

<b>APPEAL</b>	<b>NON-NABC+ SIX</b>
Subject	Misinformation
DIC	Bernard Gorkin
Event	Monday Daylight Open Pairs
Session	First Session
Date	March 16, 2015

BD#	<b>10</b>
VUL	<b>Both</b>
DLR	<b>E</b>

<b>36,700 masterpoints</b>	
♠	976
♥	K6432
♦	9
♣	10752

<b>1800 masterpoints</b>	
♠	4
♥	QJ975
♦	1032
♣	KQJ6

	
<b>299 masterpoints</b>	
♠	A53
♥	108
♦	AKJ87
♣	A84

<b>2500 masterpoints</b>	
♠	KQJ1082
♥	A
♦	Q654
♣	93

West	North	East	South
		<b>1♠</b>	<b>1NT</b>
<b>X</b>	<b>2♦<sup>(1)</sup></b>	<b>2♠</b>	<b>P</b>
<b>P</b>	<b>P</b>		

Final Contract	<b>2♠ by East</b>
Opening Lead	<b>♦A</b>
Table Result	<b>Down 1, N/S +100</b>
Director Ruling	<b>2♠ by E, Down 1, N/S +100</b>
Panel Decision	<b>2♠ by E, Down 1, N/S +100</b>

(1) Transfer to Hearts, not alerted
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**The Facts:** There was a failure to alert the 2♦ as a transfer to hearts. East told the director he would have passed the 2♦ call had he known it was a transfer and left it up to partner to decide what to do over 2♥.

**The Ruling:** The director ruled that the failure to alert did not affect the outcome of the hand and allowed the result to stand.

**The Appeal:** East appealed the director's ruling. He stated that he waited a while to make sure there was no alert of the 2♦ call. He didn't feel he had enough in the diamond suit to double and, knowing his partner couldn't double 2♦ because of how many he had, he felt he should bid 2♠ to show his concentration of values. He said he would pass if he knew it was a transfer because partner will have a better idea of what to do over 2♥.

South said they were in a relatively new partnership and hadn't discussed if systems were on over the double.

**The Decision:** Six players were polled with about the same number of masterpoints as E/W. Five of them took the same action with and without the alert (four doubled twice, one bid 2♠ twice). The sixth player doubled with the failure to alert and bid 2♠ with the alert. The panel determined that the failure to alert did not affect the outcome of the auction. As well, the panel did not investigate the possibility of damage during play since it was obvious to East that 2♦ was intended as a transfer when he saw dummy. The panel also judged that it was likely the director who handled the initial ruling did not explain his reasoning, which is why an appeal without merit warning was not given

**The Panel:** Jenni Carmichael (screener), David Metcalf, Eric Bell

**Commentary:**

**Goldsmith** – I think bidding 2♠ is automatic regardless of the information. Do E/W play penalty doubles of 2♥ under the bidder? Seems unlikely.

The text says that declarer knows that 2♦ is a transfer to hearts when he sees dummy. I'm not sure that is true, but it doesn't matter. To beat 2♠, the defense basically takes the first six tricks, and declarer has no useful options while they are doing it.

**Woolsey** – East has a routine 2♠ call regardless of the explanation. Even if he chose to double 2♦, he would never have sat a double of 2♥ with that hand. East is trying to get something for nothing.

**Wildavsky** – The rulings look right to me, but I am concerned about the rationale for the lack of an AWMW. One purpose of screening is to explain the ruling to the appellants. They then have the opportunity to withdraw their appeal. An AWMW ought to be a judgment of the merit, if any, of the appeal itself, not of the appellants.

**Martel** – OK.

**Marques** – I sympathize with East's justifications, but if the correct explanation is "undiscussed", no alert is needed and therefore the score should stand.

If the AC judges that the meaning of 2♦ is "transfer to hearts" in the partnership's system and that South forgot the agreement, then with East's hand it seems logical to bid 2♠ in any case. Anyway, the panel spoke.

In this type of poll, it is very important to ask what would be the players call with the two possible explanations, because we need to know if there would be different calls in each case. When the call is the same with either explanation, there is no damage.

"The panel felt that the TD didn't explain the reason behind his ruling"... This point is crucial. Even if the TD is having a busy session, there's no harm in saying something like: "This is our decision about the case: (...) If you would like to know the reasons and the logic behind it, I would be glad to talk with you after the end of the session". A lot of appeals can be eliminated with this pedagogical approach.

**Kooijman** – This case proves how useful polls can be, but there is no need to tell this to the ACBL: you have used polls for a long time already. Could this case also be a reason to consider the possibility that players are appealing all these cases because the panel/committee always finds a reason to condone it?