

APPEAL	NABC+ FOURTEEN
Subject	Misinformation (MI)
DIC	Henry Cukoff
Event	Blue Ribbon Pairs
Session	First Final
Date	November 29, 2007

BD#	16
VUL	E/W
DLR	West

Diego Brenner	
♠	K 6 3
♥	Q T
♦	6 2
♣	Q J 9 8 7 2

Steven Price		Fall 2007 San Francisco, CA	Martin De Bruin	
♠	9 5 4 2		♠	J T
♥	6 2		♥	J 9 8 5
♦	Q J 5 4		♦	A 9 8 3
♣	K T 4		♣	6 5 3

Marcelo Branco	
♠	A Q 8 7
♥	A K 7 4 3
♦	K T 7
♣	A

West	North	East	South
Pass	Pass	Pass	1♥
Pass	2♦ ¹	Pass	2♠
Pass	3♣	Pass	3NT
Pass	Pass	Pass	

Final Contract	3NT by S
Opening Lead	♠5
Table Result	Made 5, N/S +460
Director Ruling	3NT S +5, N/S +460
Committee Ruling	3NT by S, +3, N/S +400

(1)	Alerted and explained as fewer than three hearts.
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The Facts: The director was consulted after the hand. The facts are as above.

The Ruling: As the director was not called when dummy appeared, in accordance with law 9B1(a) the call was deemed untimely. The director believed that E/W should have understood that 2♦ was artificial since it would not have been Alerted otherwise. The table result of 3NT by South making five, N/S +460 was allowed to stand.

The Appeal: West summoned the director at trick two. He was told to call back at the end of the hand. He understood the explanation to mean natural and would have led a diamond had he been given a complete explanation.

The Decision: The explanation of the 2♦ bid was incomplete, and it is the Alerting side's responsibility to fully disclose. Therefore, it was determined that MI existed. With the correct explanation, it is likely that West would have led a diamond. The committee judged that the diamond led would be most likely to be a count diamond and declarer would have known to give up the fourth heart to make three. The Committee found the director call to be timely. Therefore, the committee adjusted the result to 3NT by South, making three, N/S plus 400.

The Committee: Aaron Silverstein (Chair), Abby Heitner and Riggs Thayer.

Commentary:

Goldsmith I agree with the appeals committee (AC). There was MI. The MI led directly to the non offending side's bad result. So we adjust. The tournament director (TD) has a point in that West might have protected himself by asking, "Is 2♦ natural?" but he might have been afraid of giving away his diamond holding. Another rule for players: when answering the question "please explain," after any bid, please start with either "natural" or "artificial," then add either "forcing" or "nonforcing," then add any other useful information that seems appropriate. If South had said, "artificial, forcing, shows limit raise values, denies three or more hearts," there would have been no problem. Describing doubles is a little harder, but starting with "penalty," "takeout," or whatever appropriate adjective in between, or "artificial" is usually a good idea.

Polisner Another unbelievable director ruling. Apparently the director thought that because the explanation was "fewer than three hearts" that ipso facto, it also said nothing about diamonds which is quite a leap of faith. The AC properly adjusted the result.

Rigal Well ruled by the AC to make up for the TD's erroneous decision. The response given could (and would normally) be construed as 'diamonds no heart support' and nothing in that response would require further enquiry.

Smith First of all, even if the director believed that E/W did not call until the end of the hand, there is nothing in law that forfeits E/W's right to an adjustment. A late director call may make it difficult to ascertain the facts in some cases, or it may speak to how strongly a player really feels he might have done something differently without MI in others. But in general players have a right to ask for a ruling up until 30 minutes after the scores have been posted (law 92B).

So I don't know where the director came up with that reason for no adjustment, and it is clearly erroneous. However, I do think the director's other argument is valid and perhaps its validity was dismissed too quickly by the committee due to the statement about timeliness. Essentially, West understood that he was Alerted to a natural 2♦ bid that promised fewer than three hearts by a player to whom English is not his first language and to whom ACBL Alerting regulations were likely unfamiliar. Didn't West wonder why he was being Alerted? He was told that 2♦ showed 9-11 points and fewer than three hearts, exactly what one would expect with no Alert.

As in NABC+ case four, I'm sure that South assumed his opponent would know it was not natural by the very fact that it was Alerted. Of course he should have said "artificial," and maybe he should be held responsible for that by either a score adjustment according to law 12 or a procedural penalty. But I just can't get over West's blind assumption that 2♦ was natural. I would be reluctant to reward him with a score adjustment.

Wildavsky Good work by the AC to correct an injustice.

Wolff Excellent ruling.