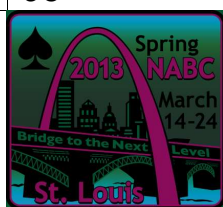


<b>APPEAL</b>	<b>NABC+ FOUR</b>
Subject	Misinformation
DIC	Doug Grove
Event	Platinum Pairs
Session	2 <sup>nd</sup> Qualifying
Date	March 15, 2013

BD#	<b>18</b>
VUL	<b>N/S</b>
DLR	<b>E</b>

<b>Peter Fredin</b>	
♠	AQ106
♥	754
♦	K876
♣	95

<b>Sabine Auken</b>	
♠	94
♥	A962
♦	5432
♣	1073



<b>Roy Welland</b>	
♠	KJ87
♥	QJ83
♦	Q
♣	AKJ6

<b>Gary Gottlieb</b>	
♠	532
♥	K10
♦	AJ109
♣	Q842

West	North	East	South
		1♣ <sup>(1)</sup>	P
1♦ <sup>(2)</sup>	P	2NT <sup>(3)</sup>	P
3♦ <sup>(4)</sup>	P	3♥	P
P	P		

Final Contract	<b>3♥ by East</b>
Opening Lead	<b>Low ♣</b>
Table Result	<b>Making 4, N/S -170</b>
Director Ruling	<b>3♥ by East, Making 4, N/S -170</b>
Committee Ruling	<b>3♥ by East, Making 4, N/S -170</b>

- |     |  |
|-----|--|
| (1) | <b>Announced as 2+ clubs</b>               |
| (2) | <b>Shows hearts</b>                        |
| (3) | <b>Unbalanced with four hearts, strong</b> |
| (4) | <b>Puppet to 3♥</b>                        |

**The Facts:** At the end of the auction, South asked about the minor suit length. East said the sequence just showed an unbalanced hand, and could contained five clubs or five diamonds.

After the session was over, North talked to Bjorn Fallenius who plays a similar system to East/West, and was told that East could not have five diamonds for this sequence. They asked for a ruling, saying that South would not lead a club if told East showed four clubs, which North claimed it does.

**The Ruling:** Given that East/West was unavailable to verify either the facts or that the E/W system was identical to that played by Mr. Fallenius, the Directors ruled that they could not

establish that an infraction took place. The table result was allowed to stand, 3♥ by East, making 4, N/S -170.

**The Appeal:** North/South appealed the ruling and North attended the hearing.

**The Decision:** The Appeals Committee found no basis for a score adjustment. East/West had explained the meaning of 1♣ and had not been aware that hearsay testimony had called that explanation into question. The AC felt that such extrinsic evidence could not establish that E/W had given any misinformation when they had no opportunity to refute the allegation. The AC upheld the Directors' ruling. The AC informed North that an appeal was not appropriate under the circumstances and that his proper course of action would have been to file a Player Memo with the Recorder. Accordingly, the AC assessed an Appeal Without Merit Warning.

**The Committee:** Ron Gerard (Chair), Mitch Dunitz, Patty Tucker, E.J. Kales and Ray Miller