

<b>Subject of Appeal:</b>	Played Card	<b>Case:</b>	N3
---------------------------	-------------	--------------	----

<b>Event</b>	Mitchell Open BAM	<b>Event DIC</b>	Candace Kuschner
<b>Date</b>	11/30/2016	<b>Session</b>	Second Final

### Auction

West	North	East	South
	1♣	1♦	1♥ <sup>1</sup>
Pass	2♣	2♦	3NT
Pass	Pass	Pass	

### Explanation of Special Calls and Points of Contention

1: Spades

### Hand Record

Board	1	N	Vanessa Reess
<b>Dealer</b>	<b>N</b>	♠ K	
		♥ AQJ8	
		♦ 42	
<b>Vul</b>	<b>None</b>	♣ QJ10942	
<b>W</b>	Peter Rank		<b>E</b> Wafik Abdou
♠ J76542			♠ Q8
♥ 742			♥ 653
♦ 106			♦ AQ9853
♣ K6			♣ A8
		<b>S</b> Joanna Zochowska	
		♠ A1093	
		♥ K109	
		♦ KJ7	
		♣ 753	

Final Contract	Result of Play	Score	Opening Lead
3NT by S			♦ 10

### Facts Determined at the Table

The play had gone ♦10 to the Jack, with East encouraging. South led a low club, with West rising with the King. He returned his last diamond, East winning the Ace. East now led another diamond, Declarer winning with the King. Declarer led a low spade to the King, and then called for a card from Dummy. East played the ♣A, and the director was called at this point.

East/West alleged that Declarer had called for a club from Dummy, while South said she had called for a heart and Dummy had played the ♥8. East said that he had not seen a card played, but he might have missed it.

### Director Ruling

The director ruled that, given that a heart was presumably moved into place, clearly a heart was called, and therefore the ♣A was a major penalty card. When Declarer ran the hearts, East was forced to play the Ace on the last round, and Dummy's club suit was now good. Therefore, the contract made five, N/S +460.

<b>Director's Ruling</b>	<b>3NT by S, Made 5, N/S +460</b>
--------------------------	-----------------------------------

### The Appeal

East appealed the director ruling and appeared before the committee. He stated that at trick six, both he and his partner believed they heard Declarer call for a club, and he played his Ace, although he had not seen the card played by Dummy. East stated that his partner confirmed that Dummy had not played a card prior to his play of the ♣A, and it was not until after his play that South called for a heart and the ♥8 was advanced to the played position. He had told this to the

table director after the round concluded. The table director stated they had investigated with N/S after the round, and they stated that the heart had been played immediately after South called for it.

### Committee Findings

While this case appears to be a classic “he said/she said” circumstance on the surface, there are two points that stand out. The first point is that when South called for a card from Dummy (and South has a thick accent), East did not, by his own admission, look to see which card Dummy played. Had he done this and seen the ♥8 put in the played position, he could have called the director and explained that he had heard a call for a club. Regardless of the outcome, he would not have played his ♣A, creating a penalty situation. If Dummy played no card, again he could have called the director and would not have lost his Ace as a penalty card.

Since the committee was not at the table, they had no way of knowing what card was called by the Declarer. But the second point, bridge logic, says that Declarer was in the process of cashing out her winners for down 1. It would be illogical to call for a club at this point. Because of this, the committee found no reason to overturn the director’s ruling, 3NT by South, making 5, N/S +450.

The committee also judged that the appeal was without merit, and therefore issued an Appeal without Merit Warning to East. While the committee had sympathy for East, no new facts or bridge logic was presented as part of his appeal, and the case was more bridge law than anything else. When you go to a director and say, “this is point 1 and this is point 2, how do you rule?”, you cannot then simply say that you want to appeal because you do not like the ruling.

To appeal with merit, there must be some question about the bridge logic or some new fact about the case worthy of consideration. You should not go to an appeal committee and say, “this is the same point 1 and the same point 2, and I want you to come up with a different ruling because I do not like the one the director gave.”

<b>Committee Decision</b>	<b>3NT by S, Made 5, N/S +460</b>
---------------------------	-----------------------------------

### Committee Members

<b>Chairman</b>	Aaron Silverstein
<b>Member</b>	Scott Stearns
<b>Member</b>	James Thurtell
<b>Member</b>	Ed Lazarus
<b>Member</b>	Rui Marques