

Subject of Appeal:	Misinformation	Case:	R4
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Event	2 nd Sunday A/X/Y Swiss Teams	Event DIC	Jay Bates
Date	03/19/2017	Session	Second Session


Auction

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

Explanation of Special Calls and Points of Contention

1: Game Force, artificial

Hand Record

Board	10	N	11,800 MP	
Dealer	E	♠	J109x	
		♥	10xx	
		♦	K	
Vul	Both	♣	J10732	
W	2200 MP			E 5800 MP
♠	Axx			♠ KQxx
♥	Qxx			♥ KJxx
♦	AJ10xxx			♦ 8x
♣	Q			♣ Kxx
		S	300 MP	
		♠	85	
		♥	Axx	
		♦	Q9xx	
		♣	A9xx	

Final Contract	Result of Play	Score	Opening Lead
3NT by E	Made 3	E/W +600	♠5

Facts Determined at the Table

Before the opening lead, South asked about East's likely shape. West said that East should be either 4-4-4-1 or have a hand with four hearts and five clubs. E/W were a first time partnership and had had not discussed this auction. East did not speak up to clarify there was no such understanding.

South's lead of the ♠5 was non-systemic. The play went:

Trick 1: ♠5 – ♠small – ♠9 – ♠K
 Trick 2: ♦8 – ♦small – ♦J – ♦K
 Trick 3: ♣3 – ♣small – ♣A – ♣Q

South now led the ♦9, after which East made nine tricks. The Director was called after the hand. N/S asked for redress due to East's failure to speak up about West's description of her hand pattern.

Director Ruling

The Director determined that East had violated Law 20F5b when she did not correct West's statements about partnership agreements which did not actually exist. Per Law 12C1c, the Director decided that without the misinformation about the E/W agreements, South would have continued with a club at trick four 75% of the time (leading to down two), and shifted to a diamond 25% of the time (allowing East to make). Since the result at the other table was N/S +100, the director's ruling resulted in N/S -.5 IMPs.

Director's Ruling	75% - 3NT by E, Down 2, N/S +200 25% - 3NT by E, Made 3, E/W +600
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The Review

E/W appealed, and North, East and West attended the Review. South was unable to attend due to his flight reservation. E/W confirmed their status as a first time partnership. East admitted that West's statements about her hand pattern were not based on any agreement or partnership experience. She said she didn't know she was supposed to say anything.

North stated that South's opening lead was "creative", not part of any defensive agreements. North said that she led a small club to trick 3, requesting that South continue the suit. She said that her partner would not have gone wrong at trick 4 without the misleading explanation of East's club length.

E/W said that South's shift to the ♠9 showed he was unaffected by the MI.

Panel Findings

Three players were given the defensive problem with the same misinformation South received. Two of them were peers of South, and they each returned a club. Another player with a higher masterpoint holding returned a spade. None considered shifting to a diamond regardless of the information they had about E/W's bidding agreements. The panel noted that East could easily be 4-4-4-1, and a club continuation would still be correct if North held J10xx. The panel decided that, for this South, the misinformation about East's pattern did not cause his damage. Law 40B4 says that a side that is damaged as a consequence of its opponents' failure to provide disclosure of the meaning of a call as these Laws require is entitled to an adjusted score. The panel concluded that the damage was not a consequence of the misinformation, and restored the table result of 3NT by East, making 3, E/W +600.

The panel would have preferred to base its decision on more polling data, but because this ruling came on the last hand of the last session more players to poll were not available.

Panel Decision	3NT by E, Made 3, E/W +600
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Panel Members

Reviewer	Gary Zeiger
Member	Matt Koltnow
Member	Jenni Carmichael