

Subject of Appeal:	Misinformation	Case:	N2
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Event	Mitchell Open BAM Teams	Event DIC	Matt Koltnow
Date	11/26/2017	Session	First Qualifying

Auction

West	North	East	South
			1♣ ¹
Pass	2♦ ²	Pass	3♣
Pass	3♥ ³	Pass	3NT
Pass	Pass	Pass	

Explanation of Special Calls and Points of Contention

1: Alerted, 16+ HCP
2: Alerted, Game Force, 5+ ♦
3: Explanation Requested

Hand Record

Board	1	N	Yuxiong Shen		
Dealer	N	♠	103		
		♥	J843		
Vul	None	♦	AK1097		
		♣	75		
W	Steve Weinstein			E	Roger Lee
♠	K842			♠	965
♥	1095			♥	AKQ7
♦	Q43			♦	8652
♣	J63			♣	108
		S	Zijian Shao		
		♠	AQJ7		
		♥	62		
		♦	J		
		♣	AKQ943		

Final Contract	Result of Play	Score	Opening Lead
3NT by S	Made 4	N/S +430	♠2

Facts Determined at the Table

The director was called after dummy was tabled. No questions were asked immediately following the alerts of 1♣ and 2♦, but after the 3♥ bid East pointed to it and asked "what does that bid mean?" South thought the question referred to the alerted 2♦ bid and answered "8+ HCP and five cards". Both defenders heard "five hearts". Consequently, East passed and West led a spade against 3NT since he felt constrained from making his normal heart lead due to his partner's question. East told the director he would have doubled 3♥ if he received the correct explanation that it was natural, but not promising five cards.

Additional Factors Determined Away from the Table

N/S were Chinese internationalists with limited English. The director polled six players in an attempt to help determine responsibility for the misunderstanding that occurred. Three objected to the form of the question (pointing to the 3♥ call and asking specifically about the heart suit), preferring a more general question about the auction. Most were not satisfied with the answer given and would have asked follow up questions either to East or West before the opening lead. One polled player thought N/S were entirely responsible for the E/W misunderstanding.

Director Ruling

Law 21A states that no rectification or redress is due to a player who acts on the basis of his own misunderstanding. While both East and West seemed to understand that East was pointing to the 3♥ bid when the question was asked, South understood the question to be about the alerted 2♦ bid. Given the opinions of the majority of polled players as well as the fact that South was clearly not proficient in English, the directors judged that E/W were acting

on the basis of their own misunderstanding and not entitled to redress. Therefore, the table result of 3NT by South, making four, N/S +430, was ruled to stand.

Director's Ruling

3NT by S, Made 4, N/S +430

The Review

E/W appealed the director's ruling. All players and an interpreter attended the review. East's written reason for appealing was:

"I reject the framing of the problem as a misunderstanding. It was clear that the question was asked about 3♥ and not 2♦ as it is illogical to ask about 2♦ at this point in the auction with any hand. At a high level, it is clear to everyone that asking about 3♥ is just a formality since the auction is not unusual and must be in preparation of a lead directing double. The explanation '5+ hearts' could be made to deter such a double, although perhaps not intentionally done."

The reviewer explained to the appellants that according to regulation the burden was on them to demonstrate that the director's ruling was flawed in some way and, if that could not be shown, the appeal would likely fail.

In reviewing the facts, East agreed that his question was something to the effect of "what does that bid mean?", although he did not recall the exact wording. West believed he asked "what is 3♥?" South said East simply pointed at the bid cards and looked at him but did not ask a question aloud. He also said he thought the question was about 2♦ and not 3♥ since 2♦ was alerted and 3♥ was not. West said the answer from South was "five card suit". West also said that East next asked about 2♦ and was told "8+ points". East agreed with that sequence of events.

East said he was under the impression from the exchange that 2♦ was artificial showing 8+ points of some kind and 3♥ clarified that it showed long hearts. The reviewer suggested that starting his inquiry by asking about 3♥ seemed odd. East said that, in a high level game, there is no reasonable probability that he would want to know what 2♦ meant at that point in the auction after having passed without asking earlier. He said everyone at the table knew he was about to double 3♥ for the lead barring an unusual answer to his question about what it meant.

West said that East's hand makes it very clear that if he had understood North to be showing five diamonds and four hearts he would have doubled and it is not right for E/W to suffer from South's inability to clearly explain what the bids meant. East and West said that at the table to them there was nothing ambiguous about what was asked and answered and therefore the director's poll eliciting responses that more questions should have been asked was flawed. West also said he did not lead a heart because he thought it would be unethical to do so after his partner's question about the 3♥ bid.

The reviewer asked South what he thought the sequence of events was. South said he answered "eight points, five cards" after East pointed to the bids and looked at him. North said through the interpreter that he did not hear a verbal question, but understood that the inquiry concerned the 2♦ bid since there would be no reason to ask about an apparently natural unalerted 3♥ bid. He did say that since the inquiry was not directed at him he was not paying too much attention to what East did or said.

Panel Findings

The panel was troubled by the disagreement between the two sides about what was done and said at the table. In particular, that both sides adamantly disagreed whether a second question about 2♦ occurred, brought the validity of the director's poll and the correctness of the ruling into question. The panel decided that the best judge of fact was the director at the table, so he was interviewed after the hearing about what he recalled.

He said that he did not recall any mention at the table of a second question being asked and believed that both sides agreed that the only answer given was "8+ HCP and five cards", and that E/W understood "cards" to be "hearts". He confirmed the accuracy of the description of the poll on the appeal form based on the facts as he knew them. The panel confirmed that the players polled were all of expert level.

The panel saw no reason to discard the facts as determined by the director in light of what seems to have been a disagreement not stated at the table, and saw no flaws based on the procedure followed with those facts. Therefore the panel upheld the ruling of 3NT by South, making four, N/S +430.

Panel Decision

3NT by S, Made 4, N/S +430

Panel Members

Reviewer	Matt Smith
Member	David Metcalf
Member	Kevin Perkins