

APPEAL	Non NABC+ Thirteen
Subject	Disputed Claim
DIC	Matt Smith
Event	North American Pairs – Flight C
Session	First Qualifying
Date	March 20, 2010

BD#	<b>22</b>
VUL	<b>E/W</b>
DLR	<b>East</b>

<b>287 Masterpoints</b>	
♠	K J 9 5 2
♥	8 7
♦	A Q
♣	Q J 5 4

<b>365 Masterpoints</b>		<b>Spring 2010 Reno, NV</b>	<b>77 Masterpoints</b>	
♠	A 8 7 6		♠	T 4 3
♥	J 6 4		♥	A Q 5 2
♦	8 6 2		♦	J 7 3
♣	K T 3		♣	9 7 2

<b>274 Masterpoints</b>	
♠	Q
♥	K T 9 3
♦	K T 9 5 4
♣	A 8 6

West	North	East	South
		Pass	1♣ <sup>1</sup>
Pass	2♠ <sup>2</sup>	Pass	3♦
Pass	3NT	Pass	Pass
Pass			

Final Contract	<b>3NT by North</b>
Opening Lead	<b>♣ 9</b>
Table Result	<b>Down 1, N/S - 50</b>
Director Ruling	<b>3NT N down 1, N/S - 50</b>
Panel Ruling	<b>3NT N down 1, N/S - 50</b>

(1)	Alerted, artificial and forcing promising a 4 card major.
(2)	Four spades and 10+ points forcing one round.

**The Facts: The director was called at trick twelve with East on lead when North, declarer, claimed.**

♠ K  
♥  
♦  
♣ J

♠ 8  
♥ J  
♦  
♣

♠ 4  
♥ 5  
♦  
♣

♠  
♥ K T  
♦  
♣

## **Facts continued.**

Declarer made no statement as to the line of play. E/W objected, saying that on a heart lead declarer has a guess. North stated that East's hesitation at trick 10 in finding a discard marked East with at least one spade, so finessing can never be right.

**The Ruling:** In accordance with Law 70D1, the director judged that playing the heart ten is a careless or inferior alternative normal line of play and that playing for the drop or finessing are both consistent with the claim statement (or lack thereof). Therefore, one trick was awarded to E/W, which resulted in the contract failing by one trick.

**The Appeal:** N/S appealed the director's decision and all four players attended the review.

N/S stated that the claim was accompanied by the words, "Whatever you lead, either dummy's hand or my hand will be good." With this statement it doesn't make sense to finesse. Declarer could not state the distribution of the E/W hands. East said she asked where the jack of hearts was after the claim.

**The Decision:** Failing to state what action declarer would take if a heart was led does not give directors enough basis to overlook Law 70E1. There is insufficient evidence that declarer knew the position of the heart suit. Therefore, the panel ruled as the director had. The appellants had 270 points each and sincerely believed that it would be irrational to play the heart ten instead of the king. These factors convinced the panel to find that the appeal had merit.

**The Panel:** Bill Michael (Reviewer), Patty Holmes and Jean Molnar.

## **Commentary:**

**Rigal** I think the TD and panel got this right; if declarer were in control he would never have claimed without stating why he was getting hearts right. Since it is the last case we'll let the panel off their failure to award the AWM

**Polisner** Correct ruling and decision.

**Wildavsky** Down only one? What will declarer pitch from his hand at trick 12?  
Just kidding. I agree with the rulings. Neither NS's relative inexperience nor their apparent sincerity gives this appeal merit. Most of those who receive an AWMW are sincere -- the warning does not, and should not, imply otherwise!

**Wolff** At least to me, although again greed is present with EW's intentions, when declarer claims she is not allowed to finesse and whatever happens, happens. Upon receiving the heart play it would be inconceivable to me after claiming without explanation for North to consider finessing the heart. If the committee hated how North handled this situation then still give North the right heart play but then penalize them (PP) for whatever they hated North for.