

APPEAL	Non NABC+ Six
Subject	Misinformation (MI)
DIC	Matt Koltnow
Event	Compact Knockout (First Bracket)
Session	First Session – First Match
Date	March 17, 2010

BD#	19
VUL	E/W
DLR	South

Dano De Falco	
♠	K 8 6 5
♥	K 9 5 4 3 2
♦	
♣	A 5 3

Ed Wojewoda		Spring 2010 Reno, NV	Fared Assemi	
♠	A T 3		♠	9 7
♥	A Q		♥	J T 8 6
♦	A 6 5 3		♦	K 9 8 7
♣	Q J T 9		♣	K 8 7

Patricia Cayne	
♠	Q J 4 2
♥	7
♦	Q J T 4 2
♣	6 4 2

West	North	East	South
			Pass
1NT	2♥	Pass	Pass
Dbl	Pass	2NT ¹	Pass
3♣ ²	Pass	3NT	Pass
Pass	Pass		

Final Contract	3NT by West
Opening Lead	Not reported
Table Result	Made 3, E/W + 600
Director Ruling	3NT W made 3 + 600
Panel Ruling	3NT W made 3 + 600

(1)	Alerted a s Lebensohl (relay to 3♣).
(2)	Forced.

The Facts: The director was called at the end of the auction by South. North and East engaged in a heated discussion. North wants to explain his objection at the table. North away from the table stated that E/W must play 3♣. Table is instructed to continue and complete play. The argument continued at the conclusion of play further delaying the continuation of play on the next board.

The Ruling: In accordance with Laws 73C, 16B1A and B and 16B3 the table result was allowed to stand.

The Appeal: N/S appealed the director's decision. No player was present and the case was reported to the panel by the table director. The panel had convened to discuss another appeal but was informed that this appeal was urgent. N/S was not present and the E/W team was already playing their second match as winners of match one.

This appeal was from the first match of a compact knockout. The table atmosphere was contentious and significantly delayed the match. As such, all other second round matches had started when this match ended and N/S said they wanted to appeal. There was no time for a full hearing. 2NT was Alerted as Lebensohl, which was incorrect for the E/W methods on this auction.

The Decision: Some members of the panel felt 3♣ could not be natural (with five clubs and a 1NT opener West would bid 3♣ over 2♥ not double), so East's 3NT was not based on the UI of the Lebensohl Alert. Other members apparently disagreed (learned after the panel met) but their views were not understood, so the panel allowed the table result to stand.

After the decision was delivered, North discussed how West could easily have 5 clubs and, if so, would not bid 3♣ but still double in case East had strong hearts. This position seemed reasonable and possibly persuasive and in agreement with at least one panel member's views, which the panel did not understand or address. This situation was very unfortunate. A confluence of events: nature of the event, long delay at the table due to inappropriate behavior, late notice of desire to appeal, the panel having no time for full investigation of both side's arguments and the committee not fully expressing itself led to "shotgun justice." At best, it was hurried and incomplete and left players, at least North, without a sense of fairness. At worst, an incorrect result was confirmed.

The Panel: Peter Marcus (Reviewer), Candace Kushner, Tom Marsh and Jean Molnar.

Commentary:

Rigal For players of this level the meaning of 2NT is or should be clear. Facing a take-out double the East hand rates to be 'do something intelligent, pass being a legal option'. The failure to act over 2H makes the Lebensohl interpretation impossible. E/W are a good enough pair to know this. So East was in possession of UI. What should a 3C call mean over the 'scrambling' 2NT bid? It should mean an unsuitable hand for playing 2NT – let's say a 4-2-3-4 pattern with two small hearts. Now East has to guess whether to pass (might partner be 4-2-2-5? – I've had someone do that against me!) correct to 3D or advance either via 3H or 3NT. Some would pass – so the contract must be restored to 3C. Seems open and shut to me

Polisner Although this case is under the subject of MI, it is solely a UI case and poorly ruled upon and even more poorly decided by the Panel. There is no doubt that W's double was for TO and could easily contain 5 Cs (switch a small D for a small C).

How the majority of the Panel could not understand this when raised by a Member of the Panel is incomprehensible unless that Member was

speaking a language unfamiliar to the majority. The ACBL needs to write a letter of apology to N/S team and, at a minimum, refund their entry fee. Don't we owe it to the players to have better quality Panels?

Wildavsky An unjust ruling. It might not have helped, but the Panel ought to have approached the case "By the numbers." Was there UI? Yes. Did it demonstrably suggest bidding? Yes. Was Pass a LA? I'd say the answer is yes -- it's not clear to me whether this was the question the panel addressed. If they had any doubt they ought to have conducted a poll. If this had been done while the match was in progress it would not even have delayed matters.

I do not understand the logistical problems. If the match was running late the TD ought to have removed boards from play. Starting the second match with no clear result from the first match seems strange and perhaps unlawful, since the laws grant every player the right to appeal. Holding the belated Panel without NS present was also curious.

Wolff West's treating 2NT as Lebensohl is strange indeed, but East must treat partner's 3 club bid as running from 2NT and pass. Again the good thing is that this milder form of CD is also punished rather severely at that.