spades before the opening lead was made. In conversations with N/S, one time North remembered himself to have been the one asking questions, while South asked nothing. During a different conversation, South remembered asking about Spades, but only after the opening lead was already face down on the table.

Additional Factors Determined Away from the Table

The director polled five players with the North hand as an opening lead problem on the given auction. Three players would lead a heart, and two players would lead a spade.

Director Ruling

When the opposing sides cannot agree on the facts, the TD is obliged to make a ruling based upon the weight of the evidence he is able to collect, per Law 85. In this case, he determined that South asked a question about spades before the opening lead was chosen. By Law 16B, that question was deemed to be UI for North. It was further deemed to suggest a spade lead. Polling data showed that a heart lead was slightly more likely than a spade lead, so the result was adjusted by Law 12C1 to 60% of 2♥ by West, making two, E/W +110 and 40% of 2♥ by West, down one, N/S +100.

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| Director's Ruling | 60% 2♥ by W, Made 2, E/W +110 40% 2♥ by W, Down 1, N/S +100 |
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The Review

N/S requested a review of the ruling. They felt the ruling was made on an incorrect set of facts. The reviewer spoke to both sides together. North, East, and West attended the review.

North reported that the director spoke to him and his partner four or five rounds after this hand had been played. His description of the first conversation was corroborated by the director; the TD had some of the facts confused and asked some irrelevant questions. North stated that he asked about the relative meanings of 2♣-2♦-2♥ vs. 2♣-2♦-2♠, such as what sorts of garbage or invitational holdings might be available to be shown. North knew East had less than invitational values, but he wanted to know whether 5-4, 4-4, or 4-5 were all possibilities.

North thinks South asked about Stayman before the lead was faced. North disputes the assessment of a demonstrable suggestion to the UI from his tempo at trick two. His partner had played the Ace followed by the King. That can only show a doubleton, which means that his play must be suit preference.

East said that South asked about 2♥. He only remembers South having asked questions, and he stated that North never spoke.

West remembered North to have asked whether his bid could be 5-4 or 4-5. He remembers South to have asked which major West would bid first with 4-4. Both East and West thought that the opening lead was not on the table before South asked East his questions

Panel Findings

The reviewer had a lot of conflicting facts, including testimony from East and West which contradicted each other. By Law 85, he had to come up with a set of facts upon which to make a decision. What seemed most likely from the testimony was that North asked questions of West at about the same time South was asking questions of East. These questions likely happened before the opening lead was selected, which meant that by Law 16B, they were unauthorized information to North.

The reviewer polled five players with the auction and presented the opening lead as a problem. Three players led a heart; two led a spade. The players were asked a follow-up question. If you asked whether responder could be 5-4, 4-5, or 4-4 and partner subsequently asked which major would responder bid first with 4-4, would that help you select a lead? One player said that question was too deep for him, three of them said that it would not affect their decision, and one said that he felt there was a slight suggestion that a spade might work better than a trump (he had chosen a trump lead to start with). The reviewer concluded that the UI did not demonstrably suggest a spade over a heart. Law 16B therefore did not apply, and the table result of 2♥ by West, down one, N/S +100, was restored.

Experts Consulted: Barry Rigal, Craig Kavin, John Diamond, Roger Clough, and Brian Platnick

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| Panel Decision | 2♥ by W, Down 1, N/S +100 |
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Panel Members

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| Reviewer | Matt Koltnow |
| Member | Jenni Carmichael |
| Member | Gary Zeiger |
| Member | Kevin Perkins |