

APPEAL	NABC+ TWELVE
Subject	Misinformation (MI)
DIC	Chris Patrias
Event	Spingold Knockout Teams
Session	Round of 16, Fourth Quarter
Date	July 26, 2007

BD#	31
VUL	N/S
DLR	South

Peter Weichsel	
♠	K 9 6 3
♥	K J 9 4
♦	K J
♣	A 6 3

Aleksander Dubinin		Summer 2007 Nashville, Tennessee	Andrew Gromov	
♠	A T 5		♠	8 4 2
♥	A T 5 2		♥	Q 8 6
♦	T 7		♦	A Q 4
♣	K J T 4		♣	Q 9 7 5

Marcin Lesniewski	
♠	Q J 7
♥	7 3
♦	9 8 6 5 3 2
♣	8 2

West	North	East	South
			Pass
1NT ¹	Dbf ²	Pass ³	2♦ ⁴
Pass	2♥	Dbf ⁵	Pass
3♣	Pass	Pass	Pass

Final Contract	3♣ by West
Opening Lead	♥4
Table Result	Made 3, E/W + 110
Director Ruling	2♥ dbl'd N down 3, N/S - 800
Committee Ruling	2♥ dbl'd N down 3, N/S - 800

(1)	12-15 HCP.
(2)	Shows values.
(3)	Forces partner to redouble.
(4)	Explained to East as transfer. Explained to West as natural.
(5)	Shows values – not penalty.

The Facts: The director was called after the play of the hand. E/W recall N/S discussing this auction as systems on. East contended that, had West known that 2♦ was a transfer, West could have passed 2♥ doubled for penalties.

The Ruling: In accordance with the footnote to law 75, the director is to assume mistaken explanation. The director judged that the MI damaged E/W and adjusted the result to 2♥ doubled by North down three, N/S minus 800.

The Appeal: All four players who were at the table were present at the hearing. The committee heard testimony at length. The essence of the arguments presented was as follows:

North suggested that were 2♥ doubled passed around to him he would pull, knowing that a N/S misunderstanding was probable since E/W were unlikely to double 2♥ holding only four trump between them. He also noted several times that this was a complex auction. West explained that he pulled the double because he expected the hand to play well for the opponents. He believed there was a real heart suit lying over his hearts, one good enough to bid freely over two diamonds.

E/W suggested that there was no particular reason for North to suspect his partner had made a mistake rather than his opponents.

This deal was played during the fourth quarter. Both pairs agreed that N/S had discussed the auction at length before the first quarter.

The Decision: The committee noted that the N/S agreement was in fact that 2♦ showed hearts, so West had received misinformation from South. We further noted that West was entitled to know the actual N/S agreement, since the laws require it, and also that South thought 2♦ was natural, since South told him so at the table. Under those circumstances, West would certainly have passed the double.

The committee considered whether the damage to E/W was caused through the misinformation or through an egregious error of their own. In our opinion bidding 3♣ instead of passing was a mistake, but was not "irrational, wild, or gambling", nor did it constitute a "failure to play bridge." The non-offenders are not required to bid and play perfectly in order to receive redress for damage.

Given that E/W were entitled to redress our next question was how to adjust the score. The committee referred to law 12C2. It asserts that the score for the offenders should be the most unfavorable result that was at all probable in the absence of the infraction -- here that's surely -800. We examined the probable course of play in 2♥ doubled and five tricks for N/S seemed by far the most probable result on most lines.

For the non-offenders the law instructs us to assign the most favorable result that was likely. The ACBL Laws Commission has told us that that means any result that would happen at least one time in three or so. While we did not question North's assertion that he would pull the double given the opportunity, we believed that many of North's peers would sit for it, enough to make -800 likely.

The committee affirmed the director's adjudication of 2♥ doubled by North, down three, N/S minus 800.

The committee found that the appeal did have substantial merit.

The Committee: Adam Wildavsky (Chair), Bruce Reeve and Michael White.

Commentary:

Goldsmith Good ruling. Nice step-by-step resolution.

- Polisner** This is the most difficult case of the bunch. To me, the only issue is whether pass is a LA. This judgment is to be determined using hypothetical peers of Peter Weichsel. Would East really make a penalty double holding a maximum of two hearts? I don't think that any peers would sit it out. Whether N/S would then get to 2♠ or 3♦ should be considered. I would have determined the contract to be 3♦ doubled down 500 to have been the adjudication.
- Rigal** A highly complex position; the committee (what a shame that there were only three) came to a reasonable decision. The question of whether West's removal of the double was best is a hard one. Certainly it was not absurd. That said, where there is MI, the non-offenders have to get the best of it.
- Smith** Good job by the director and the committee.
- Wildavsky** I chaired the committee and wrote up the decision. I have nothing to add!
- Wolff** Harsh ruling, but convention disruption (CD) at this top level is unacceptable. There are so many misunderstandings having to deal with transfers in competitive sequences. The results are too often dependent on what different appeal committees judge and there is no definite type ruling where one could hang his hat. CD is impossible to adjudicate (what else is new?) but when to apply it is far too loose. If it is harsh like this one maybe players will get the drift and either learn what they are playing or scratch it off the card.
- Zeiger** Just one question - Why were there only three committee members? Yes, I know this was from the fourth quarter of the Spingold, round of 16, and the appeal was doubtless held some time after 1:00 AM. No matter. This is the premier event of the summer NABC, and five top flight people should have been available.
Fortunately, the committee was correct. North made a good argument about pulling 2♥ doubled, but the committee properly did not give the offending side the benefit of the doubt.