

Subject of Appeal:	Misinformation, Unauthorized Information	Case:	R2
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Event	10K IMP Pairs	Event DIC	Scott Humphrey
Date	11/28/2017	Session	First Final

Auction

West	North	East	South
		Pass	Pass
1♠	Dbl ¹	2♥ ²	Pass
4♠	Pass	Pass	Pass

Explanation of Special Calls and Points of Contention

1: Alerted; 16+ HCP
2: Spade raise, no Alert

Hand Record

Board	2	N	4700 MPS		
Dealer	E	♠	A9		
		♥	Q95		
Vul	N/S	♦	A9		
		♣	AQ10983		
W	1400 MPS			E	1100 MPS
♠	KQJ653			♠	10874
♥	K87			♥	A104
♦	QJ8			♦	K103
♣	J			♣	642
		S	5500 MPS		
		♠	2		
		♥	J632		
		♦	76542		
		♣	K75		

Final Contract	Result of Play	Score	Opening Lead
4♠ by W	Made 4	E/W +420	♥5

Facts Determined at the Table

South called the Director before his final Pass. South had asked about the meaning of 2♥ at that point, which prompted E/W to agree that there had been a failure to alert. When South tried to comment further, the Director asked him not to say anything at the table.

After South's final Pass, the Director asked to speak to South away from the table. He told the Director he might have doubled 2♥ if he had been alerted, but after considering it further he told the Director he probably would not have doubled. After the hand, North argued that if his partner had been alerted to 2♥ and not doubled, he would have been much less inclined to lead the heart that allowed the contract to make.

Additional Factors Determined Away from the Table

The Director was concerned that South's actions may have been suggestive of a heart lead by North. He gave the North hand to three players and asked them what they would lead after an auction in which 2♥ was alerted. All three thought the lead very difficult. Two selected the ace of spades, and one selected the ace of clubs. When asked whether a non-alert of 2♥ would affect their decision all said it would make no difference to them. They also offered that if partner showed any interest in the missed alert that would suggest a heart lead.

Director Ruling

Based upon the poll results, the Director decided there was no link between the failure to alert during the auction and North's choice of opening lead. The score of 4♠ by W, making 4, E/W +420, was ruled to stand, per Law 40B3

Director's Ruling	4♠ by W, Made 4, E/W +420
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The Review

N/S appealed the Director's ruling. North, South, and West attended the review. N/S explained that the Double showed 16+ HCP and to make a takeout action with less they overcall 1NT. West said that he knew that 2♥ was a constructive raise but forgot to alert it.

The Reviewer asked South what caused him to ask about the unalerted 2♥ bid prior to his last Pass. He said that West's pause before jumping to 4♣ made him think perhaps 2♥ was some kind of a raise and an alert had been missed. The Reviewer told him that while his question was legal according to law, such questions can transmit unauthorized information to partner (Law 20F3) and they are particularly dangerous in cases where such a question is followed by the final Pass of the auction with partner on lead.

North said that he had a difficult lead, but in deciding what to do he considered that if his partner had known that 2♥ was artificial he might have been able to Double for a heart lead, but his Pass with no alert did not allow for that clear inference. He said he definitely would not have led a heart if partner had the chance to Double 2♥ but chose not to do so.

North said he was not influenced by South's actions that might have suggested a heart lead. He questioned whether the Director had polled a sufficient number of players.

West said he was concerned that North's choice of lead might have been influenced by South's actions.

Panel Findings

The Panel considered the number and expertise of the players polled by the Director. Two of the players polled were of significantly greater experience and masterpoints than represented by North's 4700 points. For that reason, those two players were excluded from consideration and further polling was conducted.

Five more players with approximately the same masterpoints as North were polled. Two led the ♠A regardless of whether partner's Pass was over an alerted 2♥, and one other led the ♠A regardless. A fourth player said he would lead a heart in any case but was less inclined to do so if partner had not doubled an alerted 2♥. The final polled player led the spade ace if his partner had not doubled an alerted 2♥, but a heart if the alert came at the end of the auction.

These opinions were added to the statements of the peer polled by the Director. Since one of the pollees was mostly in agreement with what North said, and another agreed with him completely, the Panel decided there was damage as a result of the late alert since a non-heart lead would likely result in 4♣ going down one. The Panel decided that as a result a weighted score per Law 12C1c was appropriate. The score assigned was 1/3 4♣ by W, down one, N/S +50, and 2/3 4♣ by West, made four, E/W +420.

Panel Decision	2/3: 4♣ by W, Made 4, E/W +420 1/3: 4♣ by W, Down 1, N/S +50
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Panel Members

Reviewer	Matt Smith
Member	Mike Roberts
Member	Jeff Jacob

Commentary

Goldsmith: So South would have doubled with ♥J832, but not ♥J632? I don't buy it. Result stands.

Marques: South has no other call than Pass, in his last turn of bidding, and decides to ask *before* his call, when he could easily have seen the dummy after the opening lead. Then North produces the heart lead... In a way, South brought this upon himself. Even if North's arguments make sense, South's actions do suggest an interest in a heart lead. West failed to alert, but South created UI.

The initial poll by the TD seems limited for an opening lead investigation. The Reviewer poll should also have addressed the UI from South's actions, and the "final polled player" sounds like an outlier to me. I think that the Panel was generous with N/S. IMHO, I don't think that N/S were damaged by the lack of alert more than by South's actions.

Meiracker: When the TD or Panel assigns a weighted score the adjustment will give the benefit of the doubt to the non-offending side. For example, in a 50-50 % decision the non-offenders will get 60% and the offenders 40% of a score.

In this case, the non-offenders only got 1/3 4♣ down 1 and 2/3 4♣ making, because South's questions could have led North in the direction of a Heart lead.

Wildavsky: I'd have tried to find a way to give both sides the worst of it. E/W might well have gained through providing misinformation, and North might well have taken advantage of unauthorized information.

Willenken: Good job all around, and very astute understanding by the Director that while E/W had provided MI, N/S may well have provided UI.

Woolsey: The Director was clearly wrong concluding that the failure to alert had nothing to do with the opening lead. If the 2♥ bid had been properly alerted North would have the information that South doesn't have a strong heart holding from South's failure to Double. That information would make a heart lead less attractive.

How much would that change things? North would have to defend very badly to allow 4♠ to make if he avoids a heart lead. Thus, the decision must be based on an estimate of how likely North would be to avoid the heart lead with the correct information. The Panel apparently concluded that North would have led a heart anyway 2/3 of the time. I don't understand where they got this weighting from, particularly since it was clear from the poll that a heart lead wasn't too popular (although certainly reasonable) alert or not. Of course, the fact that North did lead a heart has to make some difference. I guess I would have put it at 50-50 for my weighting.