

Subject of Appeal:	Misinformation	Case:	N6
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Event	Rockwell Mixed Pairs	Event DIC	Brian Russell
Date	03/26/2014	Session	Second Final

Auction

West	North	East	South
Pass	Pass	1♦	Pass
1NT	2♣	Pass	Pass
Dbl	Pass	Pass	Pass

Hand Record

Board	8	N	Ronald DeHarpporte		
Dealer	W	♠	A72		
		♥	84		
		♦	72		
Vul	None	♣	KQ10974		
W	Wiley McMinn III			E	Rosemary Kelley
♠	Q4			♠	K953
♥	973			♥	KQ105
♦	A843			♦	KQ95
♣	A862			♣	3
		S	Peg Waller		
		♠	J1086		
		♥	AJ62		
		♦	J106		
		♣	J5		

Explanation of Special Calls and Points of Contention

Final Contract	Result of Play	Score	Opening Lead
2♣X by N	Down 1	E/W +100	♥ Q

Facts Determined at the Table

The director was called at the end of the play. North had asked about leads and was told that East/West play standard honor leads, coded 9s and 10s, but North was not told that the queen could be from K-Q-10, which was marked on one of the convention cards. North did not look at the convention card and did not take a trick with the ♥J. West said that he thought queen from K-Q-T was standard and that there was no attempt to deceive.

Additional Factors Determined Away from the Table

East and West both had computer printed convention cards, but they were marked differently. East's had the queen circled from K-Q-10-9, while West's showed the king..

Director Ruling

The statement that East-West play standard honor leads was incorrect. Without this statement, North clearly would have played East for the K-Q of hearts and made 2♣ doubled. This score was assigned to East/West. The auction, however, made it clear that the lead could not be from shortness. North should have either looked at the opponent's card or asked further questions. Failure to do either denied North redress. Accordingly, the assigned results were 2♣ doubled by North, N/S -100 and E/W -180.

Director's Ruling	N/S: 2♣X by N, Down 1, N/S -100 E/W: 2♣X by N, Made 2, E/W -180
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The Appeal

North appealed the ruling and attended the hearing. He explained that he did not know what to make of the opening lead, but he could see that the opponents could make a diamond part score, likely 110 or 130. He decided to take a sure minus 100, which rated to be a good score, rather than risk minus 300, which would be a zero.

Committee Findings

The Appeals Committee quickly agreed with the Director's adjustment for East/West. North was misinformed. Per Law 12C1e(ii), for an offending side, the score assigned is the most unfavorable result that was at all probable had the irregularity not occurred. With the correct information, North-South would almost certainly have scored plus 180.

While Law 12C1e(i) grants the non-offenders "the most favorable result that was likely had the irregularity not occurred, there is an exception in Law 12C1b:

"If, subsequent to the irregularity, the non-offending side has contributed to its own damage by a serious error (unrelated to the infraction) or by a wild or gambling action, it does not receive relief in the adjustment for such part of the damage as is self inflicted."

The Appeals Committee disagreed with the Director when he asserted that North ought to have looked at the E/W convention card or queried further. North asked a question and received an unequivocal answer. He had no special duty to doubt it and further inquiries could have been perceived as harassment. Even had he looked at a convention card, there was only a 50% chance that he would have seen different information.

The Committee judged that the failure to take eight tricks was an error. While minus 100 rated to be a good score, plus 180 would be even better.

It was implausible that East had led the ♥Q from a holding of four to the queen, and even less likely that East held Q-x. That would mean that West had responded 1NT with five hearts to the king and that he had then doubled 2♣. It would also leave East with a distribution where she was unlikely to sit for the double.

Was this a "serious error" in the terms envisioned by Law 12C1b? The ACBL Laws Commission has issued a guideline duplicating one from the WBF Laws Commission: A pair need not play perfectly to receive redress. The kind of serious error envisioned is one that is egregious, on the order of a revoke or ducking the setting trick against a slam.

The Committee performed a numerical analysis and concluded that while it is a slight error to win the opening lead, it is hardly a serious one. Accordingly, the Committee adjusted the score for both sides to +180 for North-South.

Committee Decision	2♣X by N, Made 2, N/S +180
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Committee Members

Chair	Adam Wildavsky
Member	Ellen Kent
Member	Ed Lazarus
Member	Craig Allen
Member	Marc Rabinowitz