

APPEAL	NABC+ THIRTEEN
Subject	Misinformation (MI)
DIC	Henry Cukoff
Event	Edgar Kaplan Blue Ribbon Pairs
Session	First Semifinal
Date	December 2, 2009

BD#	25
VUL	E/W
DLR	North

Jan Jansma	
♠	J 2
♥	A Q 8 7 4
♦	J 5 2
♣	K 9 8

Christal Henner-Welland		Fall 2009 San Diego, CA	Thomas Bessis	
♠	Q 5 3		♠	T 9 7
♥	9 6 2		♥	K 5 3
♦	A 6 3		♦	K Q T 7
♣	Q T 7 6		♣	A J 2

Jay Borker	
♠	A K 8 6 4
♥	J T
♦	9 8 4
♣	5 4 3

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

Final Contract	3♦ by East
Opening Lead	♠A
Table Result	Down 1, E/W -100
Director Ruling	2♠ dbld S down 3, N/S -500
Committee Ruling	2♠ dbld S down 3, N/S -500

The Facts: The director was called after the play of the hand was complete. Before she bid 3♦, West asked the meaning of 2♦ and was told it implied spade support. N/S have the agreement that over a pass, the 2♦ bid shows hearts. There was no evidence on the convention card to indicate that the 2♦ bid was a spade raise. Polling of West's peers suggested that West would pass with the correct information,

The Ruling: Per Law 21B, the director judged that there was MI and damage to E/W (i.e. if provided with proper information, West would pass the double). Therefore, the result for both sides was adjusted to 2♠ doubled by South down three, N/S minus 500.

The Appeal: N/S appealed the director's decision. West was the only player not to attend the hearing.

N/S play transfer advances. North thought they applied after 1NT; South did not. N/S thought E/W's bad result was self-inflicted and not dependent on the meaning of 2♦. East made a double that would normally show penalty interest, and West pulled with an unexceptional hand. If East wanted to compete he could have bid 2NT, offering West the chance to pass or remove to a minor.

East thought his partner had two spades and at most three hearts, so he expected his side to have a minor-suit fit of at least eight cards. His double was in the European competitive style, which gave his partner the option of passing with extra defense. West, with a minimum and no certain trump trick, retreated to a known fit. Had she known the opponents had no great fit, passing the double would have been much more attractive.

The Decision: The key was whether North misbid or South misexplained. If the former, then there was no infraction. If the latter, then there was misinformation. The burden was on N/S to show that they had a firm agreement matching South's explanation, either via convention card or system notes. The convention card said "transfers" in the overcall section and nothing about cuebids. In cases of partnership disagreement or lack of any agreement, the finding is misinformation per law 21B1b.

Next, the committee had to determine if E/W could reasonably have done better with correct information. If so, there was damage. West might well have passed the double for the reasons given by E/W. Thus damage was established.

Finally, the committee examined whether West had seriously erred by removing the double with the information she was given. While passing is possible, it is far from automatic when the opponents have announced a strong spade fit. Therefore, the committee rejected the "self-inflicted" argument of the appellants. Even had it applied, the N/S score would have been adjusted per law 12C1b.

Based on all of the above, the committee assigned a contract of 2♠ doubled for both sides. Routine defense scores eight tricks for down three. The assigned score was minus 500 for N/S and plus 500 for N/S.

The committee found that the appeal had merit.

The Committee: Bart Bramley (Chair), Ed Lazarus, Chris Moll, Josh Parker and JoAnn Sprung.

Commentary:

Goldsmith I agree with most of the well-reasoned and well-written up ruling, but I'd rule E/W plus 150. Yes, there was misinformation. But East would not have doubled had he the correct information. The only likely result was 2♠ gets passed out, so E/W get plus 150. It does not seem at all probable that anyone would double 2♠, so N/S get 150, too. I don't see any legal basis for letting East be misinformed and West not be.

- Polisner** Even given MI, it appears to me that West's 3♦ is pathetic. Couldn't he be the exact distribution he had? Didn't West already describe her hand? Shouldn't the poll also attempt to establish what West should do given the information received? I suspect that every peer would pass the double which would establish that the bad result was West's failure to play bridge and not the result of any MI.
- Rigal** N/S was fortunate to avoid an appeal without merit warning (AWMW) here. The way the laws work N/S committed MI and damaged West – who was confronted with a position where passing would have been far more attractive than one in which no spade fit had been demonstrated. Hence there is an adjustment – and an AWMW on appeal. E/W may have misguessed or misjudged, but that does not break the chain.
- Smith** Good job by the directors and a very thorough job by the committee. I don't see much merit here.
- Wildavsky** I see no merit to this appeal. I can't imagine that N/S thought they ought to be able to profit through misinforming their opponents. Jeff Goldsmith suggests that, had E/W been informed correctly, the contract would have been 2♠, not 2♠ doubled. The director and committee adjusted as if the infraction were only that West was misinformed. Where we can in some sense consider multiple infractions (here one is misinforming East and another is misinforming West) the principle I use is that we should make the adjustment most favorable to the non-offending side. Thus, I have no quarrel with the rulings. I do wish that this principle were made explicit in the laws -- right now they are silent on the matter.
- Wolff** Another case involving a modern convention disruption based on the interpretation of whether transfer responses pertain in unusual situations. I am pleased that committees are beginning to recognize the destructiveness of convention disruption and consequently it is being severely penalized when present. I only further wish that, because of this all partnerships, especially modern, feel responsible to make sure both partners are on the same wave length before difficult to remember conventions are attempted.