

APPEAL	Non-NABC+ Fifteen
Subject	Defective Trick
DIC	Ken Van Cleve
Event	Side Game
Session	Evening
Date	July 28, 2007

BD#	14
VUL	None
DLR	East

1719 masterpoints	
♠	A Q 6 5 2
♥	9 6
♦	9 2
♣	Q 7 6 4

424 masterpoints		Summer 2007 Nashville, Tennessee	394 masterpoints	
♠	K 8 4		♠	9 7
♥	7 3 2		♥	K 5 4
♦	A Q 4		♦	J T 8 6 5 3
♣	A K T 8		♣	J 9

3580 masterpoints	
♠	J T 3
♥	A Q J T 8
♦	K 7
♣	5 3 2

West	North	East	South
		Pass	Pass
1NT ¹	Pass	2NT ²	Pass
3NT	Pass	Pass	Pass

Final Contract	3NT by West
Opening Lead	♠5
Table Result	3NT making 5, +460 E/W
Director Ruling	3NT making 5, +460 E/W
Panel Ruling	3NT making 5, +460 E/W

(1)	15-17 HCP.
(2)	Transfer to Diamonds. West forgot agreement.

The Facts: The director was called during trick five. The play had proceeded:

♠5 ♠9 ♠T ♠K
♣8 ♣4 ♣J ♣2
♦3 ♦7 ♦Q ♦9
♦A ♦2 ♦5 ♦K
♦4 ♥6 ♦J discard

After South discarded, declarer played the ♥2. Declarer said he was tired, and had forgotten he had already played to that trick.

The Ruling: The director judged that West had contributed a fifth card to the trick. In accordance with law 45E2, the ♥2 was restored to declarer's hand.

The Appeal: N/S appealed. All four players attended the review. South said N/S had already turned over their cards for trick five. Dummy's card had been detached, but not completely turned over. South asserted it was more likely declarer was discarding the ♥2 on the ♦10, forgetting he hadn't called it yet. This would make the ♥2 a lead out of turn, which N/S would have accepted.

West reiterated his statement to the table director.

The Decision: Either scenario seemed plausible to the panel. Since the ♦J hadn't been completely turned over yet, declarer's version was certainly possible, but since the N/S cards had been quitted, their version was also possible.

Without a compelling reason to do otherwise, the panel deferred to the table director's finding of fact, in which case Law 45E2 was correctly applied. The panel upheld the director's decision resulting in 3NT by West, making five, E/W plus 460.

The panel was unanimous that this appeal had substantial merit.

The Panel: Gary Zeiger (Reviewer), Candy Kushner and Jean Molnar.

Players Consulted: None.

Commentary:

Polisner Bad sportsmanship at its best. What did North think about this five-point invitation? Perhaps misdefending by eighth tricks can create this type of sportsmanship.

Rigal I've never seen this position before so must reluctantly concede there is some merit to the case. Would a player who has forgotten he is playing transfers be more likely to play two cards to a trick or to follow to a card he has not led? This ranks up with 'how many angels can dance on the head of a pin?' and is just as relevant to modern life.

Smith A tough call for the director and panel to make. I wouldn't criticize a decision either way on this one.

Wildavsky Good work all 'round.

Wolff I agree with the lesser important decision of allowing E/W to score plus 460 and that West was only trying to follow to dummy's good diamonds and not leading out of his hand. However, North's poor anger management should not be catered to and his bringing this appeal shows a clear attempt of trying to get something for nothing, especially since he erred in not rising with the queen of clubs and wind up defeating 3NT six tricks. Sure North has a right to get ugly, but not with the opponents only with himself. He needs to be reminded of what he did.