

APPEAL	NABC+ FOUR
Subject	Misinformation (MI)
DIC	Henry Cukoff
Event	Von Zedtwitz Life Master Pairs
Session	Second Qualifying
Date	July 24, 2009

BD#	<b>22</b>
VUL	<b>E/W</b>
DLR	<b>East</b>

<b>Andy Kaufman</b>	
♠	A 9 8 6 3
♥	J T
♦	Q T 7 4 3
♣	J

<b>Jeffrey Smith</b>		<b>Summer 2009 Washington D.C.</b>	<b>David Sabourin</b>	
♠	K Q		♠	5
♥	8 6 4 3 2		♥	Q 9
♦	A J 9		♦	K 8 6 5
♣	K 9 7		♣	A Q T 8 6 3

<b>Mike Cassel</b>	
♠	J T 7 4 2
♥	A K 7 5
♦	2
♣	5 4 2

West	North	East	South
		1♣ <sup>1</sup>	Pass
1♥	1NT <sup>2</sup>	Pass	3♠ <sup>3</sup>
Dbf	Pass	Pass	Pass

Final Contract	<b>3♠ doubled by S</b>
Opening Lead	<b>♠K</b>
Table Result	<b>Made 3, N/S + 530</b>
Director Ruling	<b>At table 3NT W, made 3, E/W + 600 On screening 3♠ dbld S, made 3, N/S +530</b>
Comm. Ruling	<b>3♠ dbld S, made 3, N/S +530</b>

(1)	2+ clubs.
(2)	Strong.
(3)	After a 1NT opening or a direct 1NT overcall, Minor-Suit Stayman.

**The Facts:** The director was called at the end of the auction. Before he doubled 3♠ West asked South the meaning of 1NT and received the response that it was strong. He asked North what 3♠ was and got the response “no agreement.”

The partnership had an agreement that 3♠ was Minor Suit Stayman and a strong game force over a 1NT opening and also (perhaps) over 1NT in direct seat but had not discussed this auction.

East stated that he would have bid 2♣ over 1NT if he had known that the 1NT was for takeout.

**The Ruling:** The director judged that there was misinformation and per Laws 21B1(a) and 12 adjusted the result to 3NT by West making three, E/W plus 600.

**The Appeal:** "In screening N/S produced their convention cards. These had been printed by a computer, but each was different. Each partner had filled in his own using a convention card editing program. Each card showed that a 1NT overcall in the sandwich position was natural by an UPH." Therefore, the screening director changed the ruling back to the table result. E/W appealed that decision.

E/W felt that their opponent's accident had robbed them of the chance for a normal result. They did not understand why South would bid 3♠ over 1NT when over a strong 1NT opening that call would be both minors and forcing.

South meant 3♠ as invitational – he did not think that it could be minor-suit Stayman after clubs have been bid.

N/S is an occasional partnership. They had not discussed this sequence in their pre-session discussion. North had simply forgotten their agreement. In most partnerships North plays 1NT in this sequence as unusual.

The committee discovered that North and South had prepared their convention cards separately but both of them had correctly completed the section regarding "Sandwich" notrump.

South did not believe they were playing "system on" over a "Sandwich" notrump as opposed to a direct 1NT overcall.

**The Decision:** Where there is a potential conflict between a mistaken bid and a mistaken explanation, the laws instruct the director and committee to assume misinformation unless there is clear evidence to the contrary. Here there was such evidence. The partnership had clearly completed their convention cards in identical fashion.

The committee had the option of assuming that despite their identical cards that they were not playing 1NT as strong but that seemed unreasonable.

The next question to address was whether South's 3♠ bid (which appeared odd in the context of the partnership's methods) when coupled with the 1NT bid suggested that South might have been expecting partner to have a two-suiter. It decided that South's rationale for bidding 3♠ to show an invitational hand, as expressed to the committee, made sense. The committee might not agree with South's valuation but they could understand his thought process.

Since the committee could find no reason to adjust the score, it next looked at the question of procedural penalties. It addressed the regulations in force at this event. There were no special conditions for this event.

While each partnership is expected to know its own methods, the committee concluded that N/S had a bidding accident and got lucky, but had committed no infraction.

The committee sympathized with E/W, but it could see no reason to adjust the score or assess a procedural penalty. The committee ruled as the screening director had, allowing the table result of 3♠ doubled by South making three, N/S plus 530, to stand for both pairs.

The appeal was considered to have merit.

**The Committee:** Aaron Silverstein (Chair), Eugene Kales, Ed Lazarus, Abby Reich and Barry Rigal.

**Commentary:**

**Goldsmith** E/W were not damaged by MI. They were damaged by North's misbid. If E/W had bid 3NT, N/S would have gone on to 4♠. That can't be beaten, so E/W would end up minus 590, which is worse than they actually scored. No appeal without merit warning (AWMW) when a ruling is changed by the screening director; players must be allowed adequate time to judge whether to appeal the new ruling, and that time is not available.

**Polisner** I agree with the committee decision restoring the table result, but would have voted to issue an AWMW in that the basis for the appeal ("E/W felt they were robbed from a chance for a normal result") is not a valid ground for an appeal.

**Rigal** Correct tournament director ruling to leave it up to N/S to prove their methods. As far as the committee was concerned a completed identical convention card was proof positive of the methods used. Some people would mutter darkly about coincidence between the two actions here; but if we impose harsh conditions about MI/Misbid and a pair meets those conditions we cannot then make up new reasons to find a reason to overturn those rules.  
See my closing comments.

**Smith** Clearly correct, and well explained by the committee. The screening director did well to change the ruling. If the convention cards were available to the table director the original ruling should have been different, and if E/W had then appealed the committee should have considered an AWMW against them. As it is, I can understand why no AWMW was given.

**Wildavsky** I like the screening director and AC rulings.

**Wolff** An editorial, since "dead is dead," we need to change the rule since misexplanation and or misbid regarding convention disruption (CD) tends to produce the same terrible chaos, so we should treat those two uninvited interlopers the same.