

| | | | |
|---------------------------|----------------|--------------|-----|
| Subject of Appeal: | Misinformation | Case: | N15 |
|---------------------------|----------------|--------------|-----|

| | | | |
|--------------|-------------------|------------------|-------------|
| Event | Freeman Mixed BAM | Event DIC | Steve Bates |
| Date | 07/25/2014 | Session | First Final |

Auction

| West | North | East | South |
|------------------|-----------------|------|------------------|
| | Pass | Pass | 1NT ¹ |
| Db1 ² | 2♦ ³ | Pass | Pass |
| Pass | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Explanation of Special Calls and Points of Contention

| |
|---------------------------|
| 1: 15-17 HCP |
| 2: Penalty; has long suit |
| 3: Intended as transfer |
| |
| |
| |
| |

Hand Record

| Board | 9 | N | Stella Rainey | |
|-------------------------------------|------------|--|---------------|-----------------------------------|
| Dealer | N | ♠ Q105 ♥ Q10973 ♦ 7 ♣ Q965 | | |
| Vul | E/W | | | |
| W | Ming Sun | | | E Wang Zhige |
| ♠ A972 ♥ J ♦ KQ1053 ♣ 1084 | |  | | ♠ K3 ♥ A652 ♦ J9642 ♣ J7 |
| | | S Jim Foster | | |
| | | ♠ J864 ♥ K84 ♦ A8 ♣ AK32 | | |

| Final Contract | Result of Play | Score | Opening Lead |
|----------------|----------------|----------|--------------|
| 2♦ by N | Down 4 | E/W +200 | ♣ J |

Facts Determined at the Table

The director was called by North at the end of the hand. When asked about the double, East had explained it was a penalty double based upon a long suit. N/S use differing methods depending upon whether a double was for penalty or showed a suit. North interpreted the explanation as "showing a suit" and bid 2♦, intended as a transfer to hearts.

E/W had only one completed convention card between them. They were instructed to complete a second card before continuing play, and received a quarter board procedural penalty for failure to comply with ACBL regulations. The one completed card (East's) was marked with "penalty" for doubles over One Notrump.

Director Ruling

The problem for N/S arose as a result of differing methods over penalty vs. takeover doubles by the opponents. As "penalty" was clearly stated as part of the explanation by East, it appears that no damage can be directly linked to a failure to disclose agreements by E/W. The possibility that "penalty" is an incorrect explanation doesn't matter, as it was N/S who miscommunicated, which would be based upon their own misunderstanding (Law 21A). Therefore, no adjustment to the table result was appropriate.

| | |
|--------------------------|----------------------------------|
| Director's Ruling | 2♦ by N, Down 4, E/W +200 |
|--------------------------|----------------------------------|

The Appeal

N/S appealed the director's ruling, and South and East attended the hearing. South stated that their partnership agreements were to play "front of the card" methods over conventional doubles, and natural bids over penalty doubles. Although the E/W convention card was marked penalty, East's explanation was unclear. His mention of a long suit

confused North into thinking that the double was conventional. Additionally, the West hand does not resemble a traditional penalty double, suggesting that E/W were not playing penalty doubles. Thus, N/S were given misinformation and the table result should be changed.

East explained that their partnership agreement of a double of 1NT is a cooperative penalty double, often based upon a long suit or shapely hand. It is only a balanced hand if extremely strong. Advancer is expected to pull with a weak hand. At the table, he clearly indicated that double was penalty; North simply got confused when she bid 2♦. Since the correct explanation was given, the table result should stand

Committee Findings

The committee found that the E/W agreement of a double of 1NT was penalty, as was on their convention card and as explained at the table. Thus, there was no misinformation and the table result of 2♦ by N, down four, E/W +200, was confirmed. An Appeal without Merit Warning was assigned to N/S.

Additionally, since E/W's use of their penalty double is not mainstream, the committee suggested that E/W elaborate on "penalty double" on the convention cards.

| | |
|---------------------------|----------------------------------|
| Committee Decision | 2♦ by N, Down 4, E/W +200 |
|---------------------------|----------------------------------|

Committee Members

| | |
|---------------|--------------|
| Chair | Douglas Doub |
| Member | Ed Lazarus |
| Member | Ellen Kent |