

Subject of Appeal: Misinformation	Case: R9
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Event	10K Mixed Swiss	Event DIC	Terry Lavender
Date	07/26/2014	Session	First Qualifying

Auction

West	North	East	South
	1♠	Pass	2♥
Pass	3♣	Pass	4♠
Pass	Pass	Pass	

Explanation of Special Calls and Points of Contention

1: Explained as four Controls

Hand Record

Board	29	N	6800 MPS	
Dealer	N	♠ KQ932	♥ (void)	
Vul	Both	♦ AQ6	♣ KJ632	
W	3250 MPS			E
♠ J105				♠ 64
♥ Q9754				♥ 862
♦ K73				♦ 10952
♣ Q9			♣ A754	
		S	3640 MPS	
		♠ A87		
		♥ AKJ73		
		♦ J84		
		♣ 108		

Final Contract	Result of Play	Score	Opening Lead
4♠ by N	Down 1	E/W +100	♦ 9

Facts Determined at the Table

After the ♦9 was led, North asked about E/W's leads and carding. North said that West had said "standard leads and carding, except we lead second high from bad suits." West said that he had said "standard leads and carding, except that might be second high from a bad suit." The E/W convention cards both had the 9 circled from 109xx. The table director discovered that this was the only "bad suit" holding from which E/W lead the 9; from J9xx, for example, they would lead low.

The play went as follows:

- Trick 1: ♦9, J, K, A
- Trick 2: ♠K, 4, 7, 10
- Trick 3: ♣2, (hesitation) 4, 10. Q
- Trick 4: ♦3, 6, 10, 4

Subsequently declarer led a low spade to the 8, losing two clubs, a diamond, and a trump for down one.

Additional Factors Determined Away from the Table

The table director polled six players regarding the explanation of the opening lead and five felt that 109xx was a possible holding for East.

Director Ruling

The director ruled that West's answer to declarer's question and East's break in tempo before ducking the club were not violations of Law 73F; therefore, declarer had taken the inference about the diamond layout at his own risk. The table result was allowed to stand.

Director's Ruling	4♠ by N, Down 1, E/W +100
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The Appeal

North/South appealed the ruling. The reviewer met separately with North/South and their team captain, and East/West between rounds of the Swiss teams. North felt that the explanation he had been given regarding the E/W lead agreements had not been adequate disclosure. His teammates made the same lead at their table and they described their agreement as "promises the 10 or shortness." He said that had he been aware of the possibility that East might have the 10, he would have played low from dummy at trick one, assuring West could not continue a diamond when he got in. Furthermore, he felt that the only holding where East could have a problem ducking the club was Ax, so he played the suit based on that assumption. He felt that the unwarranted hesitation contributed to his misreading of the E/W cards.

Panel Findings

Four peers and one expert were consulted concerning the play of the hand. Three of the peers, when given the hand and the explanation North said he had received, immediately inquired about what the opening lead would be from 109xx. None considered the treatment of 109xx as a bad suit unusual.

North's argument that he could play low from dummy and freeze the diamond suit was considered. However, even after the playing the jack from dummy and having it covered with the king and ace, the suit would still be "frozen." North would still have the queen; West, the (presumed) 107; and dummy, the 84. Given this layout, all the peers and the expert felt that West would be highly unlikely to lead a diamond away from the 10 with the 8x visible in dummy and the queen known to be in the closed hand. Moreover, the peers agreed a diamond loser can always be pitched on the ace or king of hearts in dummy.

The panel considered that neither the explanation of the lead agreements resulted in consequent damage according to Law 40B4, nor that the break in tempo before the duck of the ♣A was a violation under Law 73F, and allowed the table result to stand. An AWMW was not issued.

Expert Consulted: Nagy Kamel

Panel Decision	4♠ by N, Down 1, E/W +100
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Panel Members

Reviewer	Eric Bell
Member	Matt Koltnow
Member	Kenneth Van Cleve