

APPEAL	NABC+ ONE
Subject	Misinformation (MI) - Incomplete Explanation
DIC	Henry Cukoff
Event	Von Zedtwitz LM Pairs
Session	Second Qualifying
Date	July 20, 2007

BD#	19
VUL	E/W
DLR	South

Carlos Pellegrini	
♠	Q 8 2
♥	A T 3
♦	A 2
♣	A K J 7 5

Han Peters		<b>Summer 2007</b> <b>Nashville, Tennessee</b>	Rick Kaye	
♠	A J 7 6		♠	K T 9 4
♥	8 6		♥	J 9 2
♦	6 5 3		♦	Q 9 7 4
♣	Q 6 4 3		♣	T 9

Serge DeMuller	
♠	5 3
♥	K Q 7 5 4
♦	K J T 8
♣	8 2

West	North	East	South
			Pass
Pass	1♣	Pass	1♥
Pass	2NT	Pass	3♦ <sup>1</sup>
Pass	3♥	Pass	3NT
Pass	Pass	Pass	

Final Contract	3NT by North
Opening Lead	♣T
Table Result	Made 5, N/S +460
Director Ruling	3NT, N, made 3, N/S +400
Committee Ruling	3NT, N, made 3, N/S +400

(1)   Alerted.
----------------

**The Facts:** Before the opening lead, East asked if the sequence showed spades. North said, "Yes, he should have spades." South did not correct this explanation prior to the opening lead. When dummy was faced, the director was called. East told the director (away from the table) at this point that he would have led a spade if he hadn't been misinformed about spades..

**The Ruling:** In accordance with law 40C, the director determined that failure to explain completely the meaning of South's calls damaged E/W. Therefore, in accordance with law 12C2, the score was adjusted to the result with a spade lead – 3NT by North making three, N/S plus 400.

**The Appeal:** South said that he made a checkback rebid to give North a choice of rebidding 3NT or 4♥. His 3♦ bid had promised five hearts. N/S's convention cards did not reflect the fact that South's failure to show spades on the second round denied a 4/5 distribution and the explanation made no mention of that fact.

**The Decision:** The committee was very concerned because N/S's convention card did not indicate their full agreement as stated at the hearing. Both the bid and explanation at the table appeared to be an attempt to discourage a spade lead.

The committee judged that East's decision not to lead a spade was affected by the statement that South's 3♦ bid and subsequent bid of 3NT over 3♥ showed spades. The fact that East told the director that he would have led a spade before it was known that a spade lead was right substantiated his claim.

The committee upheld the table director's decision of an adjustment to – 3NT by North making three, N/S plus 400.

**The Committee:** Gail Greenberg (Chair), E.J.D. Kales, Ellen Kent, Chris Moll and Tom Peters.

### **Commentary:**

**Goldsmith** What was the actual agreement? I bet it was "3♦ is an artificial checkback to find out more about partner's major suit holdings," not that it shows any specific distribution. So North misexplained. But I think he misexplained because he was asked a "bad" question. North was just trying to be helpful; if he had been asked, "please explain 3♦," he would have given the correct explanation, but when East suggested that when South rejected hearts he must be looking for spades, North thought East was right. It didn't occur to either of them that if South were looking for spades, he might have bid 3♠ over 3♥. In other words, East was asking questions about North's general bridge knowledge, not about N/S's agreements. Since N/S don't have to disclose North's general bridge knowledge, South does not have to correct it, though he ought to have said something like, "our agreement is that 3♦ asks partner to describe his major suit holdings. You can infer what you want about my hand from my subsequent actions." On the other hand, East's confident belief that South's bidding promised spades probably convinced South that he had misbid, so it didn't occur to him to correct his partner (and opponent, really).  
Table result stands. Don't put words into your opponents' mouths. Important point for appeals committees: if you think there has been misinformation, make absolutely sure what the actual agreement is, and please include it in the write-up.

- Polisner** I agree with the ruling and decision, but only on the basis that South did not correct the “explanation.” This case is a typical example of North trying to be helpful and explaining what he thought the logic of the auction was rather than the partnership understanding. Had he said “no agreement,” it would have been fine.
- Rigal** Why no appeal without merit warning (AWMW)? There are plenty of different styles of play for new minor here, but obviously North and South appeared not to be playing the same one. Without knowing their full methods one can’t say just what N/S were doing (What did calls of 3♥ or 3♠ by South mean over 2NT? This should have been documented.). While he may not have been trying to put East off, South should have corrected his partner’s explanation unless he had misbid or psyched. There was no merit on the facts as stated.
- Smith** Why did NS appeal? Law 75D2 states that: before the lead, dummy or declarer “must inform the opponents that, in his opinion, his partner's explanation was erroneous.” South's testimony to the committee confirms that he believed his partner's explanation was erroneous. Certainly it appears East would be much more likely to lead a spade with a corrected explanation by South. So I see no merit to this appeal, and I would not object to a procedural penalty to N/S for South’s failure to follow 75D2.
- Wildavsky** I don't understand what N/S hoped to accomplish. Did they really want to win a board through misinforming their opponents? What made them think they could get away with it? This appeal had no merit, and I'd have looked for a procedural penalty to apply in addition. South knew that North had not explained their agreement as South understood it, and both ethics and self-interest ought to have prompted him to speak up. As Ayn Rand put it, "The moral is the practical."  
Yes, East asked a leading question. He should have said, "Please explain your auction." That does not absolve N/S of their responsibility to answer correctly. The main danger from asking a leading question is transmitting UI to partner. That was not a factor in this case.

**Wolff**

I agree with the tournament director's and this committee's decision, but we need to get the facts straight. Everything was agreed upon except when the committee says East said he would have led a spade if he was properly informed. Remember East didn't make that statement until he had seen the dummy put down two little spades and thought there was very little chance of North having four of them. In spite of that, N/S owed a better explanation of their system to E/W. If players expect to play scientifically and have ways of checking back they MUST announce their system understandings to their opponent's, especially before the opening lead. This one seems flagrant and I think N/S were lucky they didn't get a procedural penalty (PP).

**Zeiger**

Presumably N/S appealed. The committee seemed concerned that N/S were intentionally not giving full disclosure, yet they neither gave N/S a PP, nor an AWMW. What am I missing?