

Subject of Appeal:	Misinformation	Case:	N11
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Event	Freeman Mixed BAM	Event DIC	Steve Bates
Date	08/09/2013	Session	First Final

Auction

West	North	East	South
	1♠	Pass	2♣ ¹
(P ²) X	2NT	Pass	3♦
Pass	3NT	Pass	Pass
Pass			

Explanation of Special Calls and Points of Contention

1: Forcing, could be short
2: Changed bid after Alert

Hand Record

Board	21	N	Bar Tarnovski		
Dealer	N	♠	QJ852		
		♥	843		
Vul	N/S	♦	K103		
		♣	AJ		
W	Nancy Spear			E	Jack Spear
♠	K7			♠	A1064
♥	QJ9			♥	1075
♦	954			♦	J87
♣	KQ1073			♣	984
		S	Melanie Tucker		
		♠	93		
		♥	AK62		
		♦	AQ62		
		♣	652		

Final Contract	Result of Play	Score	Opening Lead
3NT by N	Down 2	E/W +200	♣ 9

Facts Determined at the Table

The director was summoned by West during the second round of bidding. North had alerted South's 2♣ call, but both opponents stated they did not notice the Alert. West passed, and after North bid 2NT, N/S drew additional attention to the Alert. 2♣ was a forcing bid, but could be made on as few as two clubs. West, away from the table, informed the director that she wished to change her call. As her partner had not yet bid, the Director backed the auction to her bid and allowed a change of call (Law 21B1a). West doubled, North repeated his 2NT bid and the auction continued as shown.

Additional Factors Determined Away from the Table

In a later conversation with East, it was revealed to the director that East treated the double as showing clubs, although he had not previously discussed this with West. West maintained that she would have always doubled if she had been properly alerted.

Director Ruling

Following this later conversation, the director decided that West's reasons for requesting a change of call were suspect, related more to the additional attention given by N/S following the 2NT bid rather than a failure to hear the initial Alert. Law 21B1a defines a failure to Alert as misinformation, allowing a change of call. A player failing to ask for an explanation of an alerted call does not qualify as misinformation. The director therefore reversed his decision allowing the change of call. Without the double to direct the club lead, it was likely that East would lead the unbid heart suit, allowing N/S to take eight tricks (three hearts, four diamonds and one club) for down1, E/W +100.

Director's Ruling	3NT by N, Down 1, E/W +100
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The Appeal

East/West appealed the ruling, and they attended the committee. West stated that she did not hear the initial Alert, and she was not aware that 2♣ showed anything but clubs until after North's 2NT bid when the opponents drew additional attention to the bid. As the ACBL General Convention Chart defines a natural response in a minor as showing three or more cards in the suit, the N/S systemic agreement that 2♣ only promised two made the bid artificial. E/W play that a double of an artificial bid shows that suit, and West wished to change her call in order to inform her partner that she held clubs. She expressed this concern to the director as soon as she became aware of the artificial nature of the club bid.

Committee Findings

As North/South had not attended the hearing, the Committee could not ask them as to how their Alert had been made. The AC believed West's statement that she had not heard the Alert. As the ACBL Alert Procedures state that it is the Alerting side's responsibility to ensure that the opponents are aware that an Alert has been made, the AC judged that the definition of misinformation due to a failure to Alert in Law 21B1a had been met. The AC restored the initial ruling by the director and the table result, 3NT by North, down 2, E/W +200.

Committee Decision	3NT by N, Down 2, E/W +200
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Committee Members

Chair	Richard Popper
Member	Patty Tucker
Member	Bruce Rogoff
Member	Michael Rosenberg
Member	Bruce Reeve