

Subject of Appeal:	Misinformation	Case:	N1
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Event	Baldwin North American Pairs	Event DIC	Kevin Perkins
Date	03/09/2017	Session	First Final

Auction

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

Explanation of Special Calls and Points of Contention

1: Strong, Artificial, Forcing
2: No Alert, positive with five ♥

Hand Record

Board	5	N	Richard Zucker
Dealer	N	♠ KJ98	
		♥ K10953	
Vul	N/S	♦ 1042	
		♣ 6	
W	Brian Ellis		
♠	A75		
♥	QJ762		
♦	J73		
♣	J3	E	Bernie Greenspan
		♠	32
		♥	A84
		♦	A6
		♣	AKQ974
		S	Ethan Stein
		♠	Q1064
		♥	(void)
		♦	KQ985
		♣	10852

Final Contract	Result of Play	Score	Opening Lead
3NT by E	Made 5	E/W +460	♦Q

Facts Determined at the Table

The director was called before the opening lead was made. The table director indicated that no Alert was due as 2♦ was a cuebid. Further review was requested, and the DIC of the tournament was asked about the Alertability of 2♦. He indicated that in our Alert procedure 2♦ is Alertable – the 2♦ bid was not chosen because it was the opponents' suit, but because it was a transfer to hearts.

Additional Factors Determined Away from the Table

The table director then gave the North hand to several players. They considered different calls over 2♦, but all of them asked what 2♦ was before answering.

Director Ruling

Staff determined that although there was misinformation from the failure to Alert, it did not cause the damage. Alert procedures state that an opponent who actually knows or suspects what is happening, even though not properly informed, may not be entitled to redress if he or she chooses to proceed without clarifying the situation. All of this player's peers asked about 2♦; staff decided this player needed to ask as well.

Law 40B4 says that a side that is damaged as a consequence of failure to explain a call or play is entitled to an adjusted score; staff concluded that the source of the damage was a player of this level not asking a question when he needed the answer to make his decision.

Director's Ruling	3NT by E, Made 5, E/W +460
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The Review

N/S requested a review of the ruling. North was the only player who spoke to the reviewer. He felt he had been misinformed, and that with the proper information he would have bid a lead-directing 2♠ rather than 2♥, planning to raise diamonds later.

The reviewer spoke to six national-champion level players. He gave the North hand as a bidding problem. All six asked what 2♦ was; two were vehement that it was critical, as it could be nearly anything. They suggested Pass, 2♠ and 3♦ were among the calls they would consider.

When the reviewer asked how much sympathy they would have for a player who did not ask about 2♦, two said that they could sympathize, although at the table they themselves would always ask. One of those two indicated that it never would have occurred to him that 2♦ was hearts. The other four had no sympathy at all; one suggested that over a natural or artificial 1♣, so many pairs play transfer structures in competitive auctions that it would never occur to him to proceed without clarifying the situation.

Panel Findings

The reviewer concluded that the above-cited provision in the Alert procedure did indeed cover this situation – even if this player did not suspect that this auction was anything special, all his peers did. He was expected to protect himself. Law 21A says no redress is due a player who acts on the basis of his own misunderstanding; there was no legal basis to apply Law 40B4 (see above). The table result was allowed to stand. As the initial ruling was delivered on an incorrect application of the Alert rules, this review was deemed to have merit.

Experts Consulted: Billy Miller, Chris Moll, Jerry Helms, Bob Hamman and two others.

Panel Decision	3NT by E, Made 5, E/W +460
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Panel Members

Reviewer	Matt Koltnow
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