

APPEAL	NABC+ FIVE
Subject	Misinformation (MI)
DIC	Henry Cukoff
Event	Von Zedtwitz Life Master Pairs
Session	First Semifinal
Date	July 25, 2009

BD#	6
VUL	E/W
DLR	East

Eric Rodwell	
♠	K J 9 7
♥	A J 5
♦	A 3
♣	A Q 6 5

Jared Lilienstein		Summer 2009 Washington D.C.	Jacek Pszczola	
♠	A T 6 3		♠	Q 5 4 2
♥	4		♥	T 8 3 2
♦	Q 8 7 4 2		♦	J 6
♣	T 9 8		♣	K 4 3

Jeff Meckstroth	
♠	8
♥	K Q 9 7 6
♦	K T 9 5
♣	J 7 2

West	North	East	South
		Pass	2♥
Pass	4♥	Pass	Pass
Pass			

Final Contract	4♥ by South
Opening Lead	♦4
Table Result	Made 4, N/S + 420
Director Ruling	4♥ S made 6, N/S +480
Committee Ruling	4♥ S made 6, N/S +480

The Facts: The director was called just after the play was concluded. West had placed a convention card on the table that did not belong to him or his partner. It indicated “upside down signals,” which is not the method his partnership is playing.

The play through trick 9:

♦4	♦3	♦J	♦K
♠8	♠6	♠K	♠4
♦A	♦6	♦5	♦2
♠7	♠2	♥7	♠3
♣7	♣8	♣Q	♣K
♣4	♣J	♣T	♣5
♦T	♦7	♥J	♣3
♥A	♥2	♥6	♥4
♥5	♥8	♥K	♦8

The Ruling: Declarer's play was based upon misinformation for which West was responsible. Per Laws 47E2(b) and 12C1(e), the result was adjusted to 4♥ by South making six, E/W plus 480.

The Appeal: E/W appealed the ruling. East and South were present at the hearing. East commented that there were many inconsistencies with what was on the card and the pre-Alerts provided. He argued that South, the declarer, should have or at least could have noticed what were evident discrepancies. If he had done so, he could have asked about the E/W signals and determined that they actually played right side up count. South said he was just focused on the part of the card pertaining to defensive carding. He noted that it was highly unlikely that E/W had given false count at trick two when he led a spade to the king. The subsequent ruff of the diamond with the club discard indicated two diamonds and three clubs. So, if he knew East also had only four spades, he would have finessed the ♥9 to make 12 tricks.

The Decision: There was unanimous agreement that the misinformation was solely E/W's responsibility. Based on the reasoning provided by the declarer, the committee's analysis, and the lack of a counter argument by the appellant, the committee concluded it was very likely that the declarer would have made 12 tricks if properly informed. The director's adjustment of 4♥ by South making six, N/S plus 480 for both sides was also the committee's adjustment.

The committee found no basis for the appeal. There was no reasoned argument to suggest why the declarer wouldn't have taken 12 tricks if E/W had supplied the proper information. Therefore, the committee issued an appeal without merit warning (AWMW) to E/W.

The Committee: Mark Feldman (Chair), Dick Budd, Abby Heitner, Ed Lazarus and Danny Sprung.

Commentary:

Goldsmith Good.

Polisner A well-reasoned ruling and decision. I question the AWMW on the basis that "a lack of a counter-argument to the director's reasoning about the play" as it seems that the basis was that Declarer did not do enough to protect himself about the actual carding agreement. There is no discussion in the decision about this.

Rigal The tournament director made the right ruling, the committee completely missed the point.

Yes, there was an infraction; but South's claim that he would have gotten the play right is absurd! East -- a world champion made an indescribably bad play when he returned the club instead of leading a spade to set up a tap. With four spades this play is unbelievably obvious -- I've never seen this player make such a bad play. How could a world champion who respects East ever play him to have defended so badly? Split scores with South keeping the table result and E/W the adjusted score since the only way East would return a club is if hearts are splitting.

Smith It seems that there is enough here to give N/S redress for the misinformation, so I agree with the directors and the committee. Good job all around.

Wildavsky I agree that the appeal had no merit.

Wolff Penalize E/W for convention card disruption (CCD) and give N/S an average plus not plus 680. Too much speculation and not enough protecting the field (PTF).