

APPEAL	NABC+ SIX
Subject	Misinformation (MI)
DIC	Tom Whitesides
Event	Truscott USPC Senior Swiss Teams
Session	First Qualifying
Date	July 23, 2007

BD#	21
VUL	N/S
DLR	North

Bob Autry	
♠	T
♥	A 8 7
♦	T 6
♣	K Q J T 8 6 4

Bob Glasson		Summer 2007 Nashville, Tennessee	JoAnn Glasson	
♠	A		♠	8 7 3
♥	J 9 6 5 3		♥	K 2
♦	Q 9 7 4 2		♦	A K 8 3
♣	A 5		♣	9 7 3 2

Charles Davis	
♠	K Q J 9 6 5 4 2
♥	Q T 4
♦	J 5
♣	

West	North	East	South
	3♣	Pass	3♠ ¹
Pass	Pass	Pass	

Final Contract	3♠ by South
Opening Lead	♦2
Table Result	Made 4, N/S +170
Director Ruling	3♠ by S, made 4, N/S +170
Committee Ruling	5♦ E making 5, E/W +400

(1) Non-forcing by agreement. Not Alerted.
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The Facts: The director was called after the auction ended before the opening lead. Away from the table, West said that not vulnerable versus vulnerable that he would have doubled a non-forcing 3♠ bid.

The Ruling: The director judged that a double by West was not at all probable. In accordance with laws 21B3 and 12C2 the table result was allowed to stand.

The Appeal: West asserted that had he known that 3♠ was non-forcing he would have doubled. He made that statement before the opening lead was made and dummy revealed. The director was called immediately after the auction ended.

North pointed out that the convention card does not have a box in the opening preempts section that indicates that a new suit being non-forcing is Alertable. Having been away from bridge for years he was unaware that such an agreement is not standard and he had no way to find out. South said that he and his partner did not have an agreement that a new suit was not forcing. In fact, he thought it was, but decided to bid 3♠ “come what may.”

The Decision: The committee believed that West would have doubled 3♠ had he known South was limited in strength as he was non-vulnerable with picture book shape. The moment that West makes a takeout double, forcing the hand to such a high level, East with a match in diamonds and three key cards in partner’s suits would surely not stop short of game. Therefore, the result was changed to 5♦ by E/W making five, E/W plus 400 and N/S minus 400.

The committee furnished N/S with the written published description of Alertable calls, which is available to all players. The N/S pair was encouraged to decide what agreement they wish to follow in the future. Should they decide to agree that new suits below game are non-forcing, they must Alert when the sequence occurs.

The Committee: Gail Greenberg (Chair), Ellen Kent, Ed Lazarus, Chris Moll and Tom Peters.

Commentary:

Goldsmith I'm with South. I don't believe that N/S had any such agreement. North passed a forcing bid. Surely South would have bid 4♠ if he thought 3♠ was not forcing. The default agreement is that new suits are forcing; one has to show written evidence to establish an agreement to the contrary. Normally, a pair has to prove misbid rather than misinformation (law 75D), but in some cases the misbid is so blatantly obvious that the appeals committee ought not to be in doubt.
Result stands.

Polisner I disagree with the decision as in the absence of a partnership agreement, there is no Alert required for something that is not a convention or an agreement. If there was no MI, then there cannot be an adjustment.

Rigal Very strange director ruling corrected by the committee. I cannot understand why the director would make the non-offenders appeal in a case of this sort, where in an NABC event surely 50% of the field would act here --rightly or wrongly?

Smith I don't agree with this decision for different reasons than the committee or director considered. The ACBL Alert pamphlet states: "Players who, by experience or expertise, recognize that their opponents have neglected to Alert a special agreement will be expected to protect themselves." After North passed 3♠, East knew something was going on and should have asked if an Alert had been missed. Had she done so, the director could have been called and Law 21B1 would permit the director to revert the auction to West over 3♠. I even believe it would be appropriate for West to speak up after North's pass. So once East (and West) chose to take no action after the pass, then I don't think we should protect them.

Wildavsky The write-up says, "The committee believed that West would have doubled 3♠ had he known South was limited in strength..." The committee's task is not to decide what would have happened, which is often impossible, but rather to judge which results were likely which at all probable in the absence of the infraction. Here it would not have made a difference to their ruling -- if they believed that West would have doubled, then they certainly believe that it's "likely" (roughly at least one chance in three) that he'd have doubled. The tournament director (TD) is not the one best equipped to make bridge judgments like this. I presume he consulted with other TDs. Taking a poll would have been even better. I prefer the appeals committee's ruling to the TDs.

Wolff Here, I certainly agree that E/W deserved plus 400 in 5♦ bid and made. Instincts should probably have told N/S to Alert since it is a tremendous difference here between non-forcing and forcing. One may ask, "Should less than top-level players realize this difference?" My answer is definitely an unqualified YES! If we expect more from our players we might get more and when we do not, their bad result will, at least, be a learning experience.

Zeiger The committee decision is predicated on its assumption N/S had agreed to play 3♠ as non-forcing. N/S said they had no agreement either way. North simply thought non-forcing was standard, while South thought otherwise. The committee is not obligated to accept this testimony, of course, but it should have explained its reasons for rejecting it.