



|                           |   |              |     |
|---------------------------|---|--------------|-----|
| <b>Subject of Appeal:</b> | Misinformation/Unauthorized Information | <b>Case:</b> | N13 |
|---------------------------|---|--------------|-----|

|              |                 |                  |                  |
|--------------|-----------------|------------------|------------------|
| <b>Event</b> | Roth Open Swiss | <b>Event DIC</b> | Tom Marsh        |
| <b>Date</b>  | 12/07/2013      | <b>Session</b>   | Second Semifinal |

### Auction

| West | North            | East | South |
|------|------------------|------|-------|
|      | Pass             | Pass | 2♣    |
| 3♦   | Dbl <sup>1</sup> | Pass | 4♥    |
| Pass | 4NT              | Pass | 5♦    |
| Pass | 6♥               | Pass | Pass  |
| Pass |                  |      |       |
|      |                  |      |       |
|      |                  |      |       |

### Explanation of Special Calls and Points of Contention

|                                |
|--------------------------------|
| 1: Alerted, Explained Negative |
|                                |
|                                |
|                                |
|                                |
|                                |

### Hand Record

|               |               |             |                |          |               |
|---------------|---------------|-------------|----------------|----------|---------------|
| <b>Board</b>  | <b>17</b>     | <b>N</b>    | Bill St. Clair |          |               |
| <b>Dealer</b> | <b>N</b>      | ♠ J963      | ♥ J            |          |               |
| <b>Vul</b>    | <b>None</b>   | ♦ AQ82      | ♣ Q954         |          |               |
| <b>W</b>      | Mark Tolliver |             |                | <b>E</b> | Marc Zwerling |
| ♠ KQ2         |               |             |                | ♠ 8754   |               |
| ♥ 2           |               |             |                | ♥ 653    |               |
| ♦ KJ109543    |               |             |                | ♦ 6      |               |
| ♣ J6          |               |             |                | ♣ K10872 |               |
|               |               | <b>S</b>    | Seth Cohen     |          |               |
|               |               | ♠ A10       |                |          |               |
|               |               | ♥ AKQ109874 |                |          |               |
|               |               | ♦ 7         |                |          |               |
|               |               | ♣ A3        |                |          |               |

|                       |                       |              |                     |
|-----------------------|-----------------------|--------------|---------------------|
| <b>Final Contract</b> | <b>Result of Play</b> | <b>Score</b> | <b>Opening Lead</b> |
| 6♥ by S               | Made 6                | N/S +980     | ♠ Q                 |

### Facts Determined at the Table

South claimed after the opening lead, and East/West called the director. During the auction, when asked about North's double, South explained that it was a negative response after a simple overcall, but was in doubt as to the meaning over a jump overcall. North had intended the double as penalty. E/W felt that the Alert had provided North with Unauthorized Information, and he had thought for a moment before bidding 4NT.

### Additional Factors Determined Away from the Table

The North hand and the auction with an explanation of penalty for the double were given to three players. All three passed over 4♥. When informed of the Alert and the explanation of a negative response given, they all believed the UI suggested continuing the auction.

### Director Ruling

Based upon the player poll, the unexpected Alert of his double provided North with UI that suggested bidding would be more successful than passing over 4♥. Therefore, per Laws 73C, 16B & 12C, the results were changed to 4♥ by South, making 6, N/S +480.

|                          |                                  |
|--------------------------|----------------------------------|
| <b>Director's Ruling</b> | <b>4♥ by S, Made 6, N/S +480</b> |
|--------------------------|----------------------------------|

## The Appeal

N/S appealed the ruling and all four players attended the hearing. N/S claimed that opposite a 2♣ opening bid, regardless of the meaning of the double of 3♦, the North hand had too much strength to not move towards slam. They also pointed out that a diamond lead by West would have set the contract. So, by appealing the contract, E/W had potentially given their side a two way shot at getting a good result.

E/W stated that while North's bid was likely what he would have bid under normal circumstances, under Law 73C following the improper Alert, he was required to carefully avoid taking advantage of any unauthorized information. Pass was sufficiently probable to prohibit his bidding on. They also believed that, with proper information, East might have doubled 6♥ for a diamond lead, which would have set the contract.

## Committee Findings

The committee's decision was potentially to be divided into two parts. The first decision was whether it was legal or not for North to bid again over 4♥. If it was determined that North's bid was not in violation of Laws 16B & 73C, then and only then, would other likely outcomes be considered.

An additional player poll was conducted by the directing staff. They reported that 40% of the respondents would have passed with the North hand over 4♥, given the auction. Within a poll of the committee members, two of the five members thought they would have passed, or at least seriously considered passing. This confirmed pass as a logical alternative in the eyes of the committee, and North's decision to bid on was in violation.

Accordingly, the committee confirmed the table ruling, 4♥ by South, making 6, N/S +480.

|                           |                                  |
|---------------------------|----------------------------------|
| <b>Committee Decision</b> | <b>4♥ by S, Made 6, N/S +480</b> |
|---------------------------|----------------------------------|

## Committee Members

|                 |                |
|-----------------|----------------|
| <b>Chairman</b> | Gail Greenberg |
| <b>Member</b>   | Ed Lazarus     |
| <b>Member</b>   | Scott Stearns  |
| <b>Member</b>   | Ray Miller     |
| <b>Member</b>   | Dick Budd      |