

Subject of Appeal:	Improper Designation	Case:	R3
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Event	Mini-Blue Ribbon Pairs	Event DIC	Terry Lavender
Date	11/29/2016	Session	First Qualifying

Auction

West	North	East	South
		2♣	Pass
2♦	Pass	3♦	Pass
4NT ¹	Pass	5♣ ²	Pass
6♦	Pass	Pass	Pass

Explanation of Special Calls and Points of Contention

1: RKC 1430
2: One or Four Key Cards

Hand Record

Board	26	N	1600 MP		
Dealer	E	♠	J72		
		♥	10874		
		♦	(void)		
Vul	Both	♣	KJ8754		
W	3000 MP			E	2500 MP
♠	Q95			♠	AK63
♥	Q96			♥	A52
♦	AJ972			♦	KQ543
♣	32			♣	A
		S	2000 MP		
		♠	1084		
		♥	KJ3		
		♦	1086		
		♣	Q1096		

Final Contract	Result of Play	Score	Opening Lead
6♦ by W			♣ 7

Facts Determined at the Table

The opening lead of a club was won in dummy. Declarer played a diamond to the ace in her hand, then a small diamond towards dummy and called for a diamond. Dummy claimed declarer was pointing up indicating a high diamond, confirmed by declarer but disputed at the table. The opponents both claimed that dummy queried "diamond?" before declarer pointed upward to indicate playing a high card. The table director asked dummy if that fact was accurate. Dummy confirmed but later modified her statement to include that declarer was indicating a high card as she was asking the question.

Director Ruling

The table director applied law 46B2: if a suit is designated, but no rank specified, declarer is deemed to have called for the lowest card of the suit indicated (except when declarer's different intention is incontrovertible). Based on the evidence presented, he was not satisfied that declarer's different intention was incontrovertible, so he ruled a low diamond played from dummy. The table result was 6♦ by West, down one, N/S +100.

Director's Ruling	6♦ by W, Down 1, N/S +100
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The Review

E/W appealed the ruling. The table director had indicated that both appellants were agitated during the ruling process. This was a first session appeal which was not addressed until after the break. When the appellants were interviewed by the reviewer, both believed that the opponents had dominated the table discussion. Dummy asserted that her statements to the director were consistent, an opinion forcefully shared by declarer.

Panel Findings

The panel decided that if East had time to query partner about which diamond she wanted played from dummy, that was enough evidence to suggest pause for thought and that declarer's intention was therefore not incontrovertible to play a high diamond from dummy. The table ruling was upheld.

The panel did not award an Appeal without Merit Warning. E/W believed they had not been heard during the initial ruling. It was determined that the director handled the ruling correctly and spent extra time with the appellants, but they genuinely believed they had not been heard.

Panel Decision	6♦ by W, Down 1, N/S +100
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Panel Members

Reviewer	Marc Labovitz
Member	Bernie Gorkin
Member	Mike Roberts
Member	David Metcalf