

APPEAL CASE NABC+ EIGHT
 Subject: Misinformation (MI)
 DIC: Henry Cukoff
 Event: Mixed Pairs
 Session: 1st Final, April 5, 2006

Board #19	Phil Schaefer	
Vul: E-W	♠ 5 3 2	
Dlr: South	♥ T 9 5 4 3	
	♦ A	
	♣ T 7 6 3	
	Connie Goldberg	Wafik Abdou
	♠ A K Q 7	♠ J T 9 8 4
	♥ A K	♥ J 6 2
	♦ K J 6 2	♦ 5 4 3
	♣ A 8 5	♣ Q 9

Nell Schaefer
 ♠ 6
 ♥ Q 8 7
 ♦ Q T 9 8 7
 ♣ K J 4 2

West	North	East	South
			Pass
2♣	Pass	2♦ ¹	Dbl ²
Rdbl ³	3♥ ⁴	Pass ⁵	Pass
Dbl ⁶	All Pass		

- (1) Waiting.
- (2) Alerted and described the red suits or the black suits.
- (3) Natural showing diamond values.
- (4) Alerted as Pass or correct.
- (5) Forcing.
- (6) Takeout.

The Facts: 2♣ was strong and artificial. 2♦ was alerted as a waiting bid, neither promising nor denying values. The double of 2♦ was alerted and explained as black suits or red suits (CRASH). The redouble was not alerted and was natural, showing diamond values. 3♥ was alerted and explained as a Pass or correct call. The double of 3♥ was not alerted but was presumed to be for takeout. The N/S convention card indicated that they play CRASH. N/S's system notes indicate that they play CRASH over strong and artificial 1♣ openings, a 1♦ response to such a 1♣ bid, and strong and artificial 2♣ openings; they say nothing about CRASH over the 2♦ response to 2♣. South said that she had a diamond mixed in with her heart spots when she chose to make the double. 3♥ doubled went down three for a score of E-W +500.

The Ruling: The director ruled that the convention card and the system notes contain sufficient information about CRASH that, by inference, it could be determined that N/S do in fact play it in this sequence and that South's bid was either a system violation or the result of her having sorted her hand incorrectly. In either case, the partnership agreement was alerted and correctly explained. Therefore, there was no basis for adjustment. The table result of 3♥ doubled down three, N/S -500 was allowed to stand. See law 75.

The Appeal: E/W contended that the evidence that N/S were playing CRASH was not sufficient to justify the director's finding. They further contended that they had a horrible bidding problem at the three-level because their opponents were misexplaining their bids. They argued that had they known that South had doubled for a diamond lead and that North's bid therefore could not be a pass-or-correct bid, they would have been much more likely to go right in this situation.

The Decision: When a ruling is to be made on a misinformation matter, the director (or the Committee) is to assume that there was misinformation unless the alleged offending side can present clear evidence that the explanation was in fact correct. The N/S pair had enumerated two opening bids and one response as having CRASH applied to them. Their failure to have listed this response as susceptible to CRASH suggests that they do not play it in this sequence. It would have been very easy for them to simply mention that a 2♦ response to 2♣ was susceptible to CRASH, too. The Committee also saw that the N/S system notes indicated that CRASH is used on hands with 5-4 distribution or better. Therefore, the explanation that South had her hand missorted when she made the CRASH bid is subject to doubt (it is self-serving testimony, since even with the diamond in the heart suit; she would not have complied with their systemic agreement of 5-4 in the two suits shown). Accordingly, the Committee found the evidence ambivalent that N/S had an agreement that they were playing CRASH after the 2♦ response. Since the evidence was not clear, the Committee presumed that misinformation took place.

The Committee saw that E/W had a difficult set of decisions at the three level. It also noted that the Alert to 3♥ was also misinformation, since it was also related to the CRASH convention. However, since that Alert and explanation provided a correct explanation of North's intentions, the Committee deemed that misinformation did not damage E/W. After extensively examining the auction, the Committee was unable to find a causal path from the misexplaining of the 2♦ bid to the bad result that E/W suffered for defending 3♥ doubled. The bad result was subsequent to, but not a consequence of, the misinformation. Therefore, the Committee allowed the table result of 3♥ doubled down three, N/S -500 to stand.

The Committee: Ron Gerard (Chair), Lowell Andrews, Michael Huston, Bob Schwartz and Aaron Silverstein.

Commentary:

- Goldsmith** Right ruling, wrong reason. I agree that there was misinformation. Again, this is a "look at the cards and believe them, regardless of how honest we know the players to be" case. South's hand strongly suggests that she was not playing CRASH. The system notes suggest but don't explicitly say that they were playing it, but strictly speaking, that's two reasons to believe they weren't, and that's more than good enough to assume MI. In reality, I suspect what really happened is that N/S were playing CRASH, and South just forgot, but we can't know. But so what? E/W's bad result wasn't caused by MI. It was caused by N/S's bidding. That they bid so much was based on a misunderstanding is just too bad. Given exactly correct information, E/W weren't getting this one right, so no adjustment. Rub of the green. I think an AWMW is in order. E/W were unable to present a case that the MI gave them a difficult problem. They claim that if they had known, they would have been more likely to go right, but they don't say how or why that's true. Since the AC rejected that claim, and I think it was presented entirely without support, that's sufficient for the appeal to be without merit.
- Polisner** I agree with the excellent AC analysis about lack of damage, which resulted from the alleged MI. The damage, if any, was the result of the jammed auction. I would have concluded that there was a misbid by South rather than MI in light of the rather clear convention card and system notes.
- Rigal** Somehow I feel E/W got the worst of this. But the fact of the matter is that N/S just got lucky and set their opponents a problem they could not deal with. There was no visible link between the infraction (if any) and the bad result E/W got. Mind you, any pair who regularly forgets system in this way ought to receive a visit sooner or later from the Recorder?
- Wildavsky** The AC did a better job than the tournament director (TD) in applying the laws, even though they made the same ruling in the end. Since the N/S notes were ambiguous about this sequence the laws require that we consider it to be MI -- I don't know why the TDs strained to find evidence of an agreement that was not there. The AC might have noted that had E/W realized that N/S were having a misunderstanding they were more likely to double 3♥ than they were with the info they had.

Wolff Convention disruption strikes again and in all its fury. Because of it, EW made a wrong judgment. When players play offbeat conventions such as here, they should know their conventions or be penalized rather severely until they are compelled either to learn them or to discard them. The opponents should not have a windfall, such as here, but usually at most an average plus. Protect the field (PTF) should be a battle cry.

Zeiger I wonder. What auction did E/W present to allow them to reach 4♠? If it was simply East pulling West's second double to 3♠, then what reason did they give for not doing so at the table? I'll accept the finding of MI, which gives the appeal merit, but E/W were looking for a miracle, hoping a committee would find a causal connection between the MI and the result. Good decision.