

APPEAL	Non NABC+ Ten
Subject	Retraction of Card Played
DIC	Charles MacCracken
Event	Daylight Swiss Teams
Session	First
Date	July 19, 2006

BD#	15
VUL	N/S
DLR	South

993 Masterpoints	
♠	T 5
♥	
♦	K Q J T 9 8 7
♣	A 8 5 4

1,435 Masterpoints		Summer 2006 Chicago, Illinois	1,044 Masterpoints	
♠	A Q 8 6 4 2		♠	K J 9 7
♥	T		♥	K J 8 4 2
♦	6		♦	5 4
♣	Q J 7 6 2		♣	9 3

370 Masterpoints	
♠	3
♥	A Q 9 7 6 5 3
♦	A 3 2
♣	K T

West	North	East	South
			1♥
1♠	2♦	2♠	3♥
3♠	5♦	Pass	Pass
5♠	Pass	Pass	6♦
Pass	Pass	Pass	

Final Contract	6♦ by N
Opening Lead	♥8
Table Result	6♦ down 1, N/S -100
Director Ruling	♦3 played, retraction denied
Panel Ruling	♦3 played, retraction denied

The Facts: When the director arrived at the table, he was told that declarer had led a non trump from his hand (North). East trumped with the ♦5. On dummy were the Ace and three of diamonds. Declarer said, "Ruff." The he said, "Overruff." It was agreed that the change of designation was made quickly; however the opponents said there was a pause between the two designations.

The Ruling: In accordance with law 45C4(a), it was determined that the statement "Ruff" was not inadvertent. Therefore, the ♦3 was played and its retraction denied. Also see law 46B2.

The Appeal: Declarer had evaluated the hand and knew he had to ruff two clubs to make the hand. The ♦5 was on the table before declarer said “Ruff” and then “Overruff.” Declarer felt that his intentions were clear. This was inadvertent – a misspeak – as opposed to two thought processes. He mentioned that were he a known player, his statement would be more credible.

East felt it was possible that declarer didn’t think clubs broke 5-2 for the defense and could have made a mistake.

The play had been:

Trick 1: ♥8-♥A-♥T-♠5

Trick 2: ♦2-♦6-♦K-♦4

Trick 3: ♣4-♣3-♣K-♣2

Trick 4: ♠T-♠6-♠A-♠9

Trick 5: ♣5-♦5

The Decision: A policy statement dated 12/2003 regarding law 45C4: “Directors should be alert to situations involving inadvertency or declarer thinking ahead. To deem a called card from dummy as inadvertent, the change of call must be the result solely of a slip of the tongue – not a momentary mental lapse.”

The interpretation of the law is very strict. This declarer knew he had to ruff two clubs to make his contract. When the ♦5 was played by East, declarer must be alert and say overruff. Declarer’s intent was to ruff low, then ruff the last club with the ace. It is possible, after seeing the opponent’s ♦5, he had another thought process to say the word, “overruff.” His saying the word “Ruff” could be a lapse. The panel unanimously upheld the director’s decision of disallowing the retraction of the ♦3.

The panel discussed the merit of the appeal. Because of the high standard required of declarer when calling a card from the dummy, the panel could empathize with declarer’s analysis of inadvertency that he wasn’t reacting to the ♦5 played by East. Therefore, the panel decided the appeal had merit.

The Panel: Patty Holmes (Reviewer), Peter Marcus and Gary Zeiger.

Players Consulted: None.