

APPEAL	NABC+ SIX
Subject	Disputed Claim
DIC	Richard Beye
Event	Silver Ribbon
Session	First Qualifier
Date	March 17, 2013

BD#	2
VUL	N/S
DLR	E

Michael Cassel	
♠	AQ42
♥	32
♦	A1095
♣	1093
Kenneth Shatoff	
♠	J763
♥	AK6
♦	6
♣	K7642

Richard Zucker	
♠	K95
♥	J8
♦	KQ842
♣	AQ5



Scott Levine	
♠	108
♥	Q109754
♦	J73
♣	J8

West	North	East	South
		2♥	P
P	P		

Final Contract	2♥ by East
Opening Lead	♦6
Table Result	
Director Ruling	2♥ by East, Down 1, N/S +50
Committee Ruling	2♥ by East, Down 1, N/S +50

The Facts: With six cards left, East claimed. The play up until that point was as follows:

- Trick 1: ♦6 won by ♦K
- Trick 2: ♥J won by ♥K
- Tricks 3-5: Spades, Declarer ruffing in at Trick 5
- Trick 6: ♥Q won by ♥A
- Trick 7: Low ♣ won by ♣J

After playing to the first seven tricks, East exposed his cards and North/South said, 'Don't we get a diamond trick?' East confirmed that they did. Neither North nor South heard East say anything about pulling the last trump, so the director was summoned. When asked by the director, West was not sure that East had said anything about pulling trump either.

The Ruling: Law 70.C.3 says that the Director will award a trick to the defense if Declarer fails to mention an outstanding trump at the time of his claim if it is at all likely that he is unaware of

it and a trick can be lost to that trump through normal play. Accordingly, the Director ruled that the Declarer loses the ♦A and a diamond ruff, 2♥ by East, down 1, N/S +50.

The Appeal: East/West appealed the ruling and all four players attended the hearing. East felt that his pulling the last trump was obvious even though he failed to mention it during the claim. The non-offending side maintained that East failed to mention the outstanding trump during the claim.

The Decision: The awarding of a trick to an unmentioned outstanding trump during a claim is not automatic. The Declarer played the hand in a way that appeared he was conscious of the outstanding trump until the very end. When Declarer was last in his hand, he claimed the remaining tricks. When told that the ♦A was still out and would win a trick he conceded the diamond trick but still failed to mention the outstanding trump. The Appeals Committee felt that with the amount of time and confusion with the claim, East's failure to mention the outstanding trump was a sign that he did not remember it. Accordingly, the AC upheld the Director's ruling that East/West was down one with the outstanding trump winning a trick. The appeal was found to have merit.

The Committee: Jim Thurtell (Chair), Craig Allen, Ed Lazarus, E.J. Kales and Marc Rabinowitz