

APPEAL	Non-NABC+ Four
Subject	Misinformation (MI)
DIC	Nancy Boyd
Event	David Bruce LM-5000 Pairs
Session	First Qualifying
Date	July 24, 2009

BD#	19
VUL	E/W
DLR	South

3,090 Masterpoints	
♠	Q 7 6
♥	A Q
♦	A J 7 5 3
♣	J T 5

4,092 Masterpoints		Summer 2009 Washington D.C.	2,236 Masterpoints	
♠	K 9 5 3 2		♠	J T 8 4
♥	8 6 2		♥	K 9 7 5
♦	K 2		♦	8 6
♣	8 7 3		♣	K 4 2

2,995 Masterpoints	
♠	A
♥	J T 4 3
♦	Q T 9 4
♣	A Q 9 6

West	North	East	South
			1♦
Pass	3NT	Pass	Pass
Pass			

Final Contract	3NT by North
Opening Lead	♠J
Table Result	Made 4, N/S + 430
Director Ruling	3NT N made 4 N/S + 430 3NT N made 5 E/W - 460
Panel Ruling	3NT N made 4 N/S + 430 3NT N made 5 E/W - 460

The Facts: The director was called at the end of the hand. Before playing to trick one, Declarer asked West the meaning of the opening lead and was told ‘attitude.’ He looked at the convention card, which had ‘coded 9/10s’ on it, but he did not see it. He said he can safely take the club hook to make five if he knows the opening leader cannot have the ♠K.

The Ruling: Alert Regulations require a player to protect himself if he suspects he does not have the full information. North failed to do this, so he received the score for making four plus 430. West did not comply with Law 40B6(a), so under Law 40 B6(b) E/W was awarded the score for the opponents making five minus 460.

The Appeal: E/W appealed the director's decision. All players except South were present at the hearing.

West said that she was not looking at her partner's lead when she answered 'attitude.' East said (several times) that the information was clearly marked on the card. The Reviewer pointed out (several times) that the declarer was entitled to be given the information without having to search for it. [The information was not under opening leads, but in the defensive carding section, so it was not unreasonable to miss it.] East pointed out that N/S played coded 9/10s as well, so he should be familiar with them. Declarer said he looked in the opening leads section, but there was no listing for KJ10. He did not look at the AJ109 (the '10' was circled) because the ace was in dummy. He thought the withheld information damaged him.

Seven players were asked what they would do if faced with this explanation. Five said they would ask more questions. One said she would assume the ♠J was the highest card in the suit led and the other did not think the answer adequate, but would not ask any more questions.

The Decision: North proved that he knew the explanation was inadequate when he examined the convention card. Alert Regulations state: 'An opponent who actually knows or suspects what is happening, even though not properly informed, may not be entitled to redress if he or she chooses to proceed without clarifying the situation.' Since he was an experienced player and he played the same thing, he should have pursued the matter further. Therefore, N/S were awarded the table result of 3NT N making four, N/S plus 430.

A large majority of West's peers thought her explanation was inadequate. While she may not have been looking at the lead when she first responded, at some point she had to have seen it and realized that her explanation was inadequate. Thus, Law 40B6(a) was violated and the adjustment required under Law 40B6(b) and 12C1(e)(ii) gives E/W the score for making five minus 460.

The panel judged that the appeal did not have significant merit and issued an appeal without merit warning (AWMW) to E/W.

The Panel: Charles MacCracken (Reviewer), Terry Lavender and Chris Patrias.

Commentary:

Polisner The response of "attitude" to the query is so nonsensical that it should not have resulted in any problem as it should have been clarified by E/W. The fact that it was not should not deny E/W of the table result and certainly no AWMW.

Rigal Excellent split ruling. Both sides got what they deserved. Not an easy ruling to give --well done director and panel.

- Smith** If I have any sympathy at all for anyone in this case, it is for North. My rule of thumb as a director is that we have to expect that when a player gets an answer to a question that makes no sense it is as if he got no answer at all and he must do more. This North did that. However, it is hard to understand he missed the notation of AJ109 which was right in the area he was looking. How can you deliberately not look at it when you know the ace is in dummy? Look at a convention card for yourself and see how hard that would be to do. So ultimately I accept the directors' and panel's decision. I'm impressed with the AWMW.
- Wildavsky** I agree that the appeal had no merit. I might have adjusted the N/S score as well. Declarer shouldn't have to dig for the information he's entitled to. The explanation was inadequate, and, given the explanation he received, it was reasonable for North to assume that "Attitude" was the defender's only non-standard lead agreement. He did well just to look at the opponent's convention card. West could have and should have corrected her explanation once she saw her partner's lead. It's unfortunate that KJT_x is not listed under "versus Notrump" on the ACBL convention card.
- Wolff** Right ruling-E/W should make sure declarer knows the defense's lead conventions, when asked, and with no CHICANERY or RELUCTANCE.