

APPEAL	NABC+ SEVENTEEN
Subject	Misinformation (MI)
DIC	Nancy Boyd
Event	North American Swiss Teams
Session	Second Final
Date	December 6, 2009

BD#	16
VUL	E/W
DLR	West

Varis Carey	
♠	9 7 4
♥	Q
♦	T 8 7 5 3 2
♣	K 3 2

Mitch Dunitz		Fall 2009 San Diego, CA	Ifti Baqai	
♠	Q J 6		♠	A 8 5
♥	A 9 4 3 2		♥	K J 7 6
♦	A K J		♦	9
♣	A 7		♣	Q J 9 8 6

David Caprera	
♠	K T 3 2
♥	T 8 5
♦	Q 8 5
♣	T 5 4

West	North	East	South
1♥	Pass	3♠ ¹	Pass
4NT	Pass	5♥ ²	Pass
6♥	Pass	Pass	Pass

Final Contract	6♥ by West
Opening Lead	♦7
Table Result	Made 6, E/W + 1430
Director Ruling	6♥ W down 1, E/W -100
Committee Ruling	6♥ W down 1, E/W -100

(1)	East to North: ♥ fit with unspecified shortness. West to South: ♥ fit spade shortness (splinter)
(2)	Two keycards without ♥ queen.

The Facts: The director was called after dummy was displayed and again after play had been completed. Screens were in use and North and South were given different explanations by their respective screenmates.

After ascertaining the actual E/W agreement, the director took South away from the table and asked whether he might have taken a different action with the correct information about 3♠. South replied that he could have doubled 3♠.

N/S methods prevent a double of 3♠ to request a spade lead if the bid shows spade shortness. A double of an artificial 3♠ bid would request a spade lead.

The Ruling: The director judged that South was given misinformation. With a spade lead, the contract will fail if declarer attacks clubs. The director judged that N/S was damaged, therefore the result was adjusted to 6♥ by West down one, E/W minus 100 for both sides, per Laws 21 and 12C1(e).

The Appeal: E/W appealed the director's decision and all four players attended the hearing.

E/W questioned the ruling for four reasons:

1. It was not clear to double 3♠ even with correct information.
2. Had 3♠ been doubled, West might have taken a different auction rather than bidding Blackwood without a second round club control.
3. Had South been correctly informed, it would have meant that West would have also have known the E/W agreement and would have bid more cautiously.
4. They felt that the adjustment was rather harsh, in that N/S were given two chances to achieve a good result, one by defeating 6♥ with the lead they made, and one with an assigned score.

N/S contented that while not clear-cut many players would double 3♠, and that it would be almost universal without the ♦Q.

The presenter, Matt Smith, noted that the directors had given the E/W hands to three experts and asked how they would play 6♥ on a spade lead, given an auction where South had received correct information and had doubled. All three took the club finesse and went down a trick.

The committee asked whether a poll had been taken on doubling 3♠ with the South hand, given correct information. He replied that no such poll had been conducted.

The Decision: Given correct information, two of the committee members would have doubled 3♠, one would have passed, and two thought it was close. All believed that between 40% and 60% of the field would double. West's contention that he might have bid differently after a double seemed without foundation. Given that he thought his partner had a singleton spade he'd have the same information available to him with or without the double. E/W's third point was dismissed as irrelevant as a matter of law. E/W's fourth point was similarly irrelevant. Yes, the adjustment was harsh, but that is the way the law is written. It is intended to provide a strong incentive to provide correct information, and indirectly to provide an incentive to use methods that both partners can remember.

The committee judged that South would double about half the time, that E/W would almost surely then reach 6♥, and that declarer would very likely go off a trick on a spade lead. That made 6♥ down one the most favorable likely result for the non-offenders and the most unfavorable result that was at all probable for the offenders, so the committee assigned it to both sides per Law 12C1(e), as the director had.

The committee found that the appeal had substantial merit because it was not clear to double with the South hand even given correct information

The Committee: Adam Wildavsky (Chair), Chris Moll, Steve Robinson, Patty Tucker and Kit Woolsey.

Commentary:

- Goldsmith** I was on N/S's team, for whatever that's worth. The crux of the matter is how likely South is to double 3♠ given the right information. I did a poll and found that about 20% would. That means that doubling is at all probable, but not likely. So N/S get minus1430 and E/W get minus 100. That was my gut feeling in November, but the decision is close enough that the feelings of a small sample of committee members could easily sway it. This is one of the few cases in which different committees could easily and reasonably rule three different ways. Ought the directors have done a poll? Yes, but it's hard. My poll's results were pretty noisy; some didn't read the conditions carefully and thought 3♠ was a splinter. Others thought that doubling might cause partner to save, even if it is clearly defined as lead-directing. Some thought that lead-directing at white vs. red is the same as save-inducing. N/S were clear on their agreements, fortunately, but doing a poll when players might not interpret such agreements identically to the players at the table is likely not going to give convincing results. Furthermore, a poll here has to be of a lot of players, not just four or five. We know that doubling is in the 10-50% range. To establish with a decent degree of confidence that it's in one of 0-17%, 17-33%, or 33%+ just cannot be done with a typically-sized poll during an event.
- Polisner** Good work by all.
- Rigal** A subsequent poll of the South hand (away from the tournament) produced a VERY small sample prepared to double here. To my mind the call is ludicrous. Even if E/W might get landed with the slam going down to give it to N/S seems absurd. I'd have awarded a split score. I'm prepared to be harsh to E/W but not give N/S a windfall.
- Smith** Very good and thorough job by the committee.

Wildavsky I chaired this committee and haven't found cause yet to change my mind. My write-up should have mentioned that N/S had notes saying that this double is lead directing, rather than suggesting a save. These notes were produced in screening -- we neglected to ask for them at the hearing. Steve Robinson plans to take a poll regarding doubling 3♠ with correct information. I hope to have the results before the casebook goes to press! When I saw Bobby Wolff's comment on this case I asked him "How do you intend for the ruling you find just to be arrived at under the Laws we use in the ACBL? It seems to me that law 12C1(e) is (for once) clear. The non-offending side gets the most favorable result that was likely had there been no infraction, either plus 100 or minus 1430. On what basis can we award them average or average plus?"

I found his reply enlightening enough that I asked for and received permission to quote it: "My preference (and, of course, I, long since, have already switched to) is for discussing what the laws should be, rather than what they are. To do otherwise would be cave dwelling, caretaking and Ostrich like".

I prefer to address my comments to interpretation of existing law and regulation. Where I do otherwise, for instance in kvetching about our Stop Card policy, I try to be explicit. I'm glad to learn why Bobby feels differently -- it helps me put his comments in context.

Wolff A very harsh but fitting ending to this set, since convention disruption was severely penalized, although some would have great sympathy for what happened. One final word is that if this had been matchpoints instead of a Swiss team, since N/S did not defeat the slam it seems right to give E/W minus 100 in 6♥, but N/S only an average or maybe an average plus instead of giving them credit for defeating the slam. To give them a tie for top is not to do justice under these circumstances.