

APPEAL	NABC+ EIGHT
Subject	Misinformation (MI)
DIC	Henry Cukoff
Event	Blue Ribbon Pairs
Session	Second Qualifying
Date	November 27, 2007

BD#	7
VUL	Both
DLR	South

Rob Stevens	
♠	Q J 7
♥	J 7 4 2
♦	5
♣	Q 8 7 5 3

Ralph Katz		Fall 2007 San Francisco, CA		Mitch Dunitz	
♠	A T 2	♠	8 4	♥	T 9 6
♥	8 5 3	♥	T 9 6	♦	J T 8 6 4 3
♦	A K 9 7	♦	J T 8 6 4 3	♣	A K
♣	J 4 2	♣	A K		

John Lusky	
♠	K 9 6 5 3
♥	A K Q
♦	Q 2
♣	T 9 6

West	North	East	South
			1♠
Pass	2♠	Pass	Pass
Pass			

Final Contract	2♠ by South
Opening Lead	♥3
Table Result	2♠ S, made 3, N/S +140
Director Ruling	3♦ E, made 3, E/W +110
Committee Ruling	2♠ S, made 3, N/S +140

The Facts: The director was called at trick one. North's convention card was marked – four-card majors; South's card – four plus hearts. West looked at card in pass out seat and decided to pass. When dummy was spread, West discovered a disparity between the convention cards on major suit opening length, called the director and said he would have balanced.

The Ruling: Misinformation was ruled. Three of three players who were consulted would pass 3♦ with the North hand. Therefore, the result was adjusted to 3♦ by East making three, E/W plus 110.

The Appeal: N/S did not have two convention cards that were the same. North had his card marked with check marks in the four-card major box for both hearts and spades. South had his card marked with a four in the heart box and a five in the spade box. Questioning of South by the committee ascertained that they were a new partnership that had “worked up their system” by an exchange of e-mails in the last few days before the tournament. The committee determined that their agreement was to open 1♥ with 4-4 in the majors and to open 1♠ only rarely with four (most of the time they would have five). They had no bid for a four-card simple raise.

West had looked at North’s convention card prior to making a decision to pass rather than balance. After passing, making his opening lead and seeing dummy West asked some questions about style. At that point it was determined that North’s card was not correctly filled out. The director was called at this time.

West advised the director that he had passed because he thought N/S could be in a 4-3 fit. He told the director he might have balanced if he knew N/S probably had an eight-card or better fit. The director instructed the players to play the board.

If West had asked questions before making his lead, the director could have reopened the auction and permitted West to withdraw his pass. He could also have asked his questions prior to passing.

The Decision: The committee determined that there was MI and directed N/S to ensure that they had two identical cards that correctly set forth the partnership’s agreements. The committee decided that since a four-card major opening frequently has a five-card suit and that the raise to 2♠ could have contained four spades there was a high probability that N/S had an eight-card fit. West’s decision to hope the opponents were in a 4-3 fit was a narrow window. The committee determined that the decision to balance, when an eight-card or better fit was likely, was not materially affected by the MI. A substantial number of Wests did pass (many N/S pairs played spade partials). E/W were vulnerable and West was 3-3-4-3.

Therefore, the committee restored the table result of 2♠ by South making three, N/S plus 140.

The Committee: Richard Popper (Chair), Mike Kovacich and Hendrick Sharples.

Commentary:

Goldsmith West was misinformed by an incorrect convention card. It is unfortunate that he did not ask his questions before the opening lead; he’d then have the opportunity to back his judgment and balance if he saw fit. Once he didn’t, law 12 C 2 says to give the non offending side the best result likely. I think that’s 2♠ making three, plus 140. The offending side, however, gets the worst result at all probable, which is 3♦ making three, minus 110.

In other words, I’ll guess that fewer than 1/3 but more than 1/6 of West’s peers would have balanced with the correct information if they did not balance with the incorrect information.

This is, however, clearly a judgment call. The appeals committee in NABC+ Case Nine from San Francisco judged that passing was a logical alternative (LA); that supports my ruling. On the other hand, the director ruled that passing was not a LA. But he was clearly in error.

Polisner I don't understand why the directors asked peers about what to bid over 3♦ rather than what they would do with the West hand given the "correct" N/S understanding. Good reasoning and decision by the appeals committee. Just another case of players looking for a better result from the cops than they were able to achieve at the table.

Rigal I'm delighted that the committee did not buy another specious argument trying to link the infraction (and I'm not sure there was one) to damage. I can't find a reason to award an AWMW here. I wish I could.

Smith Unlike NABC+ case five, I think this West does make enough of an argument that he was damaged according to law 40 C. I'm surprised that the committee overturned this decision. Obviously, it is not clear-cut to balance over either a four-card spade opening or a five-card spade opening, but surely it is easier to decide to balance against a five-card spade opening. At least it seems clear to me that N/S should be minus 110 as the "most unfavorable result that was at all probable" even if it is judged not likely enough to give E/W the benefit of a score adjustment (law 12 C 2).

Wildavsky The tournament director (TD) ruling is incomplete. A complete write-up would assert that MI was present, that the MI made the losing action more attractive than it would have been with correct information, that E/W were damaged, and that E/W plus 110 was both the most favorable result likely for E/W and the most unfavorable result at all probable for N/S absent the MI.

The appeals committee (AC) seems to have missed the point. Yes, South often would have five spades even when playing four-card majors, but there's no denying that it changes the odds faced by West when deciding whether to balance. Balancing is risky when the opponents are using five-card majors, more so when they're using four-card majors.

Was it likely that West would have balanced with the correct information available? Note that in NABC+ case nine the TD ruled (albeit incorrectly) that there was no LA to balancing against a pair using five-card majors! The best strategy for N/S here would be to play five-card majors while claiming to play four-card majors. That is what they achieved, unintentionally but illegally. The laws do not allow them to profit thereby, and the AC went badly wrong.

Would that give E/W a double-shot? It would, in fact the laws require it. In effect they get one chance for a good result with incorrect information and a second with correct information. N/S can deny them this double-shot by providing correct information.

Not only do I disagree with the AC ruling, I don't see any merit to the appeal.

Wolff Especially good and appropriate ruling.