

APPEAL	NABC+ FOUR
Subject	Misinformation
DIC	McKenzie Myers
Event	Mixed Pairs
Session	2 nd Final
Date	March 18, 2015

BD#	23
VUL	Both
DLR	S

Bill Cook, Jr.	
♠	A2
♥	AJ76
♦	1054
♣	AK54

Allison Wilson	
♠	63
♥	2
♦	AKJ86
♣	QJ1097

	
Annette Lee McHann	
♠	QJ1097
♥	109
♦	972
♣	862

Kent Mignocchi	
♠	K854
♥	KQ8543
♦	Q3
♣	3

West	North	East	South
			P
1♦	1NT⁽¹⁾	X	2♥⁽²⁾
3♣	P	3♥	P
4♣	P	4♦	P
P	X	P	P
P			

Final Contract	4♦X by West
Opening Lead	♦4
Table Result	Down 2, N/S +500
Director Ruling	3♥ by E, Down 1, N/S +100
Comm. Decision	3♥ by E, Down 1, N/S +100

(1)	15-18 HCP
(2)	Transfer to Spades (Neither Alerted nor Announced)

The Facts: East called the Director after North's first pass. He explained that he had asked for the meaning of the 2♥ bid and was told that North was unsure. At the end of the hand, it was determined that the N/S card shows systems on over a double and systems on over 1NT overcall. West said that she considered 3♥ a cue-bid, not natural given the explanation of the 2♥ bid. North said he would have doubled 3♥, given the opportunity to do so.

The Ruling: The Director polled five players, three bid 4♣ over 3♥ with the West hand while two passed. The results of the poll found that passing was a LA and in accordance with Law 21.B.3 the result was adjusted to 3♥ by East, down 1, N/S +100.

The Appeal: North/South appealed the ruling and attended the hearing.

The Decision: It was clear that the failure to announce had given the offending pair an advantage and they should receive the result for 3♥ by East. The committee found North's statement that he would have doubled 3♥ to be sincere, but it had to be discounted as self-serving. Double, while possible, is not automatic.

The AC then turned its attention to whether E/W should have protected themselves by making a better effort to learn the actual agreement. Even experienced players seem not to know that they should call the director during the auction in these circumstances, and based on the guidance received from Staff it was judged that the non-offenders had done enough to also get the result in 3♥. However, the AC urges that there be ongoing education for cases such as this.

The AC judged that down one in 3♥ was both the most favorable result for E/W that was likely and the most unfavorable result that was at all probable for N/S. Accordingly the AC ruled as the TD had, 3♥ by East, down 1 for both sides.

Note that it was not relevant whether Pass was a LA over 3♥. E/W had committed no irregularity, so Law 16 (unauthorized information) does not apply to them. The Director poll was relevant in this Law 21 (MI) case since it determined both that E/W were damaged through the misinformation and that they might well have reached a more successful spot given correct information.

The appeal was found to have substantial merit.

The Committee: Jeff Aker (Chair), Patty Tucker and Will Ehlers

Commentary:

Marques – A strange case. From the description of the events, it seems that the meaning of 2♥ was on the convention card. East could have checked it, namely after North said that he was unsure. Also, if it was asked and North just said that he was unsure, or unsure about transfer or natural, which seem to be the only two possibilities, he could have been sent away from the table, in order to let South do the explaining, and there would be no case anymore.

It also seems to me that the poll was incomplete, judging from the report. It would be important to know what the polled players would have done in the West seat, starting with his second call (after 2♥ explained as a transfer), but also what would they do if two hearts was explained as natural. Would the poll show different actions on “transfer” and “natural”? To establish if E/W were damaged by the MI, it is not enough to know that some players, with the right explanation, would pass instead of bidding 4♣ with the West hand. It is also necessary to know if those players would have acted differently with the wrong explanation. If all polled players were to make made the same call with either explanation, the conclusion would be different (no damage). I think that the analysis of this case is incomplete.

Kooijman –This seems a case where weighted scores would have been useful. A double by North on 3♥ looks reasonable and I would be careful myself calling it self-serving. A poll would clarify it and could result in a percentage for 3♥X -1 or -2.

Goldsmith – A useful poll would have been to see how many Norths would have doubled 3♥. I suspect most, if not all. The opponents are red at matchpoints, the auction is about to be over, and it is unlikely that the double will assist declarer in the play. If most would double, perhaps 3♥ undoubled would not have been a likely result.

It seems that 4♦X should be down one, losing two clubs and two aces. If so, and if declarer's play was a serious error (which is possible, but not necessarily so, since we didn't get to read about the play), and if 3♥ undoubled is not likely, then we may need to do a split ruling, with N/S's getting +200 and E/W's getting -500. That's probably the ruling I'd end up giving, though I need more information to be sure.

Woolsey – This looks exactly right. While anything might have happened, it is reasonably possible that E/W would have landed in 3♥. The MI made it impossible for E/W to get to that contract. That is all that is necessary.

I am bothered by this statement in the writeup: Even experienced players seem not to know that they should call the director during the auction in these circumstances.

How could E/W possibly call the director during the auction? From the bidding there was no reason to think that an irregularity had occurred. It is true that East could guess that the 2♥ bid wasn't natural, but he can guess that only by looking at his hand. A director call on his part during the auction would give UI to his partner that he had long hearts.

Wildavsky – It's not clear to me that the appeal had merit, but I'll defer to the AC on that point.

Note that some would consider East's 3♥ bid an error, whether or not he had correct information. That might well be, but it was certainly not the kind of "Serious error" that would deny his side redress per law 12c1b.

Martel – As AC noted, Director was wrong to ask about LA for bidding over 3♥. Otherwise, acceptable.