

APPEAL	NABC+ FIVE
Subject	Misinformation (MI)
DIC	Doug Grove
Event	NA Swiss
Session	Second Semifinal
Date	November 29, 2008

BD#	<b>3</b>
VUL	<b>E/W</b>
DLR	<b>South</b>

<b>Ron Zambonini</b>	
♠	K Q 6
♥	K Q 9 7
♦	Q 8 7 6
♣	K 8

<b>Simon De Wijs</b>		<b>Fall 2008 Boston, MA</b>	<b>Bauke Muller</b>	
♠	J 8 2		♠	9 7 4 3
♥	8 3 2		♥	4
♦	9 3		♦	A K J T 5 2
♣	Q J 9 7 4		♣	A 5

<b>Waldemar Frukacz</b>	
♠	A T 5
♥	A J T 6 5
♦	4
♣	T 6 3 2

West	North	East	South
			Pass
Pass	1NT <sup>1</sup>	2♦	Dbl
Pass	Pass	Pass	

Final Contract	<b>2♦ doubled by E</b>
Opening Lead	<b>♣6</b>
Table Result	<b>Down 1, E/W -200</b>
Director Ruling	<b>2♦ dbl E, down 1, E/W -200</b>
Committee Ruling	<b>2♦ dbl E, down 1, E/W -200 for E/W 2♦ dbl E, made 2, N/S -180 for N/S</b>

(1)	15-17.
-----	--------

**The Facts:** The director was called at the conclusion of the hand. East had asked North the meaning of the double and was told that it was penalty. The actual N/S agreement was a transfer to hearts. North had forgotten the agreement.

**The Ruling:** South most likely could hold only three diamonds. If he had a singleton club, he would have nine cards in the majors. With that hand, it was very unlikely that he would double 2♦ for penalty. Also, if North had KT832 of clubs, he would have covered the ♣Q. Therefore, even though there was MI, the table result of 2♦ doubled by East, down one, E/W minus 200 was allowed to stand.

**The Appeal:** E/W appealed the director's ruling. North was the only player who did not attend the hearing.

Declarer felt that the MI about South's double adversely affected his line of play. Fearing that South had a singleton club and queen third of diamonds, he could not afford to play on diamonds by finessing.

North felt that, despite the fact that he forgot the agreement, East could have checked the N/S convention card and figured it out. With only four hearts in the combined E/W hands, it was very unlikely that South's double could be penalty.

**The Decision:** East, an experienced world-ranked player, could have investigated further rather than rely solely on the explanation. If South did in fact have a penalty double and a singleton club his shape would be 4-5-3-1, not a hand likely to double 2d for penalty. East's line did not convince the committee that it was a well thought out solution to the play problem. No redress was warranted.

However, N/S was not entitled to the benefit of defeating a contract that would have made easily had the partnership provided correct information. The committee felt that a split decision was appropriate because both sides shared responsibility for the result.

Therefore, in accordance with Law 12C1(b), the committee allowed the table result of 2♦ doubled by East, down one, E/W minus 200 to stand for E/W and adjusted the N/S score to 2♦ doubled by East, making two, N/S minus 180.

**The Committee:** Gail Greenberg (Chair), Ellen Kent, Mike Kovacich, P.O. Sundelin and Bob White.

### **Commentary:**

**Goldsmith** My rule of thumb about whether a player should protect himself is roughly if you can say, "oh, come on, you knew what was going on," then the player gets no protection. If he had to figure it out from clues, he gets protected. For example, if your right hand opponent (RHO) opens the bidding, you double with 23 HCP, and LHO makes an "invitational" action, you can't complain that you were misinformed; you know that there was MI or that RHO psyched. Either way, you can't play your partner for a Yarborough and blame the MI.

Here, East knows that South does not have a canonical penalty double, but could not he have Axx Kxxx Qxx xxx? Sure, he could; that'd leave his partner with a 3523 15-count. In that case, cashing two rounds of trumps and starting on spades will make the contract. That doesn't sound like an egregious line. We weren't given the actual line, so we can't tell if in fact, it was ridiculous, but if declarer cashed two high trumps, planning to drive out the spades, I think he didn't do anything particularly wrong.

So there was MI. It led directly to the non-offending side's bad result.

Unless declarer's line was something really weird, he should be protected, E/W plus 180.

**Polisner** Clearly N/S should not receive benefit from its MI. Thus, minus 180 for N/S is appropriate. As to E/W, it is unreasonable for East to need to check his opponents convention card. East is entitled to rely on the explanation unless it is near impossible to be correct. The ACBL Laws Commission has opined that the requirement to “continue to play bridge” after receiving MI does not require a high standard. I would have voted for plus 180 for E/W.

**Rigal** I'm absolutely convinced that N/S deserve minus 180. As to E/W no matter if you are a World Champion or not, when someone gives you an unequivocal explanation of a call, I really do not think you have to dig around constructing hands for the opponents -- you believe what they say. Failure to do so should not eliminate your protection from MI. Yes, the opponents' hands were unlikely but why do you have to doubt their word?

**Smith** To quote a late colleague of mine, “If East had been told that double was Blackwood would he have believed it?” I know it has become popular to award split bad scores in these kinds of cases, but to me sometimes an opponent just goes so far off the deep end after receiving MI that no redress should be given and the table result should stand for both sides. Let's not forget that this East is a Bermuda Bowl champion. I don't think N/S gained “any advantage through its infraction” (Law 12B1), but instead through simply being lucky enough to play this hand against an opponent who just lost his mind for a moment. Law 40B4 states: “A side that is damaged as a consequence of its opponents' failure to provide disclosure of the meaning of a call or play as these Laws require is entitled to rectification through the award of an adjusted score.” Do we really think E/W were damaged as a consequence of double being misdescribed, or does it really feel as if their damage had a different source?

There must come a point where we would not award a split bad score in this kind of case, so it has to be just a matter of degree. Surely if North had said that double showed five diamonds we would not be adjusting anyone's score. East would “know” that couldn't be true upon the sight of dummy, and if he based his play on South having that hand we wouldn't even consider changing anyone's score. Why is this so different given the caliber of the player involved in this case? And not that I think it is an issue in this particular case, but do we really want to encourage players who just made a horrendous bid or play to call the director to get a good score taken away from the opponents even though in any given case we may all agree that the damage was not a consequence of the infraction at all? I don't think that is what the framers of the Laws intended when they wrote Law 12C1(b).

**Wildavsky** I like the committee's approach -- I think they improved on the director's ruling. I'm delighted to see that everyone understood that E/W were entitled to know the actual N/S agreement, even though North had forgotten it.

**Wolf** While I like the committee's decision, East's play did not speak well for his declarer's logic. I did like the final solution with both N/S and E/W deservedly suffering from the projected scores.