

Subject of Appeal:	Disputed Claim	Case:	R2
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Event	AX Pairs	Event DIC	Dianne Barton-Paine
Date	08/07/2013	Session	First Session

Auction

West	North	East	South
		Pass	Pass
1♠	2♦	3♦	5♦
Pass	Pass	Pass	

Explanation of Special Calls and Points of Contention

Hand Record

Board	26	N	4330 MPS		
Dealer	E	♠	83		
		♥	A732		
Vul	Both	♦	KQ1076		
		♣	A7		
W	1050 MPS			E	1880 MPS
♠	KQJ52			♠	A109
♥	QJ86			♥	K10954
♦	9			♦	83
♣	1083			♣	Q42
		S	1290 MPS		
		♠	764		
		♥	(void)		
		♦	AJ542		
		♣	KJ965		

Final Contract	Result of Play	Score	Opening Lead
5♦ by N			♠ A

Facts Determined at the Table

The opening lead was the ♠A, followed by a spade to West's king. At this point, North claimed, stating, "I am pulling one round of trumps and crossruffing." E/W called the director.

Director Ruling

The director believed North's statement was evidence that he had miscounted trumps (Law 70C: "When a trump remains in one of the opponents' hands, the Director shall award a trick or trick to the opponents if ... it is at all likely that the claimer at the time of his claim was unaware that a trump remained in an opponent's hand ... and a trick could be lost to it by any 'normal' play"). The director thought that "normal" play for someone who did not realize a trump was outstanding might include cashing the ♦K, playing the ♠AK and trumping a club to hand, crossing to dummy with a heart ruff, and ruffing another club low and being over-ruffed by East with the ♦8. The director therefore assigned a score of 5♦ by North, down one, E/W +100.

Director's Ruling	5♦ by N, Down 1, E/W +100
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The Appeal

N/S appealed the director's ruling, and all four players attended the review. There was disagreement among the players as to exactly what was said when the claim occurred. All agreed that North stated he would draw one round of trumps; E/W believed he then said something to the effect of "having the rest". North believed he just showed his hand.

The statement about crossruffing seemed to have been made to the director after he arrived at the table. North told the reviewer that it was obvious he knew what was happening and that he had not miscounted trumps. When asked by the reviewer how he knew an opponent might not have a singleton club and that the second round might get ruffed he said that was "impossible".

Panel Findings

The panel considered two primary points.

- 1) Was it "at all likely" that North had miscounted trumps?
- 2) Even if not, could a trick be lost to a trump "by any normal line of play" prior to it being drawn (Law 70E1 - Unstated Line of Play)?

Two players of North's approximate experience were given the scenario of the claim and asked what they thought it said about North's state of mind at the point of his claim. Both believed that it was obvious from his statement that he knew the trump situation, and that unnecessarily ruffing a good club would never happen.

The panel was persuaded that North's choice of words was convincing evidence that it was not "at all likely" that he had miscounted trumps. Had he miscounted them in the mistaken belief he was on a 6-5 fit, his specific statement that he would draw one round of trump would still not leave him knowing in advance that both would be pulled in one round. As to the idea that he might not notice the fall of the club queen and ruff a good club low and be overruffed, the panel believed that scenario would be well worse than "normal" play.

Law 70A describes the general objective in dealing with contested claims: "In ruling on a contested claim or concession, the Director adjudicates the result of the board as equitably as possible to both sides, but any doubtful point as to a claim shall be resolved against the claimer." The panel believed that while North certainly could have made his intentions clearer, his actions did not create any doubtful points that should result in the defense being awarded a trick. The score of 5♦ by North, making five, NS +600 was assigned by the panel

Panel Decision	5♦ by N, Made 5, N/S +600
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Panel Members

Reviewer	Matt Smith
Member	Charlie MacCracken
Member	Chris Patrias