

APPEAL	NABC+ FOURTEEN
Subject	Misinformation (MI) and Unauthorized Information (UI)
DIC	Steve Bates
Event	Jacoby Open Swiss Teams
Session	First Final
Date	March 22, 2009

BD#	<b>33</b>
VUL	<b>None</b>
DLR	<b>North</b>

<b>Don Caton</b>	
♠	A T 6
♥	A Q T 9
♦	A Q 2
♣	7 4 2

<b>Tom Townsend</b>		<b>Spring 2009 Houston, TX</b>	<b>David Gold</b>	
♠	J 3 2		♠	K Q 9 7 5 4
♥	6 5 4		♥	K J 8 7 2
♦	J 9 5		♦	T 6
♣	A K Q 3		♣	

<b>Jim Barrow</b>	
♠	8
♥	3
♦	K 8 7 4 3
♣	J T 9 8 6 5

West	North	East	South
	1NT <sup>1</sup>	2♣ <sup>2</sup>	2NT <sup>3</sup>
Pass	3NT	Pass	4♣
Dbl	Pass	Pass	Pass

Final Contract	<b>4♣ doubled by South</b>
Opening Lead	<b>♥5</b>
Table Result	<b>Made 4, N/S + 510</b>
Director Ruling	<b>4♣ dbld S made 4, N/S +510, N/S -1 VP PP</b>
Committee Ruling	<b>3NT N down 2, N/S -100, N/S -1 VP PP</b>

(1)	15-17.
(2)	Majors could be 4-4.
(3)	Without interference transfer to clubs; undiscussed with competition. No Alert.

**The Facts:** The director was called after three more deals had been played. N/S had no agreement about 2NT with interference. East said that he would have bid 4♣ over 3NT had he known 2NT was a transfer to clubs since he actually was 6-5 and could have been 4-4.

**The Ruling:** The correct information would have been “no agreement”, not “shows clubs.” Such information would not make a substantial difference as to whether to bid again. Even had 4♣ doubled been the final contract, the likely result would have been N/S plus 500. The table result of 4♣ doubled by South making four, N/S plus 510 was allowed to stand. A one victory point procedural penalty was issued to N/S for not knowing its agreement in a common situation.

**The Appeal:** E/W appealed the director's decision. East, West and the N/S team captain attended the hearing.

E/W felt that they had received MI regarding the nature of the 2NT call. East stated he would have competed over 3NT with his 6-5 distribution, since his initial call had promised only 4-4. E/W was also concerned about the UI transmitted by the failure to alert 2NT

N/S's team captain said that, although they once played regularly, N/S have not played regularly in many years. Out of competition, they play 1N-2N as a relay to 3♣ for either a club signoff or a strong 4441. He felt that while they had that agreement, they had no agreement in competition. Therefore, there was no misinformation. N/S had no notes. In fact, since they had left the tournament, the committee did not even have a chance to look at their convention card.

**The Decision:** The committee felt there was both UI and MI. The UI clearly suggested that bidding 4♣ was likely to be successful. Passing was deemed to be a logical alternative by four of the members of the committee. The committee determined that the most favorable result that was likely (for the non-offending side) and the most unfavorable result at all probable (for the offending side), if East bid over 3NT, were the same: 3NT down two.

The committee also felt that the MI influenced East's decision to go quietly over 3NT. If each opponent had a balanced hand, bidding is far less attractive than if South had clubs and North had a club fit. The committee determined that the most favorable result that was likely (for the non-offending side) and the most unfavorable result at all probable (for the offending side), if East bid over 3NT, was the same score in a different contract, N/S minus 100 in 5♣ doubled down one

Taking both UI and MI into consideration, per Law 12C1(e) and Law 16B, the committee adjusted the result to 3NT by North down two, N/S minus 100 for both sides.

The procedural penalty issued by the director was left intact.

The committee determined that the appeal had merit.

**The Committee:** Danny Sprung (Chair), Chris Moll, Jacob Morgan, Tom Peters and Patty Tucker.