

APPEAL	NABC+ FIFTEEN
Subject	Misinformation (MI)
DIC	Steve Bates
Event	Reisinger BAM Teams
Session	Second Qualifying
Date	December 4, 2009

BD#	17
VUL	None
DLR	North

Rafal Jagniewski	
♠	K J 9 7 4 3
♥	2
♦	A J 4
♣	A J 4

Jan Jansma		Fall 2009 San Diego, CA	Louk Verhees	
♠	8		♠	6 5 2
♥	A 9 7 5 4 3		♥	K J T
♦	T 7 5		♦	K 9 8 6
♣	T 6 2		♣	K 9 3

Michal Kwiecien	
♠	A Q T
♥	Q 8 6
♦	Q 3 2
♣	Q 8 7 5

West	North	East	South
	1♠	Pass	1NT <sup>(1)</sup>
Pass	2♠	Pass	3NT
Pass	4♠	Pass	Pass
Pass			

Final Contract	4♠ by North
Opening Lead	♦8
Table Result	Made 5, N/S + 450
Director Ruling	4♠ N made 5, N/S + 450
Committee Ruling	4♠ N made 4, N/S + 420 for N/S 4♠ N made 5, E/W – 450 for E/W

(1) Forcing by agreement.
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**The Facts:** The director was called after the play of the hand was completed..

1. North tapped the Alert strip but did not say "Forcing" aloud.
2. At the end of the auction, East asked if the 1NT was forcing. North heard the question as "Was 3NT forcing?" and answered, "No."
3. East led the ♦8 and claimed he would have led a trump had he known 1NT was forcing.

**The Ruling:** The director judged that the auction demonstrated that South had at least some additional values, therefore there was not sufficient correlation to adjust the result.

**The Appeal:** E/W appealed the director's decision and were the only players to attend the hearing. E/W confirmed the director's finding of the facts. East didn't think that N/S had a spade fit.

**The Decision:** The committee found that there was misinformation. The proper method of Alerting or Announcing is a verbal assertion combined with a tap of the Alert strip. However, the misinformation ought to have had little impact on East's interpretation of the auction, which was consistent with what the defense should expect from the South hand. If East had a concern over the bidding, he could have asked what kind of hand would bid that way before he made the opening lead

The committee admonished N/S for not following proper ACBL Alert procedures. N/S did not fulfill their obligation to make sure that East understood that 1NT was forcing before the opening lead was made. However, the infraction was not one that warranted a procedural penalty. The committee judged that it was not likely that East would have found a better lead and followed it up with a successful defense had he been properly informed, so it assigned to E/W the score for 4♠ by North making five, E/W minus 450. It judged that 10 tricks were at all probable had correct information had been provided, however, so the committee assigned N/S a score of 4♠ by North making four, N/S plus 420, per law 12C1(e).

**The Committee:** Aaron Silverstein (Chair), Steve Garner, Robb Gordon, Ed Lazarus (Scribe) and Howard Weinstein.

**Commentary:**

**Goldsmith** I'm still waiting for E/W to explain to me how the difference between a non-forcing and a forcing 1NT affects the lead. Result stands. For E/W to have a chance at this sort of adjustment, they must call the director immediately when it has become clear that they were misinformed. This occurred when dummy hit. If East had said, "stop play, please. I need to call the director," before a card had been played from dummy, then told the director away from the table that had he been informed correctly, he would have led a trump, then he might get to change his lead. After the hand, however, no dice.

In this case, however, didn't the 3NT rebid make it completely obvious that 1NT could not have been non-forcing? So even if East had called the director immediately, I would have told him to carry on. Result stands.

**Polisner** I agree with the director and not the committee. For a world-class player like East to claim that he didn't understand what kind of hand South had is disingenuous at best. The subsequent auction revealed that West was not only forcing, but strong enough to bid game. The table result should stand for both sides as the MI caused no damage.

- Rigal** While the non-offenders did not deserve anything from this appeal I might have given N/S plus 450 and then some sort of procedural penalty. After all, the Alert Procedure was not properly followed AND East asked the right question...and got the wrong answer. For sure N/S did not deserve to keep their result one way or another.
- Smith** I would be more convinced of the righteousness of the E/W argument if the director had been called upon the sight of that surprising dummy. In a close case, I prefer the directors' ruling for that reason.
- Wildavsky** Both the director and committee rulings seem reasonable.
- Wolff** At least to me, a perfect decision minus 450 for E/W who got off to the wrong lead, but, in the committee's opinion (and mine) by chance but only plus 420 for N/S since they slightly bungled their responsibility. Since this was a B-A-M appeal, I guess, assuming that a normal result was obtained at the other table, that some kind of fraction would appear on the result screen. To me this is an important progressive decision, although quite simple.