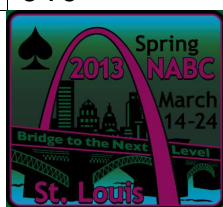


APPEAL	NABC+ NINE
Subject	Misinformation
DIC	Olin Hubert
Event	Vanderbilt
Session	Afternoon
Date	March 21, 2013

BD#	21
VUL	N-S
DLR	N

Sabine Auken	
♠	A3
♥	K104
♦	987432
♣	J10

Geir Helgemo	
♠	10962
♥	AQ762
♦	--
♣	9852



Tor Helness	
♠	KQJ7
♥	98
♦	AKQJ
♣	K76

Roy Welland	
♠	854
♥	J53
♦	1065
♣	AQ43

West	North	East	South
	P	1♦	P
1♥	P	2NT	P
3♦⁽¹⁾	P	3NT⁽²⁾	P
P	P		

Final Contract	3NT by East
Opening Lead	♠5
Table Result	Making 3, N/S -400
Director Ruling	3NT by East, Making 3, N/S -400
Committee Ruling	3NT by East, Down 1, N/S +50

(1)	West to South: Shows five hearts East to North: Shows five hearts and denies four spades
(2)	West to South: Denies three hearts and denies four spades East to North: Denies three hearts

The Facts: The Director was summoned at the end of the hand. South said he might have led a heart with the correct information. N/S lead 4th best and middle from three small.

Five expert players were polled and all said that a heart lead was out of the question.

North won the opening lead with the ♠A, East following with the J, and led the ♦8 (second highest, by agreement). East won the trick with the K and South followed with the ♦6. East then led the ♥9 to the queen, losing to North's ♥K. North led another diamond. East led a second heart, South played the ♥J and Declarer ducked, making three.

The Ruling: The Director ruled that South was unlikely to lead a heart on the opening lead. Despite further discussion of the play and the Director's attempt to discuss the hand at the table, South had not mentioned the play of the ♦10. Therefore the ♦10 play was ruled unlikely and the table result stands, 3NT by East, making three, N/S -400.

The Director delivered his ruling at the start of the third quarter. South asked that he take a poll regarding the effect of the UI on the defense, noting that he, South, might well have played the ♦10 (upside down attitude) on the 1st round of diamonds had he been provided the correct information. The Director declined to reconsider his ruling.

The Appeal: South explained that his defense was predicated on the information that East had at most three spades. He presumed that declarer held ♠KJx, so all his efforts were channeled into making sure his partner not play a second spade, which could provide an entry to dummy's long hearts. The ♦8 promised a higher card, so he knew declarer could not come to nine tricks without help. North/South give suit preference in the first suit declarer plays, so he was concerned that covering the ♥8 with the ♥J might be interpreted as preference for spades. He was likewise concerned that discouraging with the ♦10 might result in partner playing spades. He also asserted that although he understood that none of the players polled chose a heart lead, he leads declarer's short suit much more often than most players. He noted that had he covered the ♥8 or discouraged with the ♦10 the contract would almost certainly have been defeated, and that both those plays would have been substantially more attractive with correct information.

East/West told the Appeals Committee that while they have no system notes, their agreement is in fact the one East provided to North, that 3♦ asks only about heart support, and that West's explanation to South was erroneous. E/W also asserted that North ought to have known that her defense would prove ineffective. She was playing declarer for three spades. East/West open 1♣ with 4-4 in the minors, so East's shape was by implication 3=2=5=3. South's play of the ♦6 was thus likely to have been forced, and could not be relied on as a signal. East/West also noted that covering the ♥9 could be dangerous, sparing declarer a heart guess when he holds 109 doubleton and needs only a second heart trick for his contract.

North/South countered that with ♠KQJ tripleton declarer would almost certainly have unblocked before leading a heart, and also that with ♥109 he would likely have started with the ten to entice a cover.

The Decision: The AC had no reason to doubt East/West's testimony that East's explanation was correct and West's incorrect. Accordingly, South had received misinformation.

The facts of the case made it clear that the misinformation made a heart lead less attractive than it would have been with correct information, but the AC agreed with the Director that a heart lead was unlikely in any case.

The facts of the case also made it clear that the winning defense would be more attractive had South had correct information. Had East held only three spades, as South had been told, then passive defense would have been sufficient to defeat the contract. Had he been informed that declarer could hold four spades his entire thought process would have run along different lines.

E/W's contention that North should have played declarer for 3=2=5=3 did not seem correct, since North had the accurate information that East could hold four spades, and could tell from the lead and play to trick three that he likely did hold four.

After winning the ♠A, North needed at least two tricks from her partner. Two could come from the ♦AJx or the ♣AQ. Accordingly, she played a diamond at trick 3, planning to continue if partner encouraged and to switch to clubs otherwise. North's defense seems perfect, and would have succeeded had she received an accurate signal from her partner. South, however, had a good reason for the signal he made. His defense might not have been best, even given the information he had, but the Laws do not require perfect play in order to receive redress for damage. In particular, South's mistakes, if any, did not rise to the level of "serious error" per Law 12C1b.

The AC discussed whether the North/South argument was timely, in that the assertion regarding South's carding was advanced only after the dinner break. We found that N/S had no need to make all their arguments at the table in order to receive redress. They might indeed have only realized at dinner the implications of the correct information on South's defense, but the argument they made stands or falls on its own. South might have a stronger case if he immediately told the TD how and why he would have defended differently with different information, but that is neither what he is nor ought to be concentrating on during the session.

East ought to have realized when he saw the dummy that South had likely received inaccurate information. At that point he could have and probably should have informed South of the actual E/W agreement. Not many players would realize this, and the AC judged that the failure to do so did not warrant a procedural penalty.

The AC found that MI was present and that the offending side gained an advantage thereby, per Law 21B3. The AC judged that given accurate information the most favorable result that was likely for N/S was +50, and that this was also the most unfavorable result that was at all probable for E/W. Accordingly, the score for both sides was adjusted per Law 12C1e, to 3NT by East, down 1, N/S +50.

The Committee: Adam Wildavsky (Chair), Michael Huston, Craig Allen, Craig Ganzer and Chris Moll