

APPEAL	Non NABC+ Nine
Subject	Misinformation (MI)
DIC	Tom Marsh
Event	0-5000 Blue Ribbon Pairs
Session	Second Final
Date	December 2, 2009

BD#	22
VUL	E/W
DLR	East

1,700 Masterpoints	
♠	T 9 7 6
♥	A T 7 3
♦	9
♣	T 7 6 4

2,904 Masterpoints		Fall 2009 San Diego, CA	2,349 Masterpoints	
♠	A 8 5		♠	J 4 2
♥	J 9 8		♥	6 4
♦	5 4 3 2		♦	A Q J T 7 6
♣	Q 5 3		♣	A 8

1,000 Masterpoints	
♠	K Q 3
♥	K Q 5 2
♦	K 8
♣	K J 9 2

West	North	East	South
		1♦	1NT
2♦ ¹	Pass	Pass ²	Dbl
Pass	Pass	Pass	

Final Contract	2♦ doubled by East
Opening Lead	♠K
Table Result	Made 2, E/W + 180
Director Ruling	2♦ dbld E made 2, E/W + 180
Panel Ruling	2♦ dbld E made 2, E/W + 180

(1)	Alerted – shows the majors.
(2)	Slow.

The Facts: The director was called at the end of the auction and again after play of the hand. East was slow in Alerting the 2♦ bid as both majors per the E/W agreement. The correct explanation of the E/W agreement was given even though West's hand did not match the explanation and agreement.

The Ruling: Since N/S received the correct explanation of E/W's agreement, the director judged that West had misbid, which is not an infraction. No adjustment. Law 40C1.

The Appeal: N/S appealed the director's decision after the scores were posted. By that time E/W had left the playing area.

N/S felt that they had been misinformed since the information did not match the hand held by West and East chose to pass 2♦ instead of bidding 2♠. They thought if they had been informed that 2♦ was a natural raise, the South's reopening double would have been interpreted as takeout and a heart partscore would have been reached.

When asked about the defense to 2♦ doubled, they said that the ♠K opening lead was ducked. South switched to the ♥K and when that held led the ♥2 to North's ace. North played a third round of hearts ruffed by declarer.

The table director said that she had checked only the part of the convention card that listed defense to opponents opening notrump bids. It showed that E/W played Hamilton (2♦ = majors) but did not indicate whether it applied over notrump overcalls.

The Decision: Law 21B1(b) states that the director is to presume mistaken explanation rather than mistaken call in the absence of evidence to the contrary. Law 21B3 states that: when the director judges that the offending side gained an advantage from the irregularity, he awards an adjusted score.

Law 12C1(b) states that if, subsequent to the irregularity, the non-offending side has contributed to its own damage by a serious error, it does not receive relief in the adjustment for such part of the damage as is self-inflicted. The offending side should be awarded the score that it would have been allotted as the consequence of its infraction only.

Law 12C1(e) states that for the offending side, the score assigned is the most unfavorable result that was at all probable had the irregularity not occurred.

Since the E/W pair could not be located after the session and were not at the tournament the following day, the panel met to consider the possibilities for N/S. It was judged that in the defense, North's failure to lead ten of spades after she won the king of hearts was a serious error, which was completely responsible for their failure to defeat the contract and score plus 200, which is greater than they would have obtained by the adjustment requested. The table result of N/S minus 180 was left unchanged.

Two days following the appeal, one member of the E/W pair was located playing with a different partner. He did not have the card with him from the session in question but stated that Hamilton over notrump overcalls was clearly indicated on the front side of at least one of their cards in the area titled "Other Conventional Calls"

Since the cards could not be produced until the following day and since the director had not checked that area, the table result was not adjusted for E/W. Law 82C, Director's Error, states that both sides are to be treated as non-offenders in this case.

The appeal was judged to have merit.

The Panel: William Michael (Reviewer), Jay Albright (Scribe) and Gary Zeiger.

Commentary:

Polisner Correct result, East took a flyer which was unrelated to the information.

- Rigal** This is of course a messy case. E/W must be assumed (because of the director error) not to have provided MI... but the fact that dummy actually has diamonds does make this hard to judge. Anyone wrongly following the law of coincidence would come to a rapid conclusion: E/W a la lanterne! But life is not that easy. While N/S erred seriously enough for them not to be given redress –even if they deserved it – I wish we had seen a convention card properly marked in good time.
- Smith** See my comments for case #6. This was actually pretty simple. I think the panel over-complicated it. What caused N/S's bad score? I think it was their misunderstanding as to the meaning of South's double. So no need to resort to Law 12, score stands.
- Wildavsky** Good work all around.
- Wolff** Instead of Hamilton the convention's name is Mitchell-Stayman! Too many serious errors are continuing. After the defense of king of Hearts and then a second heart to the ace and the ten of spades back, all declarer needs to do is duck in hand, win the ace, ruff the heart in hand and then play the ace of diamonds and then the jack of spades (or a diamond). The analysis is below standard.