

Subject of Appeal:	Misinformation	Case:	R2
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Event	Wednesday A/X Pairs	Event DIC	Hank Meyer
Date	03/15/2017	Session	First Session

Auction

West	North	East	South
		Pass	2♠
Dbl	2NT	Pass	3♣ ¹
3♥	4♠	Pass	Pass
Pass			

Explanation of Special Calls and Points of Contention

1: Explained feature, no Alert

Hand Record

Board	2	N	John Potter	
Dealer	E	♠	K6	
		♥	A107	
Vul	N/S	♦	A8	
		♣	Q107532	
W	Tom Trachuk			E Andy Avery
♠	103			♠ Q94
♥	KQJ43			♥ 9652
♦	KJ5			♦ 10632
♣	AJ6			♣ K4
		S	Hugh Brown, Jr.	
		♠	AJ8752	
		♥	8	
		♦	Q974	
		♣	98	

Final Contract	Result of Play	Score	Opening Lead
4♠ by S	Made 4	N/S +620	♥K

Facts Determined at the Table

Before the opening lead, West asked about the auction. He was told that 2NT was artificial and forcing, and that 3♣ showed a feature. South, who had intended his 3♣ bid as an Ogust response (bad hand, bad suit), did not speak up even though he believed Ogust to be the partnership agreement.

South won the ♥A, then led the ♠2 to the 4, 9 and jack. West switched to the ♦K. South crossruffed the red suits, ending in hand with the ♠AJ87 and the ♣8. South exited with his club. East, upon winning the king, was down to ♠Q94 and the ♥9, exited with the heart but was endplayed when South led a small trump, making 4.

Additional Factors Determined Away from the Table

The Director polled three pairs, of varying abilities, to see how they would have defended the hand. All of the players with the West hand continued with the ♥Q at trick 3, with either explanation of the opponents' bidding.

Director Ruling

N/S violated Law 40 when South did not correct North's explanation of their agreement. E/W were damaged by this, as West would have not switched to the ♦K if he did not think he had to kill the entry to the club suit in dummy. N/S were assigned down 1, -100, per Law 12C1c. Based upon the poll, the Director decided that West had committed a serious error when he switched to the ♦K, severing his right to redress, per Law 12C1b, so E/W received the table result.

Director's Ruling	N/S: 4♠ by S, Down 1, E/W +100 E/W: 4♠ by S, Made 4, N/S +620
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The Review

Both sides appealed, and South and West attended the Review. South acknowledged that N/S were on different pages regarding rebids after 2NT. They had only one filled out convention card. South maintained that, regardless of the explanation of 3♣, he couldn't hold the ♣K, after trick 2.

West disagreed, positing that South could still hold the ♣K, if he started with K98. West acknowledged that, in this case, his best defense at this point would have been to play a small club, expecting East to ruff and exit with a diamond.

The Reviewer finally read Law 12C1b aloud.

"If, subsequent to the irregularity, the non-offending side has contributed to its own damage by a serious error, (unrelated to the infraction) or by a wild or gambling action, it does not receive relief in the adjustment for such part of the damage as is self-inflicted."

The reviewer told the players that his fellow Appeals panelists would have a difficult time convincing him that, even if West's switch to the ♦K had been a serious error, it was not in fact directly related to the MI.

Panel Findings

The panel was unanimous that the Directors had misapplied Law 12C1b, since West's defense was clearly affected by North's explanation of 3♣. The panel assigned a result of 4♠ by South, down one, E/W +100 for both sides, per Laws 40B6b and 12C1c. Since the Directors had misapplied Law 12, and misunderstood the play, the panel decided that it was reasonable for both sides to request a review of the ruling.

Panel Decision	4♠ by S, Down 1, E/W +100
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Panel Members

Reviewer	Gary Zeiger
Member	Matt Koltnow
Member	David Metcalf